

**REPORT ON THE FINDINGS OF THE ETHIOPIAN HUMAN RIGHTS COMMISSION'S INVESTIGATIONS INTO THE HUMAN RIGHTS SITUATION DURING THE DISTURBANCES IN PARTS OF OROMIA REGIONAL STATE AND DISPUTE RELATED TO ISSUES OF IDENTITY AND SELF-ADMINISTRATION RAISED BY THE QEMANT NATIONALITY IN AMHARA REGIONAL STATE AND THE RESOLUTION PASSED BY THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA HOUSE OF PEOPLES' REPRESENTATIVES**

**THE ETHIOPIAN  
HUMAN RIGHTS COMMISSION**

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### MESSAGE FROM THE CHIEF COMMISSIONER

The Ethiopian Human Rights Commission (hereinafter alternatively “the Commission”) hereby submits its report on the findings of its investigations into the disturbances and dispute that took place in some areas in Oromia Regional State and North Gondar Zone in Amhara Regional State.

As provided in its constituting Proclamation No. 210/2000, one of the mandates of the Commission is to undertake investigations into allegations of violations of human rights and fundamental freedoms and to the extent such violations are found, to ensure that they are properly and sufficiently addressed without impunity.

It is with this fundamental conviction that the Commission, notwithstanding time constraints and potential risk to its staff, conducted a substantial and independent investigations into the crises in Oromia and Amhara Regional States which occurred between December 2015 and May 2016. Too many human lives have perished, many suffered physical injury and so much property was destroyed. While the disturbances were barely contained, the Commission deployed significant resources and staff to these locations covering a wide geographic area to ensure the preservation of evidence, both oral and material. Equally important, it also sought to determine the truth about the human rights situation. In the Commission’s endeavor to determine the truth – and the whole truth – it left no stone unturned: in addition to seeking the testimony of victims and their families and eyewitnesses to the events, it collected thousands of pages of documentary and audio-visual evidence.

Upon completing its investigations, the Commission submitted its report on its findings as well as its recommendations to the Federal Democratic Republic of Ethiopia (hereinafter “FDRE”) House of Peoples’ Representatives (hereinafter and throughout the report, alternatively “HoPR”). The HoPR, to which the Commission is accountable, promptly endorsed the report as well as the findings and recommendations in their entirety with a majority vote. Further, the HoPR, on the basis of the resolution it passed, requested all pertinent government bodies to fully implement the Commission’s findings and resolutions.

On behalf of the Commission, I use this opportunity to express our deepest condolences to the victims and their families in the regions who suffered great loss. We are grateful to them and all witnesses who provided their testimonial and material evidence that was crucial in this investigation.

The Commission is currently following-up on the implementations of the recommendations and is also currently conducting investigations into the disturbances that took places after June 2016. The Commission will soon issue a report on the findings of the investigations.

Finally, a disclaimer on this English-language version of the report is warranted. The report was written and submitted to the HoPR in the Amharic language. While this translation endeavors to remain true to the original text in both letter and spirit, any error or deviation from the original Amharic version should be interpreted in favor of the original text. Any error or deviation – if there are any – is inadvertent.

It is the profound conviction of the Commission that together – the people of Ethiopia and the Commission’s partners and stakeholders, upon whom the Commission relies for the success of its work, can and will make a difference in the furtherance of human rights and fundamental freedoms for our citizens.

Addisu Gebreigzabhier (PhD)  
CHIEF COMMISSIONER

**LIST OF ACRONYMS & DEFINITIONS FOR AMHARIC WORDS**

ACRONYMS & <i>Words</i>	DESCRIPTION OR DEFINITION
<b>ANDM</b>	Amhara National Democratic Movement
<b>EHRC</b>	Ethiopian Human Rights Commission
<b>EHUD MARKET</b>	Sunday Market
<b>FDRE</b>	Federal Democratic Republic of Ethiopia
<b>HPR</b>	FDRE House of Peoples’ Representatives
<b>HoF</b>	FDRE House of Federation
<b><i>Kebele</i></b>	The Fourth-level Administrative Division in Ethiopia (below <i>Woreda</i> )
<b>OLF</b>	Oromo Liberation Front
<b>OMN</b>	Oromia Media Network
<b>SENKELE KORKI</b>	An endangered antelope native to Ethiopia
<b><i>Woreda</i></b>	The third-level administrative division in Ethiopia (under a zone)
<b><i>Zone</i></b>	Borrowed from the English word, a zone is the second-level administrative division in Ethiopia (under a Regional State)

## **CHAPTER ONE**

### **1. INTRODUCTION**

Since its establishment, the Ethiopian Human Rights Commission (alternatively, “the Commission” or “EHRC”), pursuant to Article 55 (14) of the Ethiopian Constitution and Proclamation No. 210/2000, has discharged its responsibility to create awareness in the public regarding human rights instruments provided for under the Constitution and international instruments ratified by Ethiopia and ensuring their implementation in the country. The Commission has also endeavored to ensure the respect and protection of the human rights of all citizens particularly those of vulnerable groups by undertaking investigations upon complaints and/or on its own initiative and to the extent it finds such violations, provides its assistance to find remedies for those violations.

Pursuant to the mandate vested in the Commission under Articles 6 (1), (2) and 24<sup>1</sup> of the Ethiopian Human Rights Commission Establishment Proclamation No. 210/2000, the Commission recently investigated the disturbances in several woredas located in ten zones of Oromia Regional State. The Commission also investigated the incidents of violence in North Gondar Zone of Amhara Regional State related to the question of identity and self-administration raised by the Qemant nationality. This report is based on observations and the investigative analysis conducted in the affected locations and is prepared to allow concerned bodies to take corrective measures.

### **2. GENERAL BACKGROUND OF THE INVESTIGATIONS**

#### **2.1. THE BASIS FOR THE INVESTIGATIONS AS THEY RELATE TO HUMAN RIGHTS**

As indicated in the introduction, the Commission, pursuant to Articles 6 (4) and 24 of its constituting proclamation, has conducted two investigations, upon complaints received and on its own initiation, on the allegations of human rights violations following the disturbances in parts of Oromia Regional State and the dispute in North Gondar Zone of Amhara Regional State relating to the question of identity and self-administration raised by the People of Qemant.

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<sup>1</sup> See Ethiopian Human Rights Commission Establishment Proclamation No. 210/2000 Article 6 (1), which ensures that the human rights and freedoms provided for under the Constitution of the FDRE are respected by all citizens, organs of state, political organizations and other associations as well as by their respective officials. In addition, Article 6(4) mandates the Commission to undertake investigations, upon submission of a complaint or its own initiation, with regards to the respect of human rights violations. Article 24 also reinforces these mandates.

## **2.2. OBJECTIVES OF THE INVESTIGATIONS**

- A. To conduct investigations in response to complaints received by the Commission and on the Commission's own initiation pursuant to Article 6, sub-article, 4 of its constituting proclamation;
- B. To identify human rights violations to the extent such violations are found during the course of the investigations;
- C. To forward recommendations – based on the findings of the investigations and its findings – to concerned government bodies on how the human rights regime can be better implemented.

## **2.3. THE HUMAN RIGHTS LAW REGIME**

The investigations have been carried out on the basis of the Commission's mandate, relevant provisions of the FDRE Constitution, domestic laws and on those international human rights instruments ratified by the country.

## **2.4. SCOPE OF THE AREAS OF THE INVESTIGATIONS**

The investigations were primarily confined to Western and Southwestern Shoa, Western Arsi Zones and other zones in Oromia Regional State and to Chilga, Lay Armachiho, and Metema Woredas of North Gondar in Amhara Regional State.

## **2.5. METHODOLOGIES EMPLOYED FOR THE DATA COLLECTION**

To ensure the credibility, validity, and reliability of the investigations, both primary and secondary sources were sought for the data collection and in addition, purposive data sampling was employed.

To that effect, ten (10) investigating teams of twenty-eight (28) members were deployed to the above-stated areas in both regions. Nine (9) of the investigating teams comprised of twenty-three (23) members were deployed in Oromia Regional State, and another team comprised of five (5) members in Amhara Regional State. The teams collected the data through:

- A. Group discussions held with officials in various positions, various community members, representatives of elders, religious leaders, complainants, victims and their families in both regions, members of the National Defense Forces stationed in the areas investigated, and suspects in correctional centers as primary sources of data;

- B. Audio-visual evidence, including photographs from the areas investigated, focus group discussions, personal observations, pertinent legal instruments enforced in the areas, and medical records, obtained from health centers were used as secondary sources of data; and,
- C. Additional interviews and discussions with relevant officials in the regions after the evidence was collected.

## **2.6. SAMPLING**

The Commission has applied an objective sampling methodology to gather credible information from relevant bodies and citizens.

## **2.7. LIMITATIONS OF THE INVESTIGATIVE REPORT**

This investigative report is limited to those areas where the recent disturbances and conflicts occurred.

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## **CHAPTER TWO**

### **2. INVESTIGATION REPORT RELATED TO ALLEGATIONS OF HUMAN RIGHTS ABUSES IN OROMIA REGIONAL STATE IN THOSE AREAS WHERE THE DISTURBANCES OCCURRED**

#### **2.1. BASIS FOR THE INVESTIGATIONS**

The Commission, pursuant to its mandate as provided for under Article 24 of the Ethiopian Human Rights Commission Establishment Proclamation, has undertaken this investigation on the treatment and protection of human rights in the wake of the disturbances in several woredas in the ten zones in Oromia Regional State. Accordingly, the Commission has considered the following points within the context of the treatment and protection of human rights when investigating the causes for the disturbances in the above-indicated areas:

- A. Identifying how and when the disturbances occurred;
- B. Identifying the major causes for the disturbances;
- C. Identifying the factors that exacerbated the disturbances;
- D. Identifying human casualties and property damage that occurred as the result of the disturbances;
- E. Forwarding recommendations by identifying who was responsible for the disturbances and measures taken to end them.

#### **2.2. GENERAL OVERVIEW OF THE DISTURBANCES**

In those areas where the investigations were carried out, the disturbances brought about significant loss of life, injury, and damage to property. Moreover, the disturbances resulted in significant damage to public services, private property, government institutions, as well as to investment and development infrastructures.

The following elements provide the overall picture of the disturbances, the resultant damages, the development of the crises and the measures taken to contain the situation.

In the areas investigated, the public has unanimously stated that the main problem they faced in their day-to-day lives were problems related to lack of good governance. The Commission's investigation has established the fact that the public had

complained that the response to all its demands were sluggish, had not included its participation, and that it was unsatisfied with the results.

The demands the public has raised relating to the lack of good governance included misuse of land both in urban and rural settings, corruption, maladministration, lack of information, participation in government activities, and favoritism by some judges, law enforcement agents and public prosecutors in the justice sector.

In view of this, the investigation reveals that there is both a perception and practice of misuse of public resources by officials at every level of the government structure in the areas investigated, especially with respect to common lands in rural kebeles that have been farmed illegally and for personal gain. Similarly, in the cities, where it is obvious that government officials would not be able to amass wealth with their salaries in a short period of time, some officials in the leadership have made a fortune as a result of the farmers losing their plots of land without either being adequately informed or compensated. These practices have led to public grievances.

The Commission's investigation has further ascertained that in addition to not informing farmers about when they would be evicted from their land, they were not provided with adequate and timely compensation nor were sustainable livelihoods created for them prior to their resettlement.

The investigation also revealed that some judges, public prosecutors and police investigators have forged a network that allows them to conspire to pervert the course of justice through bribery, favoritism and nepotism. There are also unfair and discriminatory employment practices in government offices and that the public has been disgruntled about the implementation of development projects by the administrations without their involvement and that the development projects were unduly delayed.

The Commission believes that in the areas investigated the public exercised its constitutional rights to demonstrate publicly to express its dissatisfaction. So long as the public demonstration by the farmers and urban dwellers to express their grievance are conducted peacefully, such demonstration would be within their constitutional rights.

However, contrary to the above, the investigations also reveal that the Oromo Liberation Front (OLF), an organization proscribed as a terrorist group by the FDRE HoPR, as well as other legally registered political parties, attempted to subvert the constitutional order by joining the early demonstrations and scheming to turn the peaceful demonstrations into scenarios that would result in massive loss of human

lives and destruction of property. In those areas where the investigations were conducted, there was evidence of forcing peaceful demonstrators and those who remained at home to take part in the disturbances.

The investigations also reveal that some administrators failed in their duty to respond to the disturbances even where they had received advance information of the impending situation. There were also some administrators at different levels who directly participated and played roles in various ways to exacerbate the disturbances. The evidence gathered also indicates that some administrative officials fled from their woredas before the outbreak of the disturbances thus exposing the residents of the areas to the threats posed by the anti-peace forces.

The investigation further reveals that the first step in hijacking the citizen's right to hold peaceful demonstrations and turning it into a chaotic situation by terrorist and anti-government forces began on *Hidar 2*, 2008 E.C. (November 12, 2015, G.C.), in the town of Ginchi, Dendi Woreda, in Western Shoa Zone where the students of Ginchi primary school claimed that a portion of their school's plot of land was carved out to private individuals. As the investigation uncovered, the rumors that "the Addis Ababa and its Surrounding Oromia Special Zone Integrated Plan and the Oromia Cities Proclamation has been legislated to take away Oromia Regional State's land and that the Chilimo Forest was sold to others" were used as propaganda ploys to escalate the disturbances as well as to swiftly spread it to all zones in the regional state to destroy lives and property.

Moreover, the groups who led the disturbances used ploys such as threatening those who participated in the demonstrations to commit violent acts, ordering those who did not participate in the demonstrations to take part in them, and intimidating to burn down the houses and properties of those who refused to participate. When causing death and destruction of property, the groups used machetes, axes, incendiary liquids such as fuel (when they ran short, they forced vehicles to stop and relinquish the fuel from their tanks), assault rifles, hand grenades and other weapons. To further expand their violent actions, they forcefully took weapons from members of the militia and burned down the homes and property of those who refused to relinquish their properties. They also robbed weapons and freed detainees from police stations.

In addition, those who led and engaged in the disturbances as well as those who supported them, used children, women and the elderly as human shields which not only prevented public security officers from defending themselves and restoring peace but also resulted in the death and injury of the officers.

Those who led the disturbances murdered police officers in Abuna Gendebret Woreda of Western Shoa Zone, mutilated their bodies with axes and machetes and set them on fire. This was done to demonstrate the extent of their cruelty and to create an atmosphere of terror. They also blocked roads using tree trunks, destroyed bridges, dug-up roads to make the areas inaccessible to vehicles and to prevent public security officers from stabilizing the situation and rescuing human lives and property. The investigations further reveal that they had also intended to bring about massive loss to human lives and property by ambushing and executing police officers in locations such as Siraro and Shala.

Furthermore, the organizers and coordinators of the disturbances used all available means to allow them to inflict significant death and damage to lives and property by carrying out their mission not only during the daytime but also at night. For instance, in the effort to spread the disturbances from one woreda to the next and to replicate the degree of cruelty, the organizers played the OLF song entitled “Master Plan” through various means such as mobile phones, car and motorcycle audio players, and using media and social media outlets including Oromo Media Network (OMN). This contributed to significant loss of life and destruction of property, crops, social services, governmental institutions as well as domestic and foreign investment structures. The patterns in the death and destruction caused gives one the impression that the groups were receiving orders from a centralized command.

In all areas where these groups were present, they looted, destroyed and set fire to private homes, churches along with their property within, government institutions such as kebele and woreda offices, courts, police stations, health stations, farmer training centers, the crops of “model” farmers, homes of administrators, private companies and government vehicles.

Notwithstanding the benefits of the large domestic and international investment to the country and to residents of the localities, the destruction of investment projects was carried out in such a way that they appear to have been motivated by a desire to return the country to its former state of abject poverty.

In all those places in Oromia Regional State where the disturbances took place, the residents made significant efforts to protect their property but it was all in vain. Those behind the violence silenced the voices of the elders. The disturbances were even manifested within members of families, for example, in Kelem Welega Zone, an individual by the name of Eshetu Fegessa who had murdered someone and who was on the run, unintentionally killed his own mother with his machete as she was

unwittingly passing by his hiding place. He killed her with his machete believing that she was a police officer. Then his brother killed him to avenge their mother's death.

In Beref Tokotane Waqeyo Kebele of Horo Guduru Zone, two girls fell to their death in a ditch while running away from the disturbances when they accidentally took a wrong turn. In Southeastern Shoa Zone, a gun stolen by individuals who were participants in the disturbances accidentally discharged and killed an innocent bystander as the individuals were handling the weapon. In the same zone one person was also killed when a homeowner fired his gun to protect himself and his property from looters. In Ameya Woreda, a guard of the Oromia Credit and Saving Development Association Bank fatally shot a looter.

Furthermore, in West Shoa Zone, in Ambo, a kebele chairman shot to death an armed looter in self-defense. In Olonkomi and Asgori towns of Dendi Woreda, two people died after setting fire to the house and shop of an armed member of militia and as they attempted to take his weapon. Forty-two individuals (42) were killed in gunfire discharged from guns that were stolen by unknown individuals, during attempts to take weapons from security officers and by gunfire from unknown sources during the disturbances. The disturbances also caused the death and bodily injury to members of the National Defense Force, Federal Police, regional police and militia who were deployed to the areas to contain the disturbances. Fourteen (14) members of public security officers and fourteen (14) administrators were killed by hand grenades, gunfire, machetes, axes, stabbings, rock-throwing and beatings with sticks. 110 public security officers also suffered serious injury while 416 received mild injuries. In West Arsi Zone, Shala Woreda, armed individuals ambushed and shot and killed six (6) security officers who were deployed to maintain peace and security.

Those who coordinated the disturbances also used schools to aggravate and spread the situation by entering schools wearing school uniforms and forcing students to join them. Individuals unknown to any particular woreda traveled from one woreda to another spreading violence and causing injury to those who sought peace. In Western Hararghe and in other areas, the disturbances were aggravated by individuals who entered the country with the sole mission to participate in the disturbances and who apparently had direct communication with coordinators of the disturbances who operated outside the country.

There were also attempts made to lead the public into violence by spreading lies and innuendo. For example, in Abuna Gendebret of West Shoa Zone and in Shala and Siraro Woredas of Western Arsi Zone, they led the people towards violence by fabricating a lie – that a relative of theirs had been killed.

In West Arsi Zone, the leaders of the disturbances used religious extremism as a tool to set fire to many churches to maintain the intensity of the violence and prevent countermeasures to contain it. Moreover, they attempted to portray the disturbances as an ethnic conflict, however, thanks to the coordinated efforts of elders, religious leaders and security forces, the disturbances were contained before they reached devastating proportions.

The investigation further revealed that after causing significant damage and injury in West and Southwest Shoa Zones, the above-mentioned forces, in their effort to subvert the constitutional order, spread the disturbances to West Arsi Zone. However, the efforts of elders, religious leaders and peace-loving people of the area frustrated the goal to expand the disturbances to the other seven zones.

For example, in West Arsi Zone, Kofele Woreda and in West Shoa Zone, Abuna Gendebret Woreda, elders and religious leaders played a significant role in containing the disturbances and minimizing the damage. In Bale Zone, in the town of Robe, some students at Medewalabu University who supposedly attempted to spread the disturbances from the grounds of the university to towns were unsuccessful in their efforts because of the joint efforts of the town elders, religious leaders and zonal and town administrators in Robe. What the investigations revealed is that the disturbances did not spread to all zones because of the concerted and coordinated effort of local elders and religious leaders to stop the disturbances.

This report will include a summary of the disturbances' adverse impacts on human lives and property. The investigation has also determined that the impact would have been much more devastating had not it been for the assistance – at the request of the Oromia Regional State – by the National Defense Force and Federal Police, who, together with the Regional Police and militia, acted both carefully and efficiently to respond to the emergency situation by overcoming and clearing all obstacles, including with the use of dynamite.

## **2.3. CAUSES FOR THE DISTURBANCES IN SOME WOREDAS IN WEST SHOA ZONE, THE CONSEQUENCES, MEASURES TAKEN TO CONTROL THE DISTURBANCES ACCORDING TO THE INFORMATION GATHERED FROM DIFFERENT BODIES**

### **2.3.1. Causes for the Disturbances**

#### ***A. Information Gathered from Officials and Employees at Regional, Zonal and Woreda Levels of Administration***

The evidence shows that the reason why residents of most woredas of West Shoa Zone participated in the disturbances was the perception that the draft Addis Ababa

and its Surrounding Oromia Special Zone Integrated Plan was a scheme against the interests of the People of Oromo.

The evidence also shows that the OLF, the organization proscribed as a terrorist group by the HoPR and that seeks to overthrow the constitutional order through violence, together with some opposition political parties operating in Oromia Regional State, also exacerbated the situation by presenting a distorted view of the Addis Ababa and its Surrounding Oromia Special Zone Integrated Plan. They spread this false rumor on social and other media outlets stating that West Shoa Zone was going to be placed under the mandate of the federal government.

The officials further stated that these elements used the youth to ferment unrest by disseminating false rumors that the government has sold Chilimo Forest in Dendi Woreda, claiming that the Lease Proclamation was a plot to displace the People of Oromo from their land because the financial resources were in the hands of other peoples from different nationalities.

They explained that other reasons for the residents to join the disturbances was their disappointment over the fact that development projects promised by the government during the 2015 elections such as the 122km asphalt road construction work from Ginchi to Gendebret as well as public utility services such as electricity and telephone services were not realized as promised. Another reason was that a portion of land from Ginchi Primary School was slated to be used for development projects.

They further added that the pervasive practice of lack of good governance in the woredas of West Shoa Zone was another reason why some people participated in the disturbances.

Other reasons were also given: the tariff imposed by the Dangote Cement Factory on ninety-seven (97) residents of Ada Berga Woreda in West Shoa Zone who worked as loaders for the factory located in the same woreda; the firing of employees who were organized as packers in microenterprises and the requirement dictated by the company on 147 individuals who applied for driver positions in the factory to produce, in order to get hired, a guarantor who owns a house in Addis Ababa.

They explained that what contributed to the exacerbation of the disturbances was the false information disseminated by armed agents (armed with weapons and incendiary devices) of the OLF and some members of opposition political parties who alleged that the elections were fraudulent, and also, that one of their men was killed in Abuna Gendebret Woreda, and threatened to kill and burn homes if residents refused to participate in the disturbances.

***B. Information Gathered from Different Members of the Community, Elders, Religious Leaders and Families of Victims***

The above-indicated individuals informed the Commission that the major cause for the disturbances in West Shoa Zone was the absence of good governance. They explained that in addition to the failure of courts in being impartial, there has also been significant corruption in both courts and administrative bodies. Moreover, land has been illegally taken away and arbitrarily sold by some members of the leadership or otherwise occupied by them. According to them, all of these issues have caused a chasm between the government and the people.

They pointed to the fact that projects promised by the government such as the Ginchi-Gendebret Asphalt Road Project and other water, electricity and telephone services were not provided fairly and equitably. They also stated that what led students to participate in the disturbances was the appropriation of plots of land belonging to Ginchi Primary School to individuals for construction of residential housing.

They further indicated that the youth were led to believe that the Addis Ababa and its Surrounding Oromia Special Zone Integrated Plan was intended to steal Oromia's land, that the sale of Chilimo Forest was illegal, and that the land lease law was meant to benefit financially well-off individuals from other nationalities. Other unsubstantiated inflammatory statements were also used to incite the youth into taking part in the disturbances.

They also explained that the discriminatory and unjust employment practices by the Dangote Cement Factory against the residents of Ada'a Berga Woreda in West Shoa Zone angered the public and led them to participate in the disturbances.

Moreover, the OLF and some legally registered opposition political parties used legitimate grievances to incite the public, particularly the youth, to take part in destructive schemes by disseminating a wide range of deceptive information. By playing provocative and hate-filled songs propagated through various media outlets and by threatening to burn homes, they were successful in turning peaceful demonstrators into violent protestors. They carried out all these acts with great cruelty.

They further provided evidence that the zonal administration and public security officers failed in their duty to ensure the rule of law even where there were discernible early signs of unlawful activity. Even some members of the administrative structure played a role in inciting the disturbances.

They also cited the high rate of youth unemployment in several woredas of West Shoa Zone as another reason that led the youth to give up all hope and to join the disturbances.

### **2.3.2. Damages Sustained in West Shoa Zone and its Woredas**

There was loss of life, physical injury and damage to the properties of individuals as a result of the disturbances that occurred in fourteen (14) out of the eighteen (18) woredas in West Shoa Zone. During the disturbances, sixty-three (63) persons lost their lives. Property belonging to the government, investors and private owners sustained damage. The data showing the above loss of human life and property damage from select woredas is as follows:

#### ***A. Ambo Town Administration***

Ambo is the capital city of West Shoa Zone in which there are three (3) kebeles, regrouped from six (6) kebeles in the past. The disturbances in the city occurred in mid-*Tir* 2008 E.C. (towards the end of January 2016, G.C.). One of the causes for the disturbances was the Addis Ababa and its Surrounding Oromia Special Zone Integrated Plan, however, lack of good governance and unemployment were other factors that contributed to the exacerbation of the situation.

- Six persons lost their lives during the disturbances. Out of the six (6) persons who lost their lives, five (5) came from the surrounding rural kebeles while one individual was a resident of the town. During the course of the confrontations between security officers and protesters, hand grenades were thrown and bullets were fired by the protesters. Determining the direction of the gunfire that caused the death of the six persons proved challenging. Twenty-two (22) security officers were injured of which six (6) were seriously injured.
- The properties of three (3) kebele offices were destroyed by fire. Moreover, the repetitive disturbances that took place in Ambo University caused significant obstacles in the teaching and learning process. Education was disrupted for two months in the town's primary and secondary schools.

#### ***B. Abuna Gendebret Woreda***

There are forty-two (42) rural and two urban kebeles in Abuna Gendebret Woreda. There were disturbances in all kebeles of the woreda with the exception of Daguma Kebele since *Hidar* 28, 2008 E.C. (December 8, 2015 G.C.).

- Six individuals – three (3) members of the police and three (3) protesters – all of them male, lost their lives during the disturbances in the woreda that took place from *Hidar* 28, 2008 to *Tahsas* 7, 2008 E.C. (December 8, 2015 to December 17, 2015, G.C.). Four individuals sustained physical injury. The three police officers were mutilated with axes and burned to death.
- In addition, eighteen (18) government offices were damaged. The woreda police station and thirteen (13) kebele administrative offices were entirely destroyed; the properties of nine individuals and one restaurant were damaged. The homes of sixty (60) civilians, thirty-four (34) kebele offices, a farmer training center, one teachers' dormitory and a health post were destroyed by fire.
- The people behind the disturbances entered the compound of the woreda administration and made serious efforts to remove the national flag and to replace it with the OLF banner but the community elders pleaded with them and succeeded in preventing them from doing so. However, the perpetrators burned the uniforms and took the weapons of the local militia and kebele officials by force.
- On *Tahsas* 4, 2008 E.C. (December 14, 2015, G.C.), after jumping over the fence of the woreda police station, they detonated a bomb and released several individuals who were detained on suspicion of various crimes. They also burned down the police station with all its property including vehicles.

### ***C. Ada'a Berga Woreda***

Ada'a Berga Woreda has thirty-seven (37) kebeles and is one of the woredas in West Shoa Zone. The disturbances took place in six (6) kebeles of the woredas.

- Five (5) males lost their lives and eleven (11) individuals sustained physical injury. The situation resulted in the slowing down of trade in the area which prevented residents from receiving basic services.
- Seven (7) kebele administrative offices, Muger City Administration Office, Muger Police Station, five (5) farmers' training centers, six (6) cooperative warehouses, a fertilizer warehouse, and four (4) health posts were completely burned down and three (3) fertilizer warehouses and seven (7) weapons from a police station were looted.
- 110 vehicles owned by Dangote Cement Factory were damaged and 10 vehicles were destroyed by fire and rendered out of commission.

In addition, the properties of 32 individuals and one person's shop were looted and that an individual's motorcycle was destroyed by fire. 600 quintals of fertilizer was looted, residential quarters of four individuals were damaged and their properties destroyed.

#### *D. Meta Robe Woreda*

There were no casualties on human lives during the disturbances in this woreda. However, one person who was shot and injured by an errant bullet recuperated after receiving medical assistance. The Commission has learned about the damage to numerous property owned by the government, individuals and investors:

- The destruction of the property of a small-scale industry;
- The destruction of five (5) farmer training centers;
- The destruction of eight (8) kebele administrative offices along with their property;
- The destruction of the property of Meserete Kristos Church;
- The destruction of the houses and properties of eighteen (18) individuals and woreda officials by arson;
- The forces of rebellion in Menare and Goro Kebeles took control of the kebeles for two days and hoisted an OLF banner after taking down and burning the Ethiopian flag;
- The weapons of nine (9) members of militia men were taken after being forcefully detained. They burned uniforms;
- An excavator owned by Habesha Cement Factory was destroyed by fire; and,
- The property of Ethio-Marble Factory was destroyed.

#### *E. Dendi Woreda (Ginchi, Olonkomi)*

There are fifty-four (54) rural and six (6) urban kebeles in Dendi Woreda with a total of sixty (60) kebeles, all of which were affected by the disturbances, which began on *Hidar 2*, 2008 (November 12, 2015, G.C.). The following loss, damage and injury has been documented:

- There was loss of life and damage to property resulting from the disturbances. One (1) woman and eleven (11) men – all in all – twelve (12) individuals lost their lives and two other persons were injured;
- With regards to property damage, five farmer training centers, three kebele administration offices, five government offices including the woreda court and

police station, properties of five investors and private properties of 84 individuals were burned down. The properties of ten health posts and one health center were destroyed and rendered out of service;

- The Olonkomi City municipality and the home of one individual were burned down; and
- A grocery used by the Ehud Market (Sunday Market) was looted and destroyed; a fertilizer warehouse for a cooperative was also destroyed.

#### *F. Ejerie Woreda*

There are thirty (30) kebeles in the woreda and the disturbances took place in fourteen (14) kebeles.

- The disturbances in the woreda resulted in the death of five males and physical injury to two police officers;
- In Idi Kebele, using the disturbances as a pretext and claiming that there was no government, a man raped a sixteen (16)-year-old girl with the assistance of four accomplices;
- With regards to property damage, fourteen (14) kebele administrative offices were damaged and six (6) were burned down;
- The property of Hundé, a non-governmental organization, was destroyed. Similarly, Linssen Roses, a rose farm, was also destroyed; and,
- Nine (9) farmer training centers and one health posts were burned down. In addition to this, two health posts were damaged.

#### *G. Jeldu Woreda*

Jeldu Woreda has forty-two (42) kebeles of which 40 are rural and 2 are urban.

- During the disturbances in the woreda, one woman and nine men, in total, ten (10) people lost their lives; three suffered physical injury. In Tulu Bultuma Kebele, one (1) man and a female student in Eidensa Gela kebele were killed. In Kolo Gelani Kebele two people lost their lives while three (3) were injured. In another kebele, a militia man whose harvest was set on fire, killed two people as they tried to take his gun.
- In the rural kebeles where the disturbances took place, those who participated in the disturbances, armed themselves with axes, machetes and guns which

they forcibly took from the local militia, and also, burned their uniforms. They carried the OLF banner while singing songs, forced farmers to take part in the protest, and destroyed crops that was harvested and stacked. Farmer training centers, the homes of extension workers and kebele administrative offices were all burned down. Roads were blocked by tree trunks, rocks, and dug-out ditches.

- Within Jeldu Woreda, the kebele administration office in Chobi was destroyed; the uniforms of the local militia, farmer training centers, harvested crops as well as the homes and property of extension workers of three woreda leaders were all burned down.

#### *H. Cheliya Woreda, Babicha Town*

- During the disturbances in the town, four men were killed and six (6) other men were taken to Ambo Hospital to treat their injuries. Four, who suffered severe injuries were referred to Addis Ababa for further medical care.
- Public property as well as those belonging to non-governmental institutions and individuals were also burned down in Cheliya Woreda, Babicha Town.

### **2.3.3. Measures Taken to End the Disturbances**

#### *A. Information Gathered from Employees and Officials at Regional and Woreda Levels*

The above-indicated officials and employees stated that officials at all levels of the administration, in consultation with local elders, prevented some of the problems ahead of time by assessing trends in other areas.

They explained that even though they ultimately failed, they made several efforts to prevent the disturbances from causing significant damage. They added that the additional reinforcement of public security officers from the Abuna Gendebret Woreda administration did not arrive in time to prevent the anti-peace elements who used the disturbances to achieve their own goals by relying on armed members and their supporters to forcefully infiltrate the areas and to cause loss of life and injury.

In their effort to contain the disturbances, the police officers of West Shoa Zone paid the ultimate sacrifice. As a result, three (3) police officers from the zone lost their lives horrifically after being hacked by axes and burned to death. Other police officers and militia men were also beaten and attacked.

They stated that the preventive measures taken by public security officers to contain the disturbances and the subsequent loss of life and destruction of property as well as to ensure the security of the public were proportional.

All necessary efforts are being made to bring to justice those behind the disturbances and those who committed the crimes. Discussions and trust-building activities are underway to restore sustainable peace and stability in the zone.

They also stated that governmental bodies at various levels are undertaking assessment and performance evaluations and taking measures.

***B. Information Gathered from Different Members of the Community, Elders, Religious Leaders and Families of Victims***

According to members of the above-indicated groups, despite the fact that information was sent to relevant administrative and security bodies via telephone and other means prior to the occurrence of the disturbances, they did not respond nor take preventive measures on time.

They also stated that no work was done to prevent the disturbances and mitigate their consequences in consultation with local elders. Notwithstanding this failure, the elders nonetheless successfully pleaded with the forces who were attempting to convert the demonstrations into disturbances and to enter the Abuna Gendebret Woreda administration office to hoist the OLF banner after bringing down the Ethiopian national flag.

They explained that if it were not for the efforts of the public security officers, including the military, federal police, Oromia Regional Police and Special Forces to prevent and stop the violence, they would not have lived to share this account.

They also indicated that officials drawn up from the zone and woreda had tried to hold consultations with the public in an effort to restore lasting peace, however, they stated that there was a need to hold further consultations and reach consensus with the people at the kebeles.

They pointed out that the culprits of the disturbances and those suspected of committing homicide and physical injury have been apprehended and brought to justice but added that others, including those who escaped, remain at large.

They warned that the perpetrators were still silently conspiring for another round of violence, homicide and property destruction. They suggested that it was important for the public and government bodies to keep an eye on them. They noted that the

government needs to consider its own structure as there are some who remain embedded within and who continue to work covertly to incite the public.

Furthermore, they also pointed out that the public and the government need to work together to rebuild what had been lost during the disturbances. They noted that all necessary support needs to be provided to victims or to their families upon verification of those who have lost their lives and suffered physical injuries.

Also, there is a need to take corrective measures against unauthorized land allocation or taking of land by officials in some rural areas and towns in the zone. The practice of providing inadequate compensation to farmers (i.e., compensation that does not provide them sustainable livelihoods) whose land was allocated for investment projects should be corrected, as should the obsolete formula used to calculate the compensation. Late payments should also be corrected.

## **2.4. CAUSES FOR THE DISTURBANCES IN SOME WOREDAS IN SOUTHWEST SHOA ZONE, THE CONSEQUENCES, MEASURES TAKEN TO CONTAIN THE DISTURBANCES AND INFORMATION GATHERED FROM DIFFERENT BODIES**

### **2.4.1. Causes for the Disturbances**

#### ***A. Information Gathered from Officials at Regional and Woreda Levels***

The zonal officials informed the Commission that the following campaign was propagated to incite the public to take part in the disturbances: that the “Addis Ababa and its Surrounding Oromia Special Zone Integrated Plan is a scheme to carve out and sell land that belongs to the people of Oromo to the federal government; that the recently promulgated lease proclamation is designed to render the people of Oromo landless and to enrich those from other nationalities.”

The OLF and other legally registered opposition political parties have used the public’s discontent to attain their ulterior motives by deliberately misinterpreting the integrated plan and using different propaganda campaigns to confuse the youth and to force the public to start the disturbances.

Causes for the disturbances in Southwest Shoa include lack of good governance and failure to implement planned development projects.

The youth took part in the violent disturbances because of frustration resulting from lack of employment opportunities, credit facilities and other similar services.

***B. Information Gathered from A Cross-Section of the Community, Including Local Elders, Religious Leaders and Victims' Families***

They stated that the primary reason for the disturbances in Southwest Shoa is essentially lack of good governance and the leadership's unwillingness to address the public's grievances as they relate to the following issues: denial of the right of access to equal justice, failure to respect equal and fair access to government services, tax collection practices that do not respect the law, and the absence of a government body to hear public grievances.

Details about government policy, directives and plans are not presented to the public, and, in addition, are implemented without consulting and participating the public. Officials at all levels submit falsified performance reports to their superiors. Moreover, the failure to allow the public to hold discussions and deliberate on the Addis Ababa and its Surrounding Oromia Special Zone Integrated Plan caused the disturbances.

The public's right to receive fair and equitable government services has not been respected. This has been manifested largely in the delivery of electricity. Due to the frequent power interruption which last several days, most micro- and small enterprises, flour mills, and other public service providers have been heavily affected. The public does not have equal access to land use and other government services. A few officials and their accomplices have taken and sold land without authorization. Electricity is interrupted for several days and it is only through bribery that one can obtain new electricity services. The Wolisso-Ammeya Road has not been repaired; this and other issues related to human rights violations as well as lack of good governance has contributed to the public's discontent. The judiciary does not dispense justice fairly. They further stated that there are circumstances where public land is sold in contravention of the Constitution.

They further stated that officials found to be corrupt and guilty of maladministration during performance assessments are appointed to other positions and transferred elsewhere instead of holding them legally accountable. This led the public to lose hope and contributed to the amenability of many to participate in the disturbances.

They also stated that those who ceded their lands for development projects have neither been beneficiaries of development nor of permanent rehabilitative programs. As a result, they exhausted the compensation they received for their lands which exposed them to poverty. Grievance over this reality has been the cause for the disturbances.

University graduates who took the initiative to organize themselves and design a project were not able to receive any cooperation, including loans, from the administration. They informed the Commission that there was no effective mechanism nor adequate effort laid out for youth employment as well as to allow them to become job creators, and that instead, they became instrumental in joining the disturbances.

Appointments to various tiers of leadership in Southwest Shoa Zone are not based on merit but on cronyism and nepotism. They explained that the incompetence of the leadership has caused public grievance. They also stated that legally registered political parties took advantage of these grievances to not only violently subvert the order, but also allowed the demand of the people to go astray.

The OLF, proscribed as a terrorist organization by the FDRE House of Peoples' Representatives, having infiltrated into the government structure, has also eroded the government's policies and procedures. The organization made use of the government structure as an instrument for violence. Some teachers arrive ten minutes late to class; then proceed to give a ten-minute lecture ridiculing government policies and which incites the students to violence, leaving twenty minutes for regular teaching. They explained that the complaints of students and parents about this issue fell on deaf ears.

When a plot of common land is available, some officials misappropriate the land and put it for their own use. They informed us that by illegally taking more than one plot of urban land the officials, have made the public feel like bystanders and eyewitnesses to greed.

#### **2.4.2. Disturbance-Caused Damages in Some Woredas of Southwest Shoa Zone**

Southwest Shoa Zone has twelve (12) woredas, thirty-six (36) urban and 268 rural kebeles. The disturbances took place in Tole, Wonchi, Woliso, Ameya, Dawa and Elu Woredas which took the lives of twenty-five (25) males and caused physical injury to ten (10) others. Moreover, private- and government-owned property was destroyed by arson. By blocking roads, throwing rocks and detonating bombs, significant damage was inflicted on schools, administration buildings, health posts and farmer training centers. The extent of the damages is provided below.

### ***A. Woliso Woreda***

Woliso Woreda, one of the woredas in Southwest Shoa Zone, has a total of forty (40) kebeles consisting of thirty-seven (37) rural kebeles farmers cooperatives and three (3) urban kebele administrations.

As a result of the disturbances in the woreda, seven (7) males lost their lives and eight (8) individuals sustained physical injury. In addition, the residences and properties of officials, two (2) health posts, and four (4) farmers' training centers were set on fire. Forty-two (42) weapons were stolen.

### ***B. Ameya Woreda***

Ameya Woreda in Southwest Shoa has thirty-four (34) rural and two urban kebeles and the disturbances in the woreda took the lives of five (5) males and caused injury to one person. 586 homes (with grass-thatched homes), forty-one (41) homes (made of corrugated metal), nine (9) rural administrative offices, and farmers' training centers as well as 400 homes owned by residents were set on fire. In addition, a rural loans and savings association ("Wisdom"), a non-governmental organization, and twenty-three (23) houses owned by city residents sustained damages.

### ***C. Kersa and Malima Woreda***

Kersa and Malima Woreda in Southwest Shoa Zone has thirty-one (31) rural and two (2) urban kebeles. The disturbances took place solely in the town of Lemen and its surroundings.

No one was killed in this woreda following the disturbances, however, one (1) person was shot in the leg. With regards to property damage, seven (7) houses owned by the woreda's administrators along with all their properties were destroyed. Moreover, a farmers' training center, a kebele administration office, and a health post were damaged and destroyed; the stacked harvest of three farmers were burned down.

## **2.4.3. Measures Taken to Contain the Disturbances**

### ***A. Information Obtained from Officials of Various Organs from Regional Down to Woreda Levels***

They explained that efforts were made to resolve the occurrence of the disturbances in consultation with elders prior to their outbreak especially in Kersa and Malima Woredas. Thanks to the efforts of the Oromia Regional State Police and the National Defense Force, the disturbances were contained before reaching disastrous proportions.

Various discussions and meetings with the public regarding the Addis Ababa and Oromia Special Zone Integrated Plan as well as on peace and stability were held. They add that efforts to rebuild burned and destroyed homes and various offices were underway. A major project with the aim of resolving youth unemployment has also been in place and preparations were underway for its implementation. They indicated that individuals suspected of causing loss to human life, physical injury and property damage were being held legally accountable.

***B. Information Obtained from a Cross-Section of the Society, Including Elders, Religious Leaders and Victims' Families***

They stated that the disturbances were contained through the enormous efforts of administrative bodies, Oromia Regional State Police, the Federal Police, the National Defense Forces and the public before further damages took place. In their effort to stop the disturbances, public security officers exercised significant restraint. Great care was taken to avoid the loss of life. The Region's public security officers only used tear gas when they were left with no other option. However, armed anti-peace elements interposed themselves amidst the crowds which resulted in the loss of human life. They stated that if the scale and magnitude of the cruelty of the organizers of the disturbances continued unabated and had the public security officers not intervened and stabilized the situation, the damage would have been much more substantial.

Orchestrated illegal activities were carried out with the goal to free those arrested for organizing the disturbances and destroying property. They added that attempts were also being made to secure the release of those responsible for the disturbances through bribery. They further indicated that those who should have been arrested have been allowed to escape from prison and remain at large.

They caution that the regional government should carefully reorganize its structure; some administrative bodies are undertaking activities that create obstacles and adversely affect the constitutional order. They emphasized that families of the deceased should be supported and comforted; that the government should do its utmost to curb media outlets and social media websites that propagate incitement to violence.

## **2.5. CAUSES AND CONSEQUENCES OF THE DISTURBANCES AND STEPS TAKEN TO END THEM; INFORMATION GATHERED REGARDING MEASURES TAKEN IN WEST ARSI ZONE**

### **2.5.1. Causes for the Disturbances**

Despite similarity in the nature of the disturbances in various parts of Oromia Regional State, there were differences, too. This is because, on the one hand, religious extremism was used as a catalyst, and on the other, ethnicity in conjunction with extremism, and at times separately, were used.

Follow-up investigations were conducted in the zone by taking into consideration those particularities. Attempts have also been made to collect information on the causes of the disturbances from different organs. Accordingly, the information provided by administrative bodies of the zone and woredas, elders, religious leaders and victims of violence and residents of the locality has been categorized.

#### ***A. Information Obtained from Officials at Various Levels of the Regional Administration and West Arsi Zone Administration***

The information and opinions provided by West Arsi Zone administration and woreda administrators in the zone regarding the causes of the disturbances have been, by-in-large, similar, which include the following:

- The causes for the disturbances that took place in West Arsi Zone are attributable to the coordinated and organized propaganda and rebellion strategy by anti-peace forces, including the OLF, who advocated for narrow nationalism and worked to forcefully overthrow the constitutional order.
- Legally-registered opposition political parties who were operating in Oromia Regional State played a part in planning and fueling the disturbances.
- According to the officials, foreign elements who do not seek Ethiopia's peace, in collaboration with the OLF and opposition political parties operating inside the country, provided financial and propaganda support to incite and fuel the disturbances.
- They disseminated the OLF-produced inciting single track called "Master Plan" to fuel the violence. In addition, they used social media websites, including Facebook and others, as propaganda tools.

- Also cited as further cause for fueling the disturbances were: lack of good governance in the zone including poor government service delivery, unauthorized land allocation and administration, the illegal use of public rural land by officials, delay in providing rural land ownership certificates, widespread bribery in criminal investigations and excessive measures taken against those who engage in contraband (such as shooting at the drivers whose vehicles carry contraband goods instead of at the vehicles' tires).
- They also explained that the misconstrued propaganda that the Addis Ababa and its Surrounding Oromia Special Zone Integrated Plan was a scheme to expropriate land from Oromia Region was one of the causes for the disturbances.

***B. Information Obtained from Different Sections of Society, Elders, Religious Leaders and Victims' Families of the Disturbances***

They stated that the primary cause for the disturbances is lack of good governance. They unanimously agree that lack of good governance is deeply entrenched and pervasive and that the lack thereof is what led the public to embrace opposing views.

The laws and directives issued by the federal government are clearly in the interest of the people and are of high caliber. However, when these laws and directives reach the Oromia Regional State, they turn brackish, then completely muddied when they reach the zonal level; and at the woreda level, turned into dust (an individual demonstrated this by picking up and displaying a handful of earth in his hand). They stated that a case in point is "the Integrated Master Plan," which, by the time it reached down to the kebele level, had not only been crippled but was also confusing. This fact, in addition to the failure to allow the public to participate, triggered the disturbances.

Officials at all levels of the administration have illegally amassed plots of urban and rural land in the zone's towns and this has led to grievances and in turn, for the public to feel hatred towards the government. Massive unauthorized allocation of land has been carried out in the town and rural areas of the zone. They point out that those officials who are suspected of such misallocation of land, bribery, and maladministration and who live beyond their means have been appointed to other higher positions.

Some judges, prosecutors and police investigators in the zone are hand-in-glove with each other and have, through bribery and favoritism, miscarried justice so as to deny the public fairness and justice. As a result, justice in the zone is carried out solely through money, nepotism and favoritism. Those aggrieved by this injustice joined the

disturbances. They stated that these three arms of justice, would, depending on the severity of the crime, for example, accept as much as 60,000-70,000 Ethiopian Birr (equivalent to approximately \$2500-3000 as of the time of this translation) in bribe money to exonerate a driver who had been charged with vehicular manslaughter.

Graduates from universities have been denied employment opportunities. Parents who have sacrificed for their children's education are not able to see a hopeful future for them. Employment is possible only through bribery, nepotism and favoritism. Advancement and promotion is not based on merit but on nepotism and favoritism.

Zonal officials have been unable to mobilize the public to realize development projects. Roads connecting woredas with other woredas and with rural areas have not been adequately and well-constructed. They further stated that officials at every level have not educated the public about the Constitution, federalism, tolerance, diversity, as well as equality between religions and between the nations, nationalities and peoples.

Some members of the police are not loyal to the Constitution. When members of the police are transferred to their place of origin after serving two years (as required by state law), instead of serving the Constitution, they use their authority for personal gain. In Shashemene, three police officers destroyed property inside a bar alleging that the bar had not played music from their particular region. The three police officers subsequently returned to the bar along with eleven fully-armed police officers and wrecked the remaining property in the bar. They proceeded to enter the bar owner's residential quarters, beat her up, and destroyed her belongings inside her home. The zone's police department, instead of bringing the perpetrators to justice, had not only released eight of the offenders, but also, reassigned them to another district. The remaining three, in whose homes evidence was found, including walkie-talkies, were excused from appearing in court after they were released on bail. Similarly, other members of the police, using the temporary disturbances as a pretext, took a rickshaw (motorized) driver to the police station and beat him severely until they broke his leg. The police officers were not held responsible. The driver was detained for more than three months in Shashemene Prison.

Given the fact that those who promote religious extremism and narrow nationalism have infiltrated the government structure, it has been difficult to control the adverse consequences of these ideologies. The OLF song which promotes hate-politics and confrontation is still being played in music shops in Shashemene and the administration is unable to deal with it. They opined that the resulting religious extremism and ethnic animosity caused the ensuing disturbances.

They explained that the OLF and other political parties took advantage of the public grievances as a result of the lack of good governance and in collaboration with those within the government structure and oppositional political parties, succeeded in giving the disturbances a peculiarity unlike others.

They further stated that within the zone and particularly in Shashemene Town, those who hold the administrative reigns and do as they wish are a handful of wealthy individuals who use their wealth to accomplish anything they wish.

Danger posed by religious extremism and narrow nationalism is rampant in the zone and individuals within the government structure help spread this scourge. According to their testimony, these reasons have pushed the public towards the disturbances.

The only force besides the Lord that rescued us from this evil was the police. The testimony they provided is full of lament: that the courage of the country's elders were able to save us from destruction by those who had kept us under lockdown and under the pretext of doing the right thing.

### **2.5.2. Damage Sustained in West Arsi Zone as the result of the Disturbances**

Woredas that sustained damage in this zone in the wake of the disturbances that took place from *Hidar 27, 2008* to *Tahsas 4, 2008* (December 7, 2015 to December 14, 2015, G.C.) were Dodola and Adaba. Thirteen out of fifteen woredas in the zone – Nesbo and Bishan Guracha (Tikur Weha) – suffered loss of human lives, bodily injuries, damages to government and religious institutions and to private property as a result of the second round of disturbances that took place from *Yekatit 7-11, 2008* (February 15-19, 2016, G.C.). In total, twenty-four (24) individuals lost their lives. Below is a description of the fatalities and damage to property in a few woredas.

#### ***A. Adaba Woreda***

Adaba Woreda is among the fifteen (15) woredas in West Arsi and has twenty-four (24) kebeles. In those kebeles where the disturbances took place the following was recorded:

- Three (3) males and one female lost their lives, totaling four (4) deaths. Two (2) individuals sustained physical injury.
- Two (2) kebele administrative offices, one (1) Red Cross ambulance, the property of two private hotels, one (1) private clinic in its entirety, one (1) private flour mill also in its entirety, the woreda's party leader's home and four (4) private homes were destroyed.

- Two (2) weapons were looted from the woreda's police station. The windows of the woreda court house, the Commercial Bank of Ethiopia were shattered; private hotels and the Oromia Cooperative Bank were damaged.

### ***B. Dodola Woreda***

Dodola Woreda has forty-six (46) kebeles and the following loss of human lives and damage was recorded: two males lost their lives. With regards to property damage, the woreda administration office, three (3) government offices, one (1) health post, (1) one farmers' training center; four (4) kebele administrative offices were set on fire. An Oromo cultural museum was also destroyed.

### ***C. Siraro Woreda***

The disturbances in this woreda took place on 7/6/2008 E.C. (15/02/2016, G.C.). The woreda has four (4) urban and twenty-eight (28) rural kebeles, with a total of thirty-two (32) kebeles. The disturbances took place in fourteen (14) kebeles. In the border areas between Siraro and Shala Woredas, those who participated in the disturbances along with those who were armed, killed four (4) federal and two (2) state police officers. In addition, two (2) individuals died, bringing the total of males killed to eight (8). Fourteen (14) churches in the woreda were also looted, set on fire and destroyed. The destroyed churches are in Beloke, Senbete, Senkele, Bilito, Shasha, Weyke and Kota Shekeno Kebeles.

A private clinic in Senbete Kebele was damaged. A store built by the Catholic church in Jarti Bekule Kebele, a store built by the public in Kite Tessa Kebele and Uta Wayu, a farmers' union store located in Loke Town were looted. With regards to government structures, the woreda's justice office, prosecutors and police offices, agricultural office, finance office, power and electricity office, land administration office, and a veterinary clinic were looted and damaged. A health post located in Kite Tessa was also destroyed.

In addition, two (2) camps at the Bilito Farm Development administered by the federal government, agricultural machineries, a gas station and a garage were destroyed. Senkele Korki park offices, scouts' residences, guest houses used by tourists and a museum were also destroyed.

### ***D. Shashemene and its Surrounding Woreda***

Shashemene Woreda has thirty-seven (37) rural woredas and the disturbances occurred in twelve (12) kebeles where property was damaged and human lives were lost. Severe damage was sustained in Jegessa Kebele. A female who took part in the

lootings and disturbances and another female as well as a male died. In total, three (3) individuals lost their lives. Twelve (12) kebele offices and farmers training centers were burned down along with all their files.

A Catholic mission located between Jegessa and Turufe Kebeles which was established 45 years ago and which had a theology school, regular school, a clinic, a factory producing supporting parts for persons with disabilities, priests' living quarters located in a one-floor building were destroyed. Also destroyed were the residential quarters for doctors, nuns, persons with disabilities, a well-constructed forty-six room guest house, an animal husbandry as well as various offices. The mission sustained significant damage. Houses in the compound were set on fire, destroyed and looted. Moreover, a car and a generator were destroyed by arson. Longhorn cattle and chicken in the compound were also looted.

### *E. Kofele Woreda*

The woreda has three urban and thirty-eight rural kebeles, in total forty-one kebeles. The disturbances occurred in thirty-three of the kebeles. In this woreda, seven (7) males from rural kebeles lost their lives in Kebele-01. Property was damaged and set on fire. Thirty-three (35) kebele offices were either burned down or damaged. A cooperative union and veterinary clinic were looted. The woreda official's house was burned down in Kabate. The camps in Gofer State Farm were looted and burned. At the time, roads that connect kebeles were blocked by rocks and boulders. As a result, schools and various social services were suspended.

The following is a list of the damage to government and public investments and property.

- 249 various weapons, 5781 bullets of various types, 2112 quintals of high quality seed, 1499 quintals of fertilizer, 60 kebele offices, 1 Oromo cultural center, 10 health posts, 17 farmer training centers, 9 police stations, shelters for the Senkele Korki, 2 vehicles, a bulldozer, 4 agricultural and seedling development stations, 22 tractors, 7 combiners, and 10 residential quarters of agriculture experts were either looted, burned, and destroyed.
- 11 computers and laptops, 35 union offices, 32 motorcycles, 1444 livestock, 1201 corrugated iron sheet roofs, 14 farmers' union stores and offices were looted.
- 11 Protestant, 2 Orthodox, 2 Catholic churches and a Catholic mission along with its property were looted and destroyed. The monetary value for the

properties has not been estimated and an exact figure is unavailable, however, the relevant authorities are conducting a study at this moment.

- Further details are provided in Annex 1 of this document.

### **2.5.3. Measures Taken to End the Disturbances in Some Woredas of West Arsi Zone**

#### ***A. Information Obtained from Regional and Woreda Officials***

They stated that even though the disturbances were anticipated by the administrative officers prior to their occurrence by observing the trends elsewhere, their efforts to prevent the problems in their woredas proved unsuccessful. They explained that the OLF cell's high level of organization in the zone made it impossible to contain the disturbances. In addition, the OLF song played a significant role in inciting the hearts of the youth and to lead them towards anarchy and disturbance.

Once the disturbances occurred in different locations of the zone, several members of the leadership did their utmost to end the situation and prevent further damage from occurring, and, in fact, sacrificed their own safety during which some were struck by rocks. Six (6) police officers lost their lives when they were ambushed by armed members of the disturbances at a location between Shala and Siraro Woredas. The leadership, National Defense Force and the Federal and Regional Police paid a heavy sacrifice to end the crisis, as did the elders; for example, in Kofele, it is the significant efforts of the elders that succeeded in ending the first round of rioting there.

They explained that they tried their utmost to prevent the Ethiopian Catholic church in Jegessa Kebele, located in the environs of Shashemene Woreda, from destruction, looting, and arson, however, such effort was frustrated because they were unable to reach the church because the rioters had burned down the wooden bridge that provided access to the church. They further stated that a woman who was involved in the looting lost her life.

They also explained that performance evaluations of local administrators and members of the police were undertaken related to the destruction and burning of churches in Siraro Woreda. The administrators and police were disciplined because they had either done little to prevent the damage or had fled the scene.

The disturbances in Kofele Woreda were difficult to contain because they included thousands of farmers from the woreda's kebeles and was led by extremists who came from other areas. As a result, seven (7) people died and the cause of their death, [at the time of the writing of this report], is under investigation.

They explained further that after the disturbances ended, a performance evaluation on the administrative leadership, including on zonal administrator, led to the disciplining of five members of the zonal administration and the demotion of fifteen woreda administrators.

They stated that there was an on-going dialogue with the public. Young men and women who fled are returning following an issuance of a pardon.

Offices that were destroyed or burned are being rebuilt through the community's financial, labor and material support. The thirty-three kebele offices destroyed earlier have been rebuilt by the public and in such a way that improves their overall appearance. Activities are underway to rebuild churches destroyed in Siraro Woreda. Looted property is being returned. Returning property belonging to the Catholic church in Jegessa has proved difficult because the Catholic mission had not previously registered its property nor did it have contacts with the administration. They opined that the recent dismissal of employees was not correct.

***B. Information Obtained from a Cross- Section of the Society, Including Elders, Religious Leaders and Victims' Families***

If precautionary measures had been taken by observing the trends which surfaced elsewhere, it would have been possible to reduce the damages even if it would have been impossible to completely prevent them. They opined, however, that the situation could not have been prevented because some administrators had a hand in the disturbances.

After the disturbances began, even though the public alerted the administrators as well as the police by telephone and through other means, their unwillingness to respond to the disturbances rendered the ensuing damage catastrophic. For example, the concerned authorities had been informed about the impending attack on the Catholic church in Jegessa one week prior. On the day the destruction began, the zonal administration, the woreda administration of Shashemene and its environs, and the police were informed about the situation starting at 9:00 A.M. during which the church's property was looted, burned and destroyed. They testified that the excuse provided for their inability to act promptly – the “destruction” of the wooden bridge – was only a pretext; that the distance from the bridge to the location is only one kilometer and that the riot brigade could have accessed the church on foot. They also stated that the bridge would have even allowed a vehicle to cross.

The destruction of churches could not have been prevented in Siraro Woreda because the officials fled the area as soon as the disturbances began. The Loke Police (Loke is

the woreda's town) could not stop the rioting because they fled the town. They stated that the police allowed the rioters to loot the weapons and ammunition from the police depot.

Elders in Kofele Town organized themselves and made significant efforts to end the rioting. After the rioting began, the elders, particularly in Kebele 02, organized themselves to save their area from destruction. They explained that the elders played an instrumental role in preventing the possibility of religious and ethnic-based strife in their area.

Those who coordinated the disturbances continue to evade accountability to the law. Those who were apprehended are being released through bribery and favoritism. Particularly those who were the main actors in the destruction of the Jegessa Catholic Mission are still at large. They stated that the individuals who were arrested had no part in coordinating the destruction.

They further stated that the disciplinary measures against members of the leadership following a performance evaluation are insufficient. While some were reassigned to other official posts others received disciplinary measures that are unjust.

Much more needs to be done to rebuild burned churches especially those in Siraro Woreda. Very little has been done to retrieve looted property. At the time, no relevant government authority has engaged in discussions with religious leaders about the destroyed Jegessa Catholic Mission. The statement issued by the zonal administration claiming that property has been returned is far from the truth. Some of the members of the committee established to retrieve property to their owners, were, in fact, participants in the looting. Given the lack of interest in rebuilding the mission, the only option left is to dismiss its employees and teachers. They stated that such loss would be detrimental to the community.

The administration did not do enough to contain the disturbances and their destructive consequences. The disturbances could have provided administrators the opportunity to identify their causes and to create communication channels with the public which would, in turn, build public trust in the community. According to their testimony, once the disturbances took place, officials at various levels did not endeavor to work in a coordinated manner.

Such efforts at the outset would have, at the very least, prevented the reasons that caused the disturbances and the ensuing significant bloodshed, ethnic-baiting, as well as the arson and destruction of religious institutions. They stated that there was general failure in taking advantage of the wisdom of elders, religious leaders and

Abba Gedas. They also added that the performance evaluations undertaken following the disturbances and the disciplinary measures are not only largely insufficient but also need to be much more transparent.

The primary coordinators of the disturbances have not all been apprehended. Those arrested are being freed by those who were the primary instigators and coordinators of the disturbances through a great deal of financial and legal support, favoritism and bribery, all of which have resulted in a miscarriage of justice. Their testimony reveals that legal professionals, supported by significant financial support, are organized to secure the release of the detainees.

They expressed concern that fundamental changes that should uproot the very causes that created the crisis and ensure lasting peace and stability, including, lack of good governance, are not being undertaken. Neither is work being done to return looted property, providing support to victims and ensuring the rule of law.

## **2.6. DAMAGES CAUSED DURING THE DISTURBANCES IN WEST WELEGA, EAST WELEGA, EAST HARERGHE, WEST HARERGHE, KELEM WELEGA AND HORO GUDURU WELEGA ZONES, AND IN OROMIA REGIONAL STATE SPECIAL ZONE SURROUNDING FINFINE AND THE MEASURES TAKEN**

The areas in Oromia Regional State that sustained significant damages from those listed above include the zones in West Shoa, Southwest Shoa, and West Arsi, however, other zones were also damaged following the various degrees of disturbances.

It is known that there were efforts to spread the disturbances to all zones in Oromia Regional State. The coordinated efforts of local elders, religious leaders, and the peace-loving public at large prevented the expansion of disturbances to all zones.

Despite all their effort, however, sixty-one (61) individuals lost their lives during the disturbances in the above-referenced three zones as well in the disturbances in seven woredas of Western Welega Zone, five woredas in Eastern Welega Zone, five woredas in Horo Guduru Welega Zone, three woredas in Kelem Welega Zone, in two woredas in East Harerghe Zone, in two woredas in West Harerghe Zone, and in Oromia Special Zone Surrounding Finfine and at the University of Medawalabu in Robe Town. The following provides specific details about this loss, damage and injury.

### **2.6.1. The Causes for the Disturbances**

The causes for the disturbances in these areas are similar to those reported in West Shoa, Southwest Shoa and West Arsi Zones.

The investigation reveals that members of administrative bodies, local elders, religious leaders, victims and their family members provided similar information on the causes for the disturbances.

The reasons, according to the testimony, include: lack of good governance, the Addis Ababa and its Surrounding Oromia Special Zone Integrated Plan, infrastructure promised yet either undelivered or unfinished, as well as the groups who used these reasons to start the disturbances and to add fuel to the volatile situation. Another reason provided were the efforts of the OLF - an organization decreed as a terrorist group by the HoPR – and some legally registered political parties who aggravated the situation.

Various members of the community explained that the disturbances in these zones and in the town of Robe arrived late but eventually surfaced because of the relentless campaigning by those forces who expanded the disturbances through the use of media outlets, including social media, with messages containing the repeated refrain “*why don't you join us*”?

Farmers in Mesela Woreda of West Harerghe Zone believe that another reason that caused the disturbances was the falling price of coffee in recent years. They further opined that there were attempts to portray disagreements with residents of Bedale Wabara in Kelem Welega Zone who happen to be of Amhara nationality as disagreements based on ethnicity.

A graduating fifth-year civil engineering university student at Medewelabu University was killed during the disturbances on the grounds of the university started by a few students who acted on behalf of subversive groups.

### 2.6.2. Damages Caused as a Result of the Disturbances in the Zones

ZONE	WOREDA (CITY)	DEATH	POLICE	MILITIA	BODILY INJURY	REMARK
West Welega	Guliso	2				Males
	Lalo Asabi	4				Males
	Nejo Town	1				Male
	Begi	4				Males
	Ayra	1				Male

ZONE	WOREDA (CITY)				BODILY INJURY	REMARK
		DEATH	POLICE	MILITIA		
	Sayo Nole	1				Male
	Beji Chekosa	1				Male
<b>Total</b>		<b>14</b>				<b>2 females</b>
Kelem Wolega	Denbi Dolo	1				Male
	Dale Wabera	3	Regional police			Male
	Gidami	5				Male
<b>Total</b>		<b>9</b>				<b>All males</b>
Horo Guduru	Abay Chomen	1				Male
	Guduru	4				2 females
	Jima Rarae	1				Male
	Horo Woreda	1				Male
	Jardaga	1				Male
	Jarete	8				
<b>Total</b>		<b>8</b>				<b>Two females</b>
East Welega	Sasiga	2				Males
	Leka Dulecha	1				Male
	Horo Limu	1				Male
	Jima Orjo	3				Males
	Nekemt City	1	Regional police			Male
<b>Total</b>		<b>8</b>				<b>All are males</b>
West Harerghe	Mesela	1				Male
	Daro Lebu	8				Males
<b>Total</b>		<b>9</b>				<b>All are males</b>
East Harerghe	Haro Maya	3				Males

ZONE	WOREDA (CITY)				BODILY INJURY	REMARK
		DEATH	POLICE	MILITIA		
	Aweday	1				Male
	Grawa	6				Males
<b>Total</b>		<b>10</b>				All are males
Oromia Special Zone Finfine Surrounding	Holota	1	Local militia			Male
	Sululta	1				Male
<b>Total</b>		<b>2</b>				Male
Bale	Robe Town	1				
<b>Total</b>		<b>61</b>				

## 2.7. OBSERVATIONS

1. The Commission, having observed the extent of the loss of life, bodily injury, and destruction of government and public property in parts of Oromia Regional State where it conducted its investigations, has collected various types of evidence to determine the human rights situation during the course of the disturbances, which include physical examination of the evidence, interviews, group discussions, documentary and circumstantial evidence, as well as other evidence that can add to the credibility of the investigations. The Commission has organized and properly identified this evidence and reached factual conclusions.
2. One of the major obstacles to achieving full respect for and protection of the human rights of citizens has been lack of good governance. In its efforts to understand all circumstances related to this issue, to establish the factors that contributed to the disturbances as well as to determine the overall picture of the destruction, the Commission posed questions such as: What were the public's inquiries related to the respect for human rights and good governance, the delivery of justice, land use and administration, unemployment, the rule of law, transparency and delivery of justice? Other questions included whether the public was provided sufficient information about the Addis Ababa and its Surrounding Oromia Special Zone Integrated Plan and whether the public was provided the

- opportunity to be consulted about the plan; what roles did officials at various levels play? Who were the organizers and participants of the disturbances? Was the use of force used to quell the disturbances proportional or excessive? Was the assistance provided by the federal government to contain the disturbances in compliance with the law? What was the nature of the protection to the rights of women, children and other vulnerable groups? What role did local elders play to end the disturbances? What was the toll on human lives and property? Having raised the above-stated questions the Commission has identified several key facts.
3. The findings of the investigations reveal that there are gaps on the part of government bodies at all levels in keeping the public informed about and allowing them to participate in the formulation and implementation of government policies, directives and plans. The findings also reveal that laws and procedures are unknown to the public nor have they been properly put to practice. This reality indicates that the public in these areas is denied their constitutional rights to understand and participate in developmental, public and infrastructural policy and their implementation, to provide their opinion about them, and the right to know and obtain information.
  4. The findings also indicate that the perception and practice of maladministration is present among some officials at all levels in those areas where the investigations were conducted. This is ascertained by the fact that public land in rural areas are farmed and put to personal use by kebele officials. In urban settings, some members of the leadership have misappropriated land along with their deeds and put them to personal use and have amassed wealth despite the fact that their salary is publicly known. Farmers dislocated from their land are not provided with adequate and timely information and compensation nor do they receive support and follow-up to ensure that they receive regular income.
  5. The findings also show that some judges, prosecutors and police investigators have created a web of relationships that allows them to dispense justice based on bribery, favoritism and nepotism.
  6. Some members of the police who lack ethics violate the human rights of citizens by engaging in beatings and through unlawful imprisonment. In the investigation conducted in West Arsi Zone, the Commission has learned that members of the police, taking advantage of their right to transfer, under regional law, to their area of origin after two years of service, upon their return, abuse their power by serving the interests of individuals and groups instead of the trust placed on them by the Constitution. This has contributed to the public's grievance.

7. The evidence shows that a review of some of the infrastructural development projects that were promised but remain undelivered, such as roads, electricity, water and telephone services have greatly embittered the public.
8. The evidence also shows that those administrative officials who violated their duties, instead of being punished for their misconduct, have been transferred or appointed to other positions.
9. With regards to lack of good governance, the Commission observed the paucity of transparency, the increase in maladministration, unemployment, favoritism, inability to hear public grievances and demands as well as to resolve them, and others. These deficiencies allow anti-peace elements to use them as a pretext to advance their own causes and have contributed to the disturbances, to the loss of life, physical injury, and destruction of property and investments. Unless these good governance issues are resolved, they will elevate to violations of human rights. What can therefore be inferred is that human rights and good governance are inseparable and two sides of the same coin; that good governance remains to be a requirement for the respect of human rights.
10. The investigations with regards to the Addis Ababa and its Surrounding Oromia Special Zone Integrated Plan reveal that wherever the disturbances have taken place stemming from objections to the plan, the public speaks with one voice: that those who sought information about the plan were never provided any clarity and that this aggrieved the public. Those who requested information on the plan did not receive a response. Moreover, the public was denied its constitutional right to participate and receive information on public and developmental projects. Such failure to engage in a transparent and participatory process with stakeholders and interested parties on the plan through public unlimited and unfettered discussions would have provided an environment wherein the problems and lasting solutions could have been identified.
11. The investigation has shown that the OLF and other leaders and members of opposition parties operating in the region have played leading roles in inciting the people to violence by taking advantage of grievances raised by the public regarding good governance issues and through such incitement, to overthrow the government and to bring the OLF to power, an organization that has been legislatively deemed a terrorist organization by the HoPR. The incitement and violent acts took the form of slogans and symbols which encouraged rebellion, use of light and heavy weapons, machetes, axes, incendiary fuel, hand grenades, forcefully taking weapons from the militia, and encouraging the public to

participate in violence. The investigations showed that these elements planned, conspired, organized and led the effort to undermine the rule of law and to forcefully assume power.

12. Notwithstanding the constitutional guarantees of freedom of religion and worship, the investigation showed that religious institutions were nonetheless destroyed. Several churches and their property were destroyed and looted. Such organized destruction during the disturbances was made possible by preventing public security officers from saving the places of worship by, among other things, blocking roads, destroying bridges, ambushing police and attacking them, spreading divisive campaigns to create conflict among the various nations and nationalities and inciting them toward violence, killing individuals in horrific ways and generally causing the loss of lives, causing physical injury to people, destroying property and infrastructure, and burning the Ethiopian flag and hoisting the OLF's flag. (The above is corroborated by photographic and video evidence, personal observations in the areas affected, and oral testimony).
13. The Commission notes that if it were not for the joint intervention of the national defense, the federal police, the Oromia police and militia and their ability to address the problems with great patience by removing as quickly as possible the obstacles placed in their way, the plans drawn by the above-mentioned forces to carry out mass murder, wanton destruction of public property and infrastructure, as well as local and international investment projects would have been impossible to avert.
14. The investigations confirm that some administrators and officials, with the assistance of the public, did their utmost to maintain law and order, prevent the loss of life, physical injury, and destruction of public property. Contrariwise, others participated in initiating the disturbances, and in some areas, despite the fact that they had received information from the public regarding the approaching disturbances, did not give it their attention or otherwise fled the area to save themselves, leaving entire communities to fend for themselves.
15. One of the ways in which Ethiopians at all levels could participate in and benefit from rapid development in the nation is investment. In this regard, major foreign and domestic investment projects have been implemented across the country. Some of these have been in Oromia Regional State. Several of these projects were destroyed during the crisis that took place in the above-referenced areas of the region. Such destruction is harmful both to the nation's development and to the residents of the communities. It also discourages those

investors whose decision to invest in Ethiopia relies on the existence of peace and security in the country.

16. The Commission notes that the federal government intervened in the situation upon request of the regional government given the latter's inability to control the crisis. The federal government's intervention through the defense forces and the federal police was by way of reinforcement to the regional security officers and made pursuant to the Constitution and with the aim to restore peace and security in the areas affected.
17. The Commission's human rights investigation on attacks against women, children and vulnerable groups revealed that in West Shoa Zone, two (2) females and six (6) youth died and one (1) female was raped. Four (4) youth suffered physical injury. In West Arsi Zone, two (2) females and a 17-year-old male died. It is believed that in view of the magnitude of the crises in these two zones, the lives and properties of these groups were rendered much more vulnerable.
18. There was significant loss of lives and damage to public and private property in the above-referenced areas. 166 males and 7 females, a total of 173 individuals died. Among the dead are 14 public security officers and another 14 administrators. In addition, 258 males and 3 females, a total of 261 individuals suffered serious bodily injury. Among the injured, 110 are public security officers and 13, administrators. A total of 695 people – 687 males and 8 females – suffered light injury and of these, 416 were public security officers and 105, administrators.
19. According to the testimony obtained from elders who reside where the crises occurred, even though community elders did their utmost to stop the disturbances, contrary to the tradition of heeding the advice of elders, those who led and/or participated in the disturbances did not stop their killing and destruction of property. The Commission has come to comprehend that this type of conduct, if it continues, will erode the country's and the peoples' long-standing values and cultural practices.
20. As indicated in the introduction, one of the strategies used by the coordinators of the crisis who high-jacked the public's grievances and demands regarding the issue of good governance which was initially expressed through constitutionally guaranteed freedoms of expression was to encourage conflict among the citizenry. This resulted in the death of 42 individuals. To further deepen the crisis, they put at great risk the lives and property of the public; they

placed all sorts of obstacles to prevent the government from resolving the crisis; they spread fear and terror by burning homes, killing public security officers, and mutilating and burning their bodies. They elevated the disturbances to dangerous levels by arming themselves with weapons they stole and forcefully took, including machine guns, and throwing hand grenades. They compromised the peace and security of the communities by burning the homes of the militia who refused to hand over their weapons as well as the homes of individuals who refused to participate in the disturbances, both during the day and in the nighttime. They did not pay heed to the repeated warnings of public security officers who used megaphones asking them to cease their violent acts, and instead, opened fire on them. The investigations have concluded that the measures undertaken by public security officers to save lives, their physical safety, to save government investment and public property, to preserve the constitutional order and to prevent further destruction were necessary and proportional to contain the disturbances.

21. The Commission takes this opportunity to pay its deepest respects to those who did their utmost, through a great deal of patience, organization and sacrifice – to end the loss of life and destruction of property organized and implemented by the leaders of and participants in the disturbances, which include: the local communities, the National Defense Force, the Federal Police, Regional Police and the militia. The Commission further expresses its profound sadness over the death of those who lost their lives and suffered physical injury.

## **2. RECOMMENDATIONS**

1. The Commission's investigation has concluded that the primary cause for the disturbances are: the various degrees of lack of good governance in the regional state, gaps in the judicious provision of services, weak provision of municipal services, sporadic favoritism, gaps in ability to provide a solution to the public's demands, miscarriage of justice, corruption and violations of human rights by some members of the police. The Commission believes that to the extent the conundrum of good governance is not fundamentally address, it will result in violations of human rights and to address this issue, the regional state and governmental bodies at all levels need to examine and address it in detail and ensure accountability.
2. In those areas of crisis in Oromia Regional State where the Commission conducted its investigations, human lives were lost, people suffered physical injury, government and public property perished, and development infrastructure

- that have come at great cost to private investors and the public have suffered significant damage. It is therefore necessary to identify those individuals who directly and indirectly brought about this destruction and hold them legally accountable.
3. With regards to those development projects that were pledged, it is necessary to hold discussions with the public to inform them where the projects currently stand to ensure transparency; to inform the public when the projects will start and when they will be completed and if problems arise, to fully disclose the nature of those problems to the public and to resolve them and complete the projects in a manner that is transparent.
  4. It is also necessary to give special attention to the task of creating employment opportunities in both urban and rural areas especially to the youth to allow them to become both participants and beneficiaries of such employment opportunities, and to do so in a space that ensures fairness.
  5. In those areas where the investigations were carried out, capacity building, inspection and follow-up should be instituted to ensure that administrators and officials understand that their positions require them to be loyal to the Constitution, that they are public servants, and that, most important, unless they give special attention to the Constitution's emphasis on peace and the rule of law, this will contribute to the lack of peace and lead to violations of human rights.
  6. In those areas where the investigations were carried out, one of those issues that were the source of public grievance and disappointment is unauthorized misallocation of land, theft and bad governance. The regional government should therefore, in a transparent manner, investigate this issue in depth and take appropriate legal measures against those found guilty and recover the land. In addition, a mechanism needs to be put in place to provide displaced farmers adequate information, to timely compensate them and create a system that will allow them to earn a sustainable income. The Constitution provides that land is a shared public property which belongs to and to be used by all peoples, nations and nationalities of Ethiopia. Accordingly, the federal government, pursuant to the Constitution and land administration proclamation, needs to lay out an oversight mechanism that will ensure that public and governmental property will be respected.
  7. It is well-known that given the importance of investment to the country, the various investment laws and policies have allowed foreign and domestic investors to engage in several business ventures and are registering results. However, unless

- these investments are provided the space operate in peace and security wherein their activities and ownership are guaranteed safety, there is a danger to disrupting the investment flow as seen during the disturbances.
8. The Commission notes that the government has endeavored to put in place a justice system and a justice reform program that has not only served the people for many years but has also registered encouraging results. However, within the justice sector, there are some judges, prosecutors, administrators and members of the police who have engaged in favoritism, delay in the delivery of justice and corruption which has contributed to a miscarriage of justice. This has embittered the public. The Commission stresses the importance of giving priority to this issue.
  9. It is necessary to investigate and make accountable to the law the leaders of some opposition political parties who conspired to erode the constitutional order through the use of force by taking advantage of legitimate public grievances related to good governance and by inciting the public to participate in the disturbances and to destroy property.
  10. Based on the evidence it collected during its investigations, the Commission has learned that the crises in some parts of Oromia were fueled to assume destructive proportions by members and sympathizers of OLF, an organization categorized as a terrorist group by the HoPR. Therefore, there is a need to reinforce programs to be able to defend against extremism, terrorism, and to make those political parties as well as individuals who participated in any activity in support of any organization identified as a terrorist organization, that such support and participation is harmful both to themselves and the country. Those who are responsible should be identified, investigated and made accountable to the law.
  11. The Commission uses this opportunity to pay its respects to those who demonstrated great effort in those areas where the disturbances took place to avert the loss of lives and damage to property, including the public, religious leaders, local elders, the National Defense Force, Federal Police, Regional Police and the militia. The Commission also pays its utmost respect to the region's elders and emphasizes the need to protect and preserve the longstanding cultural values of the people of the region, including the culture of religious tolerance and respectful coexistence between and among members of other nationalities.

12. To ensure the respect for constitutionally guaranteed freedoms of religion and equality, the government should provide appropriate protection to the followers of diverse religions in Oromia Regional State to allow them to freely exercise their right to worship freely. The rebuilding work of the religious institutions that were destroyed and resumption of worship services should be provided support.
13. The government should provide rehabilitative support to those who were injured.
14. The administrators in those Oromia Regional State zones where the members of the Commission's investigative team were deployed were instrumental in allowing the Commission to successfully complete its work; however, the investigative teams deployed to conduct their investigations in Southwest Shoa did not receive needed cooperation from the administrators who were unwilling to provide their assistance. Therefore, the members of that administration should be held accountable under Article 41 of the Commission's constituting proclamation.

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### CHAPTER THREE

#### **3. REPORT ON THE FINDINGS OF THE INVESTIGATIONS ON THE TREATMENT AND PROTECTION OF HUMAN RIGHTS IN CONNECTION TO THE QUESTION OF IDENTITY RAISED BY THE QEMANT NATIONALITY IN AMHARA REGIONAL STATE**

##### **3.1. THE BASIS FOR THE IDENTITY QUESTION RAISED BY THE QEMANT NATIONALITY**

In their explanation of the Qemant peoples' question related identity during the Commission's investigation, contemporary elders of Amhara and Qemant origins relied primarily on historical accounts. The Commission has learned that there are people, both current and past, who believe that they are Qemant, and that as members of the Qemant nationality, possess an identity that is different from others. They reside in North Gondar Zone, particularly in Chilga, Lay Armachiho, Metema, and in the environs of Gondar. Amhara nationals who reside in various woredas of North Gondar Zone readily accept the truism in these assertions.<sup>2</sup>

It is believed that what accounts for this recognition of the Qemant as a distinct nationality is their own belief in their identity, their conviction that they possess characteristics that distinguish them from others, as well as the acceptance of other peoples who reside in adjacent areas who have accepted the identity.

An additional confirmation of the existence of the Qemant nationality, including reference to the nationality in historical texts, are the oft-cited census' that have taken place in the country and that have provided the Qemant nationality its own distinct census code.

The Commission has confirmed that following the downfall of the Dergue regime, in the first population and housing census conducted by the FDRE in 1987 E.C. (1995 G.C.), the Qemant nationality received a code labelled "Qemant."<sup>3</sup>

However, according to the investigation conducted at the Central Statistics Agency to understand this coding issue, the agency explained that while the Qemant were assigned their own voting code in 1987 E.C. (1995 G.C.), the Qemant began to be assigned the "others" designation in 1999 E.C. (2007 G.C.).

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<sup>2</sup> The Commission has obtained the letters of petition submitted by representatives of the Qemant nationality regarding the Qemant request for recognition of their identity submitted to the Amhara Regional State, HoF and to the Ethiopian Human Rights Commission.

<sup>3</sup> The Commission has obtained supporting documentary evidence from the Central Statistics Authority.

However, in the 1999 (2007 G.C.) population and housing census, the Qemant were subsumed under the Amhara code, and, in addition, contrary to past practice wherein they received the “Qemant” code, they were assigned the “others” designation.<sup>4</sup> Furthermore, the evidence adduced shows that while the 1999 E.C. (2007 G.C.) census was underway, on *Ginbot 1*, 1999 E.C. (May 9, 2007 G.C.), representatives of Qemant nationality wrote a complaint letter to the North Gondar Zone Statistics Branch Office, the Amhara Regional State Population and Housing Census Commission and to the federal Statistics Agency.

The investigation reveals that educators from the Qemant nationality, religious leaders and local elders, once they confirmed that the 1999 E.C. (2007 G.C.) census did not include the “Qemant” code, the identity question began to emerge as a serious issue. Even though the identity question was one that existed before, the “others” designation in the 1999 E.C. (2007 G.C.) caused much anger leading the members of the Qemant nationality to fear that their nationality was, once and for all, slated for “dilution” and “disappearance”.

Discussions with representatives of Qemant nationality, local elders and religious leaders allows the Commission to note that the nations and nationalities of Qemant and Amhara have, for centuries, coexisted in peace and with mutual affection for each other.

### **3.2. THE ISSUE RAISED BY THE QEMANT NATIONALITY AND HOW IT WAS TREATED**

On *Hamlé 15*, 2001 E.C. (August 22, 2009 G.C.), members of Qemant nationality submitted a petition signed by 18,584 people to the House of Federation (HoF) requesting that the HoF consider their nationality question. The HoF referred the matter to the Amhara Regional State to immediately consider and address the issue.

The Regional State accepted the request and decided to study the matter. The investigative committee established to study the issue conducted site visits in several areas in North Gondar in *Tir 2003* E.C. (January/February 2003 G.C.) and *Megabit 2004* E.C. (March/April 2004 G.C.). The findings of the study were presented to the Regional Council in *Hamlé 2005* E.C. (July/August 2005 G.C.). The study reached the conclusions below.<sup>5</sup>

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<sup>4</sup> Zini Kemahu

<sup>5</sup> The Commission has obtained the following documents: The Amhara Regional State government’s decision denying the Qemant request on 03/12/2005 E.C. (August 9, 2005 G.C.).

That, “Qemant,” as an identity, has been in existence since ancient times. Notwithstanding this reality, the members of the community who identify themselves as Qemant do not have a language of their own; they speak Amharic. While it is believed that there are some elders who speak the Qemant language, this is not necessarily true for the entirety of the community. The study also found that language, per Article 39, Sub-Section 5 of the Ethiopian Constitution, is a fundamental criterion, and because the members of the community do not have an identifiable language, they are, by default, members of the Amhara nationality. In addition, members of the community reside in areas commingled with members of the Amhara nationality and not in contiguous areas. Given there are no discernible differences between those who consider themselves “Qemant” and those who consider themselves “Amhara,” as well as the long-standing interactions between the two peoples which has driven them to merge as one people, the issue of separate identity was deemed to be without merit.<sup>6</sup>

The Regional Council, having examined the findings of the report during its session in 2005 E.C. (2013 G.C.) rejected the Qemant request for recognition as a separate identity and for self-administration. However, when issuing its decision, the Council also noted that all efforts must be made to develop the language of the people of Qemant. The Council submitted its decision to the HoF and to the representatives of Qemant community in a letter dated *Nehasé* 3, 2005 E.C. (August 9, 2013 G.C.).

### **3.3. THE MISUNDERSTANDING FOLLOWING THIS DECISION AND THE FACTORS THAT LED TOWARDS THE UNNECESSARY SITUATION**

The people of Qemant whose request for recognition as a distinct identity and for self-administration was made pursuant to the Ethiopian Constitution with their submission of their petition to the Regional Council, immediately appealed the Council’s decision to the FDRE HoF through the “Committee for the Identity and Self-Administration of the People of Qemant” on *Meskerem* 13, 2006 E.C. (September 23, 2013 G.C.).

The committee presented the following arguments in its appeal before the HoF:

- A. The Qemant nationality has existed and maintained its own identity since ancient times;

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<sup>6</sup> Zeni Kemahu.

- B. In addition to the existence of historical evidence that proves this assertion, the nationality has been provided its own voting code since Emperor Haile Selassie's reign;
- C. Even though the language was not able to develop and thrive and is not spoken by all members of the Qemant community because of the suppression of the language during past regimes, a considerable number of the community's members, including the elderly, religious leaders and the youth continue to speak the language;
- D. The Qemant have, indeed, settled in distinct and contiguous communities in areas that make up to 126 kebeles (most whom reside in Chilga and Lay Armachiho Woredas, and in Wegera as well as in other kebeles and woredas surrounding the city of Gondar);
- E. The Qemant have a common psychological make up that distinguishes them from other communities; and, therefore,
- F. The Qemant request for recognition of its identity and for self-administration should be given redress on the basis of the FDRE Constitution.

The HoF created a committee consisting of eight members to study and make a determination on the request. On *Yekatit* 26, 2006 E.C. (March 5, 2014 G.C.), sent the committee to the Regional State. On *Yekatit* 26, 2006 E.C. (March 7, 2014 G.C.), eighteen (18) members of the above-referenced Qemant committee were arrested in Lay Armachiho and placed under detention in Debarq.<sup>7</sup>

Contemporaneously, the Amhara Regional State expressed its readiness to the HoF to reconsider the Qemant nationality's petition and accordingly reached an agreement with the HoF that it would reconsider the matter once again. Given this agreement, on *Megabit* 3, 2006 E.C. (March 12, 2014 G.C.), the committee established to study the matter and which was deployed to Qemant areas was recalled before it completed its task.

Based on this decision, the Amhara Regional State, in 2007 E.C., after studying the petition for a second time, presented its findings to the Regional Council, which were as follows:

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<sup>7</sup> The Commission has reviewed the HoF's 2007 E.C. (2013 G.C.) letter (No. FDM/MLF/2/181) in which it requested the regional government to decide the Qemant nationality's petition.

- A. A Qemant language that is widely spoken and that distinguishes the members of the Qemant nationality does not exist. There is a language that is spoken by a few elders and that the youth have shown a strong interest in learning.
- B. Notwithstanding the absence of a language that is spoken among the members of the Qemant population, there is a common psychological make up among those who consider themselves as “Qemant.”
- C. This population that considers itself Qemant resides in 42 contiguous kebeles and that the community has fulfilled all requirements for self-administration.
- D. Accordingly, the Council decided that the community may administer itself in no less than 42 kebeles, and in addition, issued Proclamation No. 229/2007 to allow the Council to establish a special woreda in the regional state.

**3.4. DIFFERENCES OBSERVED AMONG VARIOUS BODIES THAT PROVIDED INFORMATION TO THE COMMISSION REGARDING THE APPROACH IN DECIDING THE DUAL QEMANT REQUEST**

**3.4.1. Information obtained from Zonal and Woreda-Level Administrators in the Amhara Regional State**

The Commission’s investigation team collected evidence from officials and administrators in the region’s governmental structure who had both direct and indirect knowledge about the issue. The officials and administrators at the zonal and woreda levels provided information regarding the origins, solutions, and progress of the Qemant peoples’ request for recognition of their identity and self-administration.

Accordingly:

- A. They believe that the Regional State’s initial decision with respect to the Qemant request for self-administration was correct insofar as it found that the Qemant “do not have a distinguishable language; that they have assimilated with the Amhara and therefore do not have a separate identity; that the Qemant have not settled in contiguous communities; and, that, as a result, the petition should fail.”
- B. They further believe that the eight-member team of experts established by the HoF following the Committee for the Identity and Self-Administration of the People of Qemant’s appeal before the same body, had, in cooperation with experts from Amhara Region, completed its assigned task. They stated that the Regional State’s decision to reach a decision on the matter on its own through

the Regional Council following consultation with the HoF was correct.

- C. The administrators stated that the arrest of the members of the Committee for the Identity and Self-Administration of the People of Qemant while the HoF team of experts was conducting its study was justified inasmuch as the arrest was conducted to enforce the rule of law against a group that was engaged in anti-peace activities.
- D. They further explained that the reason why the Regional Council did not allow the Committee for the Identity and Self-Administration of the People of Qemant to participate in the sessions was not intended to deliberately marginalize the group but because such participation was not standard practice.
- E. With regards to the Regional Council's decision in Proclamation No. 229/2007 to address the people of Qemant's request, the clause providing for "an area covering up to 42 kebeles"<sup>8</sup> did not intend to suppress the petitions of other kebeles but to designate a starting point for self-administration. This language does not rule out future a similar petition but merely indicates that if such petition is presented it will be resolved by the people.
- F. They further assert that the time expended to provide a response to the petition was unfair and that such delay was unnecessary. Notwithstanding this delay, blame for the subsequent problems nonetheless falls on the members of the Qemant Committee's stubbornness and anti-peace activities.

#### **3.4.2. Information Obtained from Members of the Qemant Nationality Regarding the Question of Identity and Self-Administration**

The Committee for the Identity and Self-Administration of the People of Qemant is a body that has several layers of organization. Its structural arrangement includes a central committee that coordinates all activities. Reporting to the central committee and receiving the central committee's directives are other committees which operate in all woredas and kebeles where members of the Qemant community reside. They believe that they represent the people of Qemant given their ability to collect the signatures of 18,584 individuals in response to the request by the HoF following their petition to the same body. They submitted the

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<sup>8</sup> See Memory of Law, *Meskerem* 30, 2008 E.C. (October 11, 2015 G.C.) Vol. 21, No. 20, Proclamation No. 229/2007 promulgated to establish The Qemant Nationality's Special Woreda by the Amhara Regional State. Stating, in the preamble, in, par. 3, that "... up to 42 kebeles where the residents consider themselves as Qemant ..." possessed additional evidence.

following information with regards to the nature of their request for identity and self-administration as well as on the decision-making process.<sup>9</sup>

- A. The Amhara Regional Council's decision in 2005 E.C. (2013 G.C.) in response to the petition for identity and self-administration was erroneous. The people of Qemant have existed since ancient times and that they have a common language that has failed to thrive due to its suppression. They reside in common and adjacent areas. They have their own psychological makeup different from others. They Qemant state that the Council's rejection of these realities was made with the intention to deprive the people of their constitutionally-guaranteed rights and to suppress them.
- B. The inquiry team sent by the HoF in the wake of the Qemant nationality's appeal of the Regional Council's decision was recalled before accomplishing its mission. They believe that the HoF should have been provided the opportunity to decide the matter and that the Regional Council's interference was inappropriate.
- C. They stated that the arrest of the members of the Committee at the time the HoF inquiry team was undertaking its task was a deliberate act by the Regional State to prevent the members of the inquiry team from obtaining helpful information and was tantamount to both suppression and a violation of human rights.
- D. As the state's Regional Council was in the process of deliberating and deciding the Qemant nationality's petition for identity and self-administration it should have included representatives of the people of Qemant to provide testimonial evidence. The reason it did not do so was because it did not seek to fully resolve the issue. Moreover, such failure violates the principle of participation.
- E. That the Regional Council's Proclamation No. 229/2007, promulgated with a goal to provide a response to the Qemant nationality's petition in Proclamation No. 229/2007, which states, in its preamble, that an administrative area will be realized in "an area up to 42 kebeles" is an effort to intentionally prevent petitions for self-administration beyond 42 kebeles. They believe that the proclamation should be revised and re-issued to allow additional kebeles to also decide the identity issue.

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<sup>9</sup> The Commission has obtained, for evidentiary purposes, documents relating to the HoF's prior decision.

F. They further state that the Regional State and Council have shown reluctance to resolve the question of identity and self-administration of the people of Qemant; that they intentionally delayed the effort to resolve the issue because they have not accepted its legitimacy. This, they believe, should make them accountable for all the problems that subsequently arose.

### **3.5. THE CONFLICT AND HARM THAT ENSUED IN CONNECTION WITH THE QEMANT REQUEST**

#### **3.5.1. The Conflict and Harm that Occurred in Chilga Woreda**

The representatives of Qemant nationality, protesting the decision issued by the Amhara State Regional Council regarding the Qemant petition, submitted a request on *Ginbot* 12, 2007 E.C. (May 21, 2015, G.C.) for a permit to hold a peaceful demonstration in Aykel City on *Sené* 7, 2007 E.C. (June 14, 2015, G.C.). On *Sené* 5, 2007 E.C. (June 12, 2015, G.C.), two days before the planned demonstration, the North Gondar Administration informed them that it had notified the organizers of the demonstration of its decision to deny the request. However, youth who hail from Qemant nationality, on Saturday, *Sené* 6, 2007 E.C. (June 13, 2015 G.C.) – the eve of the planned demonstration – traveled from Lay Armachiho to Aykel to continue campaigning for the demonstration. The Regional State’s Special Police which was at the location, in the measures it took to prohibit the demonstration and the ensuing conflict, killed four (4) members of the Qemant nationality and injured eight (8). In several areas in Chilga Woreda, unauthorized demonstrations were held attended by both members of Amhara and Qemant nationalities both in favor and against the Qemant petition. Similarly, on *Hidar* 13, 2008 E.C. (November 23, 2015 G.C.), a demonstration protesting the Qemant petition and asserting that “Aykel belongs to us and not the Qemant” attended by 5000-7000 members of the Amhara nationality was held in the city of Aykel. Of these, approximately 500 were armed. Even though the demonstration was unauthorized, it was not met with governmental effort to ban it.

On *Hidar* 29, 2008 E.C. (December 9, 2015 G.C.) demonstrations and disturbances took place in Metema Woreda, Shinfu Kebele, held by members of the Amhara nationality. The next day, on *Hidar* 30, 2008 E.C. (December 10, 2015 G.C.), three (3) members of the Qemant nationality were killed in Aykel by the militia during a gunfire exchange. In addition, a fifteen-year-old boy of Qemant nationality was shot and killed while he was installing a satellite dish.

The conflict assumed such a dimension that led two peoples who had co-existed side-by-side to the loss of life and causing physical injury on each other in several kebeles.

For example, a twelve-year-old child of Amhara nationality and a woman were killed in Negade Bahir Kebele.

### **3.5.2. The Conflict and Harm Sustained in Metema Woreda, Shinfa Kebele**

Metema Woreda is one of the woredas where the Qemant petition has exposed the area to unrest and disturbance. One example is the demonstration and disturbances which took place in Metema Woreda, Shinfa Kebele, on *Hidar* 29, 2008 E.C. (December 9, 2015 G.C.) during the annual celebration of the Nations, Nationalities and Peoples Day.

Those who coordinated the demonstration were opposed the Qemant petition for identity and self-administration, and who, as this investigation revealed, were members of a group called “The Amhara Committee.” (Note that the Commission has enclosed as evidence a letter and notice bearing the seal of the said committee). Because of the intense campaigning calling upon the Amhara to come out, approximately 60,000-70,000 people, among which 15,000-20,000 were armed, came from Wegera, Surrounding Gondar areas, Chilga, Quara, Lay Armachiho, Metema Woreda (all kebeles) and Genda Wuha and Metema Yohannes Towns.<sup>10</sup> The evidence shows that some officials in the leadership were even aware of the initial preparations for the demonstrations.

The illegal demonstration which took place in Shinfa Town located between Metema and Quara Woredas and 50 kilometers from Genda Wuha, was replete with racial hatred, often accompanied by the war song “*Yileyal Zendiro*” (“it will all be resolved in these times”). This brought about enormous harm to Qemant and Amhara nationalities as well as those of Tigrayan origin engaged in business activities in Shinfa Kebele.

The harm includes the burning of fifty-three (53) residential quarters along with their property belonging to individuals of Qemant nationality in Zewde Badma Kebele. In Shinfa Kebele, two secondary school students and five (5) individuals of Qemant nationality were killed. Similarly, in Shinfa Kebele five (5) individuals of Amhara nationality were also killed. Fifty-eight (58) shops belonging to nationals of Tigrayan origin in Shinfa Kebele were looted. It total, in Shinfa Town alone, the properties of

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<sup>10</sup> This information was obtained from members of the National Defense Force stationed in the area, Woreda administration, representatives of the Qemant nationality and other individuals who were in the area. The Amhara Regional State, in Letter No. (ARA) 10/121112/00/M /3/W3, dated 30/7/2008 E.C. (April 8, 2016 G.C.) sent to Ethiopian Human Rights Commission, provides that between 40,000-50,000 people took part in the demonstration.

235 persons who hail from Amhara, Qemant and Tigray nationalities were looted and burned.

**3.5.3. Damages and Harm Sustained in Armachiho Woreda in General and in Mawra Kebele in Particular**

Of the forty-two kebeles that were included in the Regional Council’s grant of self-administration, twenty-five are in Lay Armachiho Woreda. Prior to the enforcement of the decision, the regional Special Police, on *Tikimt* 24, 2008 E.C. (November 4, 2015 G.C.), was deployed to Robit to apprehend the members of the Qemant Committee who had been granted amnesty but were nonetheless hiding in Robit.

The Special Police settled in Mawra Kebele after traveling eight kilometers north from Gondar City. There, it clashed with residents of the area – some of whom were armed – and who had blocked the roads in protest. Prior to the skirmish, there was a successive three-day effort to peacefully resolve the matter wherein the special force would return to Gondar and the members of the Qemant Committee who were in hiding would surrender. Unfortunately, the negotiations failed and for three days, between *Hidar* 27-29, 2008 E.C. (December 7-9, 2015 G.C.) the exchange of gunfire claimed civilian life.

The skirmish resulted in the death of a nun, an eighth-grade male student, a seven-year-old boy, two (2) men who were visiting a woman who had delivered two twin boys altogether twenty-four (24) members of Qemant nationality were killed. In addition, two (2) officers of the Special Police were killed; two (2) were injured.

**3.6. A STATISTICAL SUMMARY OF THE DAMAGES**

The table below summarizes the loss of life and physical injury as well as the property damage in three woredas – Chilga, Metema, and Lay Armachiho:

**3.6.1. Table Summarizing the Harm Inflicted on Members of Qemant Nationality**

NO.	WOREDA	DEATH	INJURY	HARM INFLICTED UPON WOMEN, CHILDREN AND ELDERS
1	Chilga	16	29	One 15-year-old boy was killed while installing a satellite dish.
2	Metema	34	26	Among the dead were 16- and 17-year-old secondary school students.
3	Lay	24	5	A nun, an 8 <sup>th</sup> grader and a seven-year-old boy lost

NO.	WOREDA	DEATH	INJURY	HARM INFLICTED UPON WOMEN, CHILDREN AND ELDERS
	Armachiho			their lives
4	Total	74	60	

### 3.6.2. Table Summarizing the Harm Inflicted on Members of Amhara Nationality

NO.	WOREDA	DEATH	INJURY	REMARK
1	Chilga	10	11	Of these, a 12-year-old boy and a woman from Negadie Bahir Town were killed.
2	Metema	13	15	
3	Total	23	26	

The total number of people who died from both Qemant and Amhara nationalities is ninety-seven (97). Eighty-six (86) suffered physical injury.

### 3.6.3. Damage to Property

During the clashes which took place in Aykel on *Hidar* 30, 2008 E.C. (December 10, 2015 G.C.) in the wake of the *Hidar* 29, 2008 E.C. (December 9, 2008 G.C.), a bakery, flour mill motor and a generator, all belonging to members of the Amhara nationality were burned. In addition, Amhara nationality-owned shop and eight houses were looted and destroyed. Two houses belonging to members of the Qemant nationality suffered the same fate.

The Commission's investigation reveals that in Dubba, Genda Wuha, Kokit. Meka, Awlala, Shimele Gara, Dingay Ber, Tagur, Shinfa, Dass, Shashege and Zewdie Badma Kebeles, 74 houses were burned, 412 houses were looted, 255 quintals of sesame was destroyed by fire, 477 live cattle were raided. Details of the investigative report are enclosed (*see* Tab 2).

### 3.6.4. Displacement and Unemployment from the Workplace

269 members of Qemant nationality who were employed as teachers and working in other sector offices in different kebeles of Chilga were not able to return to the workplace. Others were not able to return because of posted notices informing them that they were dismissed. The employees have not been able to return to their

workplaces as of the date of compilation of this report, *Tir* 30, 2008 E.C. (February 8, 2016 G.C.).

### **3.6.5. Displacement from Homes**

The crisis in Shinfa caused considerable terror in the minds of residents in the area. Most of the fifty-eight (58) Tigrayan nationals whose property was looted fled the area. Fearing for their lives, on the night of the skirmishes (*Hidar* 30, 2008 E.C.; December 10, 2015 G.C.) and the following day, approximately 1000 residents of Shinfa were forced to seek shelter at the town's police station. Such fear also compelled 5,000 members of Qemant nationality who reside in Genda Wuha to seek shelter at the military camp in the town.

## **3.7. INFORMATION OBTAINED FROM VARIOUS BODIES REGARDING HARM INFLICTED**

### **3.7.1. Information Obtained from Officials at all Levels of the Amhara Regional State**

The Commission gathered the following information from relevant governmental officials and administrators in the Regional State and from those zones and woredas where the conflict occurred.

#### **3.7.1.1. Chilga**

- A. The demonstrations held in Chilga Woreda by the Qemant and the Amhara nationalities were not authorized by the government and were therefore illegal. The demonstration held on *Hidar* 13, 2008 E.C. (November 23, 2008 G.C.) in Aykel by members of the Amhara nationality and in which armed men participated was also unauthorized and illegal. Governmental institutions were not involved in coordinating the demonstrations. However, what was observed was an extensive practice by armed members of the militia to favor the nationality to which they belong. The same type of favoritism is also reflected in some members of the government and within the Amhara National Democratic Movement (hereinafter "ANDM").
- B. The Qemant Coordinating Committee's campaigns for the upcoming demonstration during Saturday market, on Saturday, *Sené* 6, 2007 E.C. (June 13, 2015 G.C.) was not only illegal but also makes the committee accountable for the conflict and the deaths of four members of Qemant nationality and physical injury to eight individuals which took place on that day. The Special Police did not use excessive force during this incident.

- C. The conflict in Aykel following the *Hidar* 30, 2008 E.C. (December 10, 2015 G.C.) illegal demonstration in Shinfa resulted in several armed members of Qemant nationality to attempt to kill a militia officer and his family on grounds that he supported the government. The effort to save him and his family resulted in the killing of three (3) armed individuals who had surrounding him and his family. He and family were saved through the efforts of the National Defense Force.
- D. The disturbances and harm that occurred in Aykel and other kebeles in Chilga in the wake of the illegal demonstration in Shinfa were deplorable. The cause for these disturbances were the provocations by those who did not desire peace among people as was seen in Shinfa. Members of the Qemant Coordinating Committee capitalized on this situation and aggravated the conflict by inciting the people to violence.
- E. The regional government attempted to bring about peace and reconciliation between the two peoples by using local elders and religious leaders. The reason why measures were not taken against those who committed crimes (from both communities) was neither to encourage criminals nor to defy the rule of law but to complete a thorough investigation which also ensures, in the abundance of absolute caution, the avoidance of any semblance of ethnic conflict. The educational campaigns undertaken by governmental bodies in various woredas aim to prepare the ground for a just resolution of the matter by first bringing about peace and stability to the area and not to “forcefully” accept the “42 kebele” decision.

#### **3.7.1.2. Metema**

- A. Individuals who organized themselves as “The Amhara Committee” masterminded, coordinated and led the demonstration in Shinfa. Even though government bodies knew that the demonstration was about to take place, they had no part in organizing, coordinating and executing the demonstration. However, they stated they would further investigate the matter.
- B. The thousands of armed individuals who participated in the demonstrations were primarily militia who were members of the Amhara nationality. This was one of the manifestations of misguided acts of siding with ones’ nationality. Among the armed individuals who participated in the demonstrations were groups who possessed vengeful ideologies. It should be noted that the illegal arms trafficking and distribution in North Gondar in particular played a role in aggravating the situation.

- C. Individuals who came from Metema, Chilga, Armachiho Quara and other neighboring woredas as well as those who claimed to be representatives of Wolkayt participated in the demonstration. The assertion that people from South Gondar, Wollo, Debre Birhan and Gojjam participated in the demonstration is simply hyperbole and far from the truth.
- D. The mood, slogans and the speeches heard during the demonstration reflected for the most part the positions of non-peaceful elements and not those of most members of Amhara nationality.
- E. As the demonstrators were on their way back home shots were fired around Dingay Ber and Zewdie Badma which resulted in disturbances. An investigation is underway to determine who fired the shots. The Special Police and National Defense Force played a significant role in their work to calm the situation.
- F. The Regional State government deeply deplores the loss of life, physical injury, destruction of property, burning of homes and displacement of people that resulted from the conflict.
- G. The government is preparing the grounds to apprehend those involved in these crimes and is currently conducting investigations. Included in the investigations and assessments is whether some governmental and ANDM bodies also participated in perpetrating the crimes.
- H. Preparation are underway to provide a victims' fund for those who suffered loss (death, physical injuries, arson, looting and destruction) to provide them rehabilitation and to retrieve their property.

#### **3.7.1.3. Armachiho**

- A. As efforts were underway to address the issues amicably in Mawra Kebele of Lay Armachiho Woreda for three consecutive days, between 24 and 26 *Tikimt*, 2008 E.C. (November 4-6, 2015 G.C.) armed Qemant forces who were hiding nearby attempted to take the weapons from the Special Police and, as a result, gunfire erupted. During the fighting, the commander of the Special Police and his deputy were killed. This lasted for three days, between *Tikimt* 27-29, 2008 E.C. (November 7-9, 2015 G.C.) which left several people dead and wounded, including the armed men, members of the Special Police, and civilians. In this regard, the Regional State feels profound sadness over the death of civilians. This situation should not have occurred.

- B. The exact number of those who died – farmers and members of Qemant community – has not yet been ascertained. Whether the Special Police used proportional force is also being verified. The Regional State has not yet determined those individuals or groups who should be held accountable for the loss of lives and injury that transpired during this incident.

### **3.8. INFORMATION OBTAINED FROM THE QEMANT COORDINATING COMMITTEE REGARDING LOSS AND DAMAGES**

The Qemant Coordinating Committee has provided the aggregate information below on the conflict and subsequent damages which occurred in the wake of the Qemant nationality's request for recognition of its identity and self-administration.

#### **3.8.1. Chilga**

- A. Primary responsibility goes to the Regional State for its failure to prepare to respond to the Qemant request pursuant to mandates provided for in the Constitution. They stated that the reason for the conflict and subsequent harm in the woreda resulted from the association and joint efforts of revanchist elements within the government structure and those within ANDM.
- B. In various parts of Chilga Woreda, members of the Qemant community were denied their constitutional right to demonstrate. The campaigning in advance of the demonstration in Aykel (on market day) on *Sené* 6, 2007 E.C. (June 13, 2015 G.C.) was constitutionally protected and the arrests on that day by the Special Police and the subsequent killing of eight (8) members of Qemant nationality and the wounding of eight (8) others were acts of crime. The Region's Special Police should be held accountable for its use of excessive and disproportionate force.
- C. The demonstration held by members of Amhara nationality on *Hidar* 13, 2008 E.C. (November 23, 2015 G.C.) opposing the Qemant petition and in which more than 500 armed individuals were in attendance was not stopped by the government. The reason – in addition to favoritism – was because governmental bodies had surreptitiously organized it themselves.
- D. Governmental bodies should be held responsible for the conflict between the two communities and the damages that took place in several kebeles in Chilga Woreda and in Aykel in the wake of the illegal demonstration in Shinfa. They testified that those who not only failed to end the Shinfa demonstration but also allowed it to continue are within the government.

- E. They further testified that the Qemant Coordinating Committee went to great lengths to calm and end the situation and to bring about peace and reconciliation. They aver that those who aggravated the situation are revanchist and extremist elements within the government and ANDM.

### **3.8.2. Metema**

- A. They explained that more than a year was spent organizing the antisocial demonstration in Shinfu. They stated that those who organized the demonstration included the self-proclaimed “Amhara Committee” who were provided support and leadership by members of the government and ANDM.
- B. They further testified that the demonstration could have been stopped as soon as it began. The Qemant Committee had even alerted officials in the regional government ahead of time. However, no attempt was made to stop it because there was a desire to see the demonstration take place.
- C. They believe that even though the law forbids the carrying of weapons in demonstrations, almost 20,000 armed individuals were allowed to take part to deliberately suppress the Qemant petition and to intimidate the people.
- D. Those who took part in the demonstration were drawn from neighboring woredas and also from Armachiho, Wogera, Belesa, Gaynt, as well as from some parts of Gojjam and Wolkayt. They believe that this massive propaganda campaign and organizational support was undertaken with the full knowledge of the regional government.
- E. The cause for the conflict and the shootings was the hate-filled provocation and the avalanche of insults directed toward Qemant communities who reside in Dingay Ber and Zewde Badima Kebeles by demonstrators traveling to and from Shinfu and Genda Wuha. The region’s Special Police and security agents also played a role in provoking and aggravating the situation. The National Defense Force saved the people from mass killings. The regional Special Police should therefore be held accountable.
- F. Those responsible for all the loss of human life, physical injury, property damage, burning of homes, and displacement people were not only the coordinators of the demonstration but also governmental bodies (in particular, the Quara and Metema administrators, the woreda security and administrative officials, and ANDM structures operating in the area).

### 3.8.2. Lay Armachiho

- A. They stated that the cause for the conflict and instability in Lay Armachiho Woreda was unwillingness of the regional state to fairly resolve the Qemant petition. This is because extremists incited the people of Amhara nationality. The regional Special Police was also used as a tool to suppress the peoples' demands.
- B. Further, the reason why the people asked the Special Police to evacuate the school in Mawra was because the Special Police had camped inside the school as it was passing through Mawra Kebele. The people had amicably requested that the Special Police to return to Gondar to allow for the peaceful resolution of the matter but the Special Police was not willing to listen to these demands.
- C. Finally, as the negotiations were progressing and further discussions were scheduled to take place (an appointment had been set for *Tikimt* 29, 2008 E.C. November 9, 2015 G.C.), on *Tikimt* 27 E.C. (November 7 G.C.), a farmer of Qemant background was shot dead in Mawra by the Special Police as he was preparing to take his cattle out for grazing. The provocation continued when a farmer was walking his donkey from the direction of Gondar toward Mawra when, at 2:00PM, a bullet fired by the Special Police struck and wounded his hand. Finally, at 2:30PM on the same day, during a three-day shootout (between *Tikimt* 27-29, 2008 E.C.; November 7-9, 2015 G.C.) opened by the commanders of the Special Police and woreda officials in their attempt to force their way through, twenty-four (24) members of Qemant nationality (of which two were members of the Special Police) were killed. They stated that this indicates the unwillingness of woreda officials and the Special Police to recognize the people's question and their unwillingness to stand for the people.
- D. Because the commanders of the Special Police and those officers who carried out the killings were responsible for the conflictual situation and the ensuing harm, they should be held accountable to the law.

### 3.9. INFORMATION OBTAINED FROM VARIOUS MEMBERS OF THE COMMUNITY, REPRESENTATIVES OF VARIOUS COMMUNITIES AND VICTIMS' FAMILIES REGARDING THE CAUSE OF THE CONFLICT AND THE HARM INFLICTED

Members of the two nationalities, local elders, religious leaders and victims' families who reside in Metema, Chilga, Armachiho, particularly in those areas that were the epicenter of the conflict – Aykel, Shinfa and Mawra and its environs. The information provided by members of the Qemant community as well as those who suffered loss has similarities with the information provided by members of the Qemant Committee. Accordingly:

- A. They recognize that the Qemant and Amhara nationalities have intermarried and lived together in peace and through mutual respect. They declared their continued desire to live in peace and mutual affection. They agree that the Qemant petition should be provided a solution peacefully and fairly pursuant to mandates provide in the Constitution. Members of Amhara nationality have, in Aykel, gone to the extent of raising funds in support of the peaceful resolution of the issue.
- B. Both communities lament the unnecessary direction in which the disagreement took, which resulted in the death of members of both communities, property damage and looting. They agree that the conflict which erupted and the ensuing acrimony should find healing through traditional and religious reconciliation. Those criminally responsible should be brought before courts of law.
- C. Members of the Qemant community and families of victims maintain that the conflict and the resulting damages which occurred in Shinfa, Aykel and Negadie Bahir were organized and led by officials in governmental structures, ANDM members and members of the militia.
- D. Reflected in their complaint is sorrowful regret that “the party for which we voted, ANDM, turned around to inflict so much harm against us.”
- E. In addition, because the regional government and the Regional Council were not interested in fully responding to the Qemant petition pursuant to the Constitution, the excessive delay and refusal to include the people of Qemant and their representatives in the determination of the issue contributed to the both the conflict and the resultant loss and damage. They further shared their opinion that this *status quo ante* continues which is a threat to peace.
- F. The force employed by the regional Special Police in Mawra and Aykel was excessive and disproportional. They were also present at the Shinfa demonstration. They submitted a request to have the Special Police removed from their area because the Special Police has been accustomed to suppressing the Qemant petition.
- G. The “42 Kebele” decision is incomplete which they believe “stands on one foot.” They ask “why shouldn’t the other Qemant kebele questions also find a solution?” They believe that the federal HoF and the federal government should intervene. They agree that “the National Defense Force should provide us security and that if it had not hoisted itself life a flag in our midst we would have perished.”
- H. They assert that the current situation in which those criminals who committed murder against their children and in general against the people of Qemant are

- roaming around enjoying their freedom should come to end. They should be made responsible before the law.
- I. Until today, members of government structures are deployed in several kebeles intimidating residents to accept the “42 Kebele” policy. They should be disciplined and the government should calmly consider the matter.
  - J. The Amhara traditional elders and representatives request that given the extent of the harm and damages that have followed the disturbances, including the interruption and closure of schools, roads and markets as well as the suspension of the construction of dams and other developmental projects, all issues must be resolved through peaceful means.
  - K. They voiced concern over the implementation of the self-administration policy in those kebeles where, on the one hand, the people of Qemant do not reside in contiguous kebeles and on the other, where the Qemant and Amhara reside in integrated communities. In this regard, they also expressed concern about those extremist elements among members of the Qemant community who claim for unreasonably large swaths of land they wish to self-administer.
  - L. They also stated that the closure of schools in which children of both communities attend in the wake of the unrest – which is not of their making – is unfair.
  - M. They are further concerned about the policy of anarchism that extremists among both the Qemant and Amhara communities are advancing. They strenuously request that the self-administration issue should be implemented *post-haste* to allow the situation to achieve stable and peaceful conditions.

### **3.10. INFORMATION OBTAINED FROM MEMBERS OF THE NATIONAL DEFENSE FORCE IN AREAS OF CONFLICT**

The Commission’s investigation team has compiled the following information from members of the National Defense Force regarding the conflict and ensuring damages and harm related to the Qemant request.

- A. The Qemant petition should have been resolved pursuant to constitutional requirements as soon as the petition was presented. The delay aggravated the situation and led toward a conflictual situation.
- B. As the petition was being considered, the participation of the people and their representatives should have been included.

- C. It should have attempted to identify those extremists who took advantage of the situation under the pretext of advocating for the two peoples.
- D. The petition should have been given redress right from the start by issuing directives pursuant to the Constitution rather than treating it as an administrative and security issue.
- E. The Shinfa demonstration, organized under the pretext of simultaneously observing the anniversary of the adoption of the Ethiopian Constitution and the national day of observance of Ethiopia's Peoples, Nations & Nationalities Day, was illegal where constitutionally-violative messages and signs were posted and transmitted. Relevant administrative and security officials should have ended the demonstration right from the start.
- F. The demonstration in Aykel on *Hidar* 13, 2008 E.C. (November 23, 2015 G.C) in which armed individuals participated should have been stopped. The shooting on *Sené* 6, 2007 E.C. (June 13, 2015 G.C.) to stop the campaign for the demonstration was unjustified.
- G. In sum, the Special Police's actions – the public shootings, killings and causing injury cannot be acceptable. They ask: "How could an entity which claims to be for the people open fire on the public?" The Defense Forces deployed to stabilize the Shinfa demonstration were given orders to "never fire" on the public and, as a consequence, five (5) members of the Defense Forces were shot and injured. The officers and members of the Special Police who were deployed in North Gondar and who shot into the crowd and caused harmed should be held accountable.
- H. Today, the problem should be resolved based on provisions specifically provided for in the Constitution. The people of Qemant should be included in the search for solutions. If there are those within the Committee who have committed crimes, they should be held accountable in due course. The public's complaint that they should be compelled to accept the "42 Kebele decision" should be heard.

### **3.11. FACTUAL CONCLUSIONS ASCERTAINED IN THE INVESTIGATION AND THE PROTECTION OF FUNDAMENTAL HUMAN RIGHTS AND FREEDOMS**

#### **3.11.1. Conclusions Regarding the Identity Question**

The following conclusions have been ascertained: The inquiry was based on the following lines of questions: Was the petition based on constitutional provisions? Was the manner in which the petition was presented pursuant to those procedures provided for in the Constitution? Was the response based on constitutional provisions?

Was a response provided to the petition? Did the process participatory? Was the loss, damage and injury that occurred as a result of the conflict avoidable? Who should be held accountable for the loss, damage, and injury? Did the region's Special Police use proportionate force? Were those who caused the loss, damage and injury made legally accountable for their actions? Has the work of rehabilitating the victims of the loss, damage and injury been undertaken? What should be done to provide a lasting solution for the problem?

- A. It is evident that the petition has a constitutional foundation. The problem has never been with the Constitution; rather it was attributable to failure to address it in accordance with constitutional stipulations. Therefore, the issue should have been given due attention in this framework and, accordingly, should have found contemporaneous redress.
- B. It is noted that while it is evident that the reason for the Qemant language's inability to develop is attributable to suppression of the language throughout the ages, the Regional Council's decision to reject the petition for failure to meet linguistic requirements while at the same time conceding that the language is, indeed, spoken by a few members of the Qemant community was inappropriate. (It is also noted that the Regional Council corrected this finding in its second meeting).
- C. Given the urgency and importance of the matter, it should have been resolved without delay. It should have not been delayed for six years – between 2001 and 2007 E.C. (September/October 2008-2014 G.C.).
- D. Once the issue was presented before the HoF, the House should have provided a response pursuant to constitutional requirement, and, subsequently, when representatives of Qemant nationality appealed the Regional Council's decision to the HoF, the process should have continued and the issue should have been resolved under the Constitution. After the Regional Council pledged to address the issue in a short time and thereby stopping the process underway before the HoF, in the effort to resolve the petition, the Council should have pursued the directives issued by the HoF, including, ensuring the participation of the people of Qemant and their representatives. A strict legal interpretation of the Regional Council's decision in *Sené* 2007 E.C. to allow self-administration in areas “up to

- 42 kebeles”<sup>11</sup> opens the possibility for other kebeles to submit a similar petition based on the will of their residents.
- E. It has been noted that the region should have passed a resolution after, on the one hand, adequately verifying the matter, allowing the people to be participants and implementing a working mechanism to verify whether or not the question of identity was indeed shared by the people at large, and on the other hand, once the owner of the petition was established, by issuing a detailed procedural law on how the matter would be considered. It should have also established a working mechanism that adequately separated the responsibilities of regional and federal organs.
- F. The Commission has been able to ascertain that in the housing and population censuses conducted at various times, including in the FDRE government’s 1987 E.C. (1995 G.C.) census, the Qemant nationality was given its own code, however, in the 1999 E.C. (2007 G.C.) census, the Qemant code was removed and replaced by “others.”

### **3.11.2. The Protection of Human Rights and Fundamental Freedoms in the Context of the Conflict**

The failure to speedily resolve the Qemant nationality’s petition based on constitutionally-mandated provisions in a participatory manner led toward conflict, which, in turn, led to the loss of lives, physical injury, displacement, and destruction of property.

There were several stakeholders who were involved in the initiation of the petition and in its resolution. The primary stakeholders include officials of the Amhara Regional State, the Qemant Coordinating Committee, the Amhara Committee, members of the region’s Special Police deployed in North Gondar, local elders and religious leaders. The available evidence also reveals that there were forces both domestically and abroad who took advantage of the conflict for their own destructive ends and contributed to the chaos and bloodshed.

Based on the foregoing observations, the Commission has drawn the following conclusions:

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<sup>11</sup> See *Memory of Law, Meskerem 30*, 2008 E.C. (October 11, 2015, G.C.) Vol. 21, No. 20, Proclamation No. 229/2007 promulgated to establish The Qemant Nationality’s Special Woreda by the Amhara Regional State. Stating, in the preamble, in, par. 3, that “. . . up to 42 kebeles where the residents consider themselves as Qemant . . .” possessed additional evidence.

- A. The people who reside in North Gondar and in particular minority communities in the zone were not provided adequate protection by the government and as a result were exposed to loss, harm and injury.
- B. The Commission's investigation has ascertained that the region's Special Police deployed in Mawra and Aykel had a hand in the illegal killings and causing physical injury on civilians. The Commission has further determined that such killings, physical injuries and destruction of property were also committed by other individuals who participated in the conflict.
- C. The investigation has further revealed that officers and members of the region's Special Police deployed in Mawra who gave orders to open fire and committed killings in the midst of residential areas where farmers reside have not been held legally accountable for their actions.
- D. It is noted that the demonstration held in Shinfa was designed to deflect the question of identity of the Qemant nationality and to incite conflict between and among residents in the area. It is also noted that there were administrators in various capacities who had received information about the illegal demonstration and failed to take measures to stop it. No accountability measures were undertaken against the coordinators of the demonstration.
- E. A situation arose wherein the campaigning by both peoples – Qemant and Amhara – was infiltrated by armed individuals from both sides (members of the militia and others in the area) who favored their own nationality. Numerous members of the ANDM and within the government structure who hail from both peoples showed a tendency to side with their own nationality over the issue which contributed to the exacerbation of the situation and to leading toward bloodshed.
- F. Notwithstanding the fact that much of the arms trafficking in North Gondar has been conducted with the full knowledge and control of the government, there is also illicit and illegal arms trafficking in areas outside the control of the government all of which were additional factors for the expansion of the conflict.
- G. While the right to peacefully demonstrate is guaranteed under the Constitution, knowing fully that the letter denying the demonstration to those who requested it was delivered late and that such denial was not made clear to all, the shooting death of unarmed civilians and the detentions that took place in Aykel on *Sené 6*, 2007 E.C. (June 13, 2015 G.C.) of those who campaigned in advance of the *Sené 7*, 2007 E.C. (June 2015 G.C.) demonstration was illegal.

- H. The Commission has ascertained that it was contrary to the principles of peaceful demonstration that no oversight was put in place as well as no advance corrective measures taken when more than 500 armed individuals participated in the demonstration held in the city of Aykel in Chilga Woreda on *Hidar* 13, 2008 E.C. (November 23, 2015 G.C.) and the presence of thousands of armed individuals in the demonstration held in Metema Woreda of Shinfa Kebele on *Hidar* 29, 2008 E.C. (December 9, 2015 G.C.) which resulted in the deaths of citizens, physical injury and destruction of property. The coordinators of the demonstrations in Shinfa and Aykel have not been held accountable before the rule of law. This has resulted in creating in the minds of those of Qemant origins a belief that there is clear adverse bias against them.
- I. It was inappropriate to deploy the Regional Special Police in Lay Armachiho Woreda, Robit Sub-Woreda, to quell the unrest when the appropriate mechanism should have been to engage, at the outset, in persuasion efforts through political and administrative means. The subsequent loss of human life, physical injury and property destruction in Mawra could have been avoided if: the Special Police deployed to the area heeded the advice of the elders to evacuate the school where it had camped; the scheduled *Tikimt* 29 E.C. (November 9 G.C.) meeting with the elders had been allowed to take place which was derailed by the *Tikimt* 27 E.C. (November 7 G.C.) killing of a farmer and injury to another which led to the gunfire exchange that claimed the lives of the commander and deputy of the Special Police. Wisdom should have prevailed by exercising care and judgment to protect and save the lives of innocent civilians especially because the events were taking place in a residential area. Such failure resulted in the death and injury of innocent civilians, including children, women and the elderly. In addition to the death of two and the injury of two members of the Special Police, twenty-two (22) individuals were indiscriminately killed by the police in retaliation which include a nun, an eight-grader – a boy, a seven-year-old boy, and two twin boys. This evidence shows that the force used by Special Police deployed to this area was disproportionate.
- J. The Commission has learned that traditional elders and religious leaders of Amhara and Qemant nationality, with the goal to minimize the conflict, attempted to resolve the discord amicably and to this end, Amharan residents in Aykel raised funds to help in the peaceful resolution of the Qemant petition.
- K. The Commission notes that some hardliners who had organized themselves as the “Amhara Committee” played a role in contributing to the worsening of the situation by exerting an all-out effort to allow lawlessness to reign, by allowing

illegal demonstrations to take place, allowing killings and lootings to spread and inciting hatred between peoples with the intention of turning one against the other.

- L. Similarly, some hardliners in the Qemant Coordinating Committee have also sought the reign of lawlessness by inciting people toward chaos to use it as a means to resolve the Qemant petition. Instead of relying on a constitutional response they resorted to shutting down roads, markets and schools and disturbed the overall peace of the community.
- M. It is ascertained that the regional government, per customary practice, requested the deployment of troops and the federal police to the area in order to minimize further exacerbation of the situation.
- N. In those areas where the Commission conducted its investigation in Metema, Chilga and Armachiho, 97 individuals lost their lives (of which two were members of the Special Police). 86 individuals were injured. 235 shops and 412 homes were looted; 74 homes and 255 quintals of sesame were burned; 477 cattle were raided. The Commission wishes to express its heartfelt sadness over the loss of lives and the injury inflicted on the people. The Commission also expresses its appreciation for the significant efforts of local elders, religious leaders, the National Defense Force, the Federal Police and the region's police to end the conflictual situation before it took on disastrous proportions and for restoring peace in the communities.
- O. Notwithstanding the above statements, the Commission has determined that the Regional State government did not issue orders that violate laws.

### **3.11.3. Loss, Harm and Injury to Women, Children and the Elderly As a Result of the Conflict**

In all cases where there is violence, the most vulnerable members of society are women, children and the elderly. The Commission's investigation has revealed that the instant conflict was no exception.

Examples of such occurrence includes:

- The three-day shootings in Lay Armachiho, Mawra Kebele, resulted in the deaths of civilians and these include a nun, an eighth-grader – a boy, and a seven-year-old boy.
- Among those who lost their lives during the *Hidar* 30, 2008 E.C. (December 10, 2015 G.C.) disturbances in Aykel was a fifteen-year-old boy.

- In Negadie Bahir Kebele a second-grader twelve-year-old boy of Amhara descent and a girl were killed.
- Among those who died in Metema Woreda, Shinfu Kebele, were a sixteen- and a seventeen-year-old secondary school students.
- As indicated in this report, these vulnerable groups were also affected in the burning of homes and other harm that befell members of the communities.

### **3.12. RECOMMENDATIONS**

The Commission offers the following recommendations:

#### **1. Constitutional Issues**

The findings of the Commission’s investigations reveal that the primary reasons for the loss of human life, physical injury and property destruction was the failure to properly enforce requirements set out in the Constitution. The Commission has found that additional work needs to be done with regards to implementing constitutional provisions dealing with the rights of nations and nationalities and the interconnected issue of the right to recognition of ones’ identity.

Article 39 of the Constitution which deals with the rights of nations, nationalities and peoples provides clear guidelines on these issues. However, what is discernible is that there is an existing limitation on implementing the provision based on past experiences and precedent. The Commission wishes to offer the following recommendations which touch on assertions made in the above statement.

- A. All rights-based questions must be presented, considered and resolved through legal and peaceful means and a mechanism must be put in place on how to implement any decision;
- B. The law is clear on who may represent the people in their presentation of a petition related to identity. An implementation mechanism must also be established.
- C. Whenever a question related to identity is presented, it is important to pursue clearly-established procedures provided for in the Constitution.
- D. Measures need to be taken to determine why the code provided to the people of Qemant was removed and replaced by the “others” designation in the housing and population census of 1999 E.C. (2007 G.C.).

- E. Appropriate arrangements need to be put in place to provide a lasting solution to the question of identity and the issue of self-administration of the people of Qemant on the basis of constitutional provisions as well as by ensuring public participation especially through referenda in those kebeles where the issue is divisive and unsettled.
- F. The federal HoF needs to prepare the grounds to allow it to respond to petitions related to identity in a timely manner pursuant to provisions provided in the Constitution.

## **2. Ensuring Accountability**

- A. The Commission has ascertained in its investigations that crimes have been committed in several locations. The human rights context requires that those suspected of committing human rights violations need to be held accountable. The Commission therefore recommends that measures need to be taken to bring the offenders to justice.
- B. The Commission has obtained evidence in its investigation that supports the fact that some members and commanders of the Special Police deployed in Mawra and Aykel as well as other individuals had a hand in the crimes committed there, including the fact that they did not use proportionate force. The Commission therefore recommends that those suspected of these crimes be investigated and brought before judicial bodies but in such a way that the rights of those suspected are also protected to ensure that the victims receive justice.
- C. In addition to pursuing judicial accountability, the Commission further recommends that those officials who contributed to the lack of good governance which led to violations of human rights be immediately reprimanded in consultation with the Regional State.

## **3. Administrative Measures**

- A. To ensure that the acrimony that has festered between peoples does not reach similar proportions in the future all concerned bodies must make an effort to foster harmony between the people.
- B. The law that prohibits armed people from participating in peaceful demonstrations should be rigorously put to practice. To the extent they are found participating in these demonstrations, swift measures must be undertaken.

4. The region's Special Police must undergo successive capacity building training on the protection of human rights, maintaining public peace and security, conflict resolution and the application of force.
5. A mechanism needs to put in place to help rehabilitate victims and families of killings as well as those who suffered physical injury, displacement, burning, looting and destruction of their property. Children who lost their parent/s and those families who lost a provider for the family must be supported. There needs to be a support system to allow children to survive and attend school.
6. Parallel to the work of ensuring law and order, significant and continuing effort must be exerted including through traditional and religious means of reconciliation to end the resentment and vengefulness which has surfaced among members of the Amhara and Qemant communities.
7. The actions of those radicalized elements in the Qemant Coordinating Committee who pursue extremist and unconstitutional means to pursue their goals, including through rioting and other means (such as armed violence, closing schools, roads and market) must be stopped and they, too, must be investigated and brought before a court of law.
8. The perceptions and practices of armed militias of both nationalities needs to be reformed through awareness-creation programs to remind them that they should rely on their weapons solely for their intended purpose. Those members of militias who engaged in criminal conduct must be brought a court of law.
9. A study needs to be undertaken to review gun ownership, usage as well as trafficking in North Gondar. The Commission believes that without such undertaking, there is always a risk of conflict and violations of human rights. Therefore, rigorous measures must be taken with regards to gun ownership and trafficking.
10. Some officials of the Regional State as well as administrators in Metema and Chilga Woredas refused to provide to the Commission relevant information regarding the loss, harm and destruction stemming from the conflict. Accordingly, the Commission recommends that they be penalized pursuant to Article 41 of the Commission's constituting proclamation.
11. The organization that calls itself the "Amhara Committee" which organized and led demonstrations in the areas of conflict and allowed the conflict to take place also refused to appear before the Commission's investigation. The Committee

- should be investigated especially those extremist members who caused harm to human lives and property and should be made to answer before the law.
12. The Amhara Regional State and the FDRE governments need to discharge their responsibilities to safeguard and protect the residents of North Gondar Zone particularly members of minority groups.
  13. As indicated in this report, the Commission has ascertained that there was no order issued by the Regional State that resulted in any violation of the law. However, the State needs to investigate those within the regional administration – officials and staff – for any role they played in the chaos and ensuing damage in Shinfu, Aykel, Mawra and other locations. To the extent they are found responsible, they should be made accountable before the law. The State should disclose this process to the public.
  14. The Regional State needs to extend its apologies to its people for failing to respond to the petition pursuant to constitutionally-required procedures in a timely and participatory manner and for the subsequent conflict and resultant damages from such failure.

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**ANNEX 1: PARTIAL LIST OF PROPERTY DAMAGE INCURRED ON BOTH SIDES (TABLE)**

<b>No.</b>	<b>KEBELES</b> (SEE ROWS TO THE RIGHT)	<b>DUBABA</b>	<b>GENDA WUHA</b>	<b>KOKIT</b>	<b>MEQA</b>	<b>AWLALA</b>	<b>SHEMELE GARA</b>	<b>DINGA BER</b>	<b>TAGUR</b>	<b>SHINFA</b>	<b>DAS</b>	<b>SHASHAGE</b>	<b>ZEWDE BADIMA</b>	<b>TOTAL</b>
1	Houses burned	-	-	1	1	-	-	2	15	1	2	-	53	74
2	Houses looted	-	95	18	17	5	15		15	235	9	3	-	412
3	Sesame Burned	90 Q*	-	52 Q	-	-	-	-	-	-	-	-	113 Q	255
4	Cattle Raided	323	-	124	-	-	-	-	-	-	-	-		447

\*Q = Quintals

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**ANNEX 2: LOSS, DAMAGE AND INJURY IN WESTERN ARSI ZONE (TABLE)**

The Commission has compiled a list of the property damage sustained in some woredas in Western Arsi Zone during the disturbances.

No.	HUMAN AND PROPERTY DAMAGE	AMOUNT IN NUMBERS	OWNER OF THE PROPERTY		BURNED	LOOTED	DESTROYED	DAMAGED	DEATH
			PUBLIC	PRIVATE					
1	Weapons of various types	249				✓			
2	Bullets of various types	5781	✓			✓			
3	Fertilizers	1499 Q	✓			✓			
4	Protestant churches	11		✓	✓	✓	✓		
5	Orthodox churches	12			✓	✓	✓		
6	Catholic churches	1			✓	✓			
7	Paraphernalia of various religious institutions	20				✓			
8	Computers and laptops	11	✓			✓			
9	Kebele offices		✓		✓	✓	✓		
10	Health centers		✓		✓	✓	✓		
11	Veterinary clinics		✓		✓		✓		
12	Police stations		✓		✓		✓		
13	Agricultural seedling nursery centers		✓	✓		✓	✓		
14	Shelters for the Senkele Korki				✓	✓			

No.	HUMAN AND PROPERTY DAMAGE	AMOUNT IN NUMBERS	OWNER OF THE PROPERTY		BURNED	LOOTED	DESTROYED	DAMAGED	DEATH
			PUBLIC	PRIVATE					
15	Bilitu Agricultural Development tractors		✓		✓	✓			
16	Bulldozers used to construct shelters for the Senkele Korke		✓		✓	✓			
17	Oromo cultural museum		✓				✓		
18	Unions stores and offices		✓	✓	✓		✓		
19	Combiners		✓					✓	
20	Cooperatives and other offices		✓	✓	✓		✓	✓	
21	Vehicles, bulldozers, tractors, trucks, loaders		✓	✓	✓			✓	
22	Agricultural DA Houses		✓				✓		
23	Spare parts for vehicles		✓						
24	Office and household furniture		✓					✓	
25	Corrugated iron sheets	1201	✓						
26	Seeds	2112	✓						
27	Food aid	610	✓						
28	Cattle	1444	✓	✓					
29	Motorecycles and bicycles	32	✓	✓					
30	Farmers training centers	17	✓	✓	✓	✓			

**RESOLUTION PASSED BY**  
**THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA**

**HOUSE OF PEOPLES' REPRESENTATIVES**

**RESOLUTION OF THE FDRE HOUSE OF PEOPLES' REPRESENTATIVES**

*Sené 3*, 2008 E.C. (June 10, 2016 G.C.)  
RESOLUTION NO. 11/2008

**RESOLUTION PASSED BY THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA'S HOUSE OF PEOPLES' REPRESENTATIVES ON THE REPORT SUBMITTED BY THE ETHIOPIAN HUMAN RIGHTS COMMISSION REGARDING THE DISTURBANCES THAT TOOK PLACE IN PARTS OF OROMIA NATIONAL REGIONAL STATE AND THE CONFLICT IN PARTS OF NORTH GONDAR ZONE OF AMHARA NATIONAL REGIONAL STATE**

**1. INTRODUCTION**

Our nation is in the midst of realizing several goals, including, but not limited to, a constitutionally-articulated roadmap which allows the nations, nationalities and peoples the right to enjoy and develop their own language, history and culture; the right to administer themselves and the right to fair representation in the federal government. Our nation is also engaged in the effort to rid itself of poverty and to join the ranks of middle-income countries. These goals have allowed Ethiopia to be one of the few nations to register fast developmental growth, all of which has benefitted all nations, nationalities and peoples of Ethiopia. This was made possible not only because our government has pursued the right policies but also because of the existence of a legal framework that guarantees all Ethiopians, both the masses and private entrepreneurs alike, the space and ability to enjoy their security and to invest their resources in development ventures, which they have done wholeheartedly.

The FDRE Ethiopian Human Rights Commission's report will play a significant role in showing the extent to which the Commission works to ensure the rule of law, its commitment to ensuring a constitutional order, good governance as well as complete adherence to the protection of human rights in the country. These undertakings by the Commission assist the government in its effort to bring about good governance, ensure human rights protection packages and address its own shortcomings internally. The report further shows that the issue of human rights remains a national vision and sends a message that no human rights violation can be overlooked and that the nation is committed to implement its domestic and international obligations with regards to human rights protections.

The Standing Committee on Legal and Administrative Affairs of the House of Peoples' Representatives, pursuant to the directives issued in its 2/10/2008 E.C. (October 13, 2005 G.C.) letter (No. S#1/Law/158) issued by the House Speaker, has passed the following resolution on the report submitted by the Ethiopian Human Rights Commission as mandated by its constituting proclamation in Articles 6(1), 4 and 24 6/1, /4/, related to its

investigations on the disturbances in ten zones and some woredas of Oromia Regional State and the conflictual situation in North Gondar Zone of Amhara Regional State in connection with the Qemant peoples' petition.

#### **A. GENERAL MATTERS**

- The Constitution recognizes the sovereignty of nations, nationalities and peoples and their right to development; lays down the fundamental principle that all should be recipients of a fair share of the country's economic development; that, in addition to being fairly represented at all levels of the government structure, they have a right to administer themselves, to be participants in all governmental affairs in a space that ensures transparency and accountability. The Constitution has indeed provided a roadmap that has allowed all Ethiopians to both become actors and beneficiaries of the fruits of the development that the country has registered in all sectors.
- The protection of human rights is one of those rights to which the Constitution gives significant attention and there are certain preconditions that must be realized in order to achieve those objectives.
- The Constitution guarantees the people of Ethiopia both individual rights as well as rights to the nations, nationalities, and peoples, including the right to self-determination, which has allowed the peoples to administer themselves. The Constitution has also provided a mechanism to address questions of identity raised both by individuals and by the nations, nationalities and peoples.
- The Constitution has been enormously instrumental in allowing Ethiopians to enjoy peace and tranquility in our nation. Such peace can only be sustained through a vigorous enforcement of constitutional provisions and principles therein.
- The Ethiopian Human Rights Commission's report has been a major impetus for the House of Peoples' Representatives to discharge the responsibilities entrusted to it in its work to ensure the protection of human rights by allowing the House to assist in the enforcement of those necessary corrective measures before they take root.
- The Commission's report reveals that the incidents recently witnessed in our country were not borne out of the Constitution nor from the federal system. Rather, what it demonstrates is the extent to which the citizens or the peoples can assert their rights which they believe have been infringed upon. On the other hand, the report also shows that there are those who have not accepted the

constitutional system and the rights provided therein and that they will go to any extent to throw the nation into mayhem.

- The report further reveals that the gaps in good governance within the human rights packages in our Constitution can pose a threat to human life and property, to our country's peace and development, and the good relations between and among the people of Ethiopia.
- It also shows the fundamental dimensions of the rule of law wherein any party who has a question about the implementation of human rights protections should pursue them but should do so within the legal system.
- The encouraging lessons to be drawn from the Commission's report on the incidents include, but are not limited to, reinforcing our federal system of government through a process of self-correction.
- The Commission as mandated by law has investigated the recent incidents, assessed the loss, damage, and injury that occurred and has also established their causes through a process which has included consultations with all concerned bodies, and in such a manner that ensures its independence. Accordingly, following the Commission's presentation of its conclusions before the House, the House passes the resolutions below.

**B. REPORT ON THE DISTURBANCES IN SOME PARTS OF OROMIA NATIONAL REGIONAL STATE**

- The HPR notes that the disturbances which took place in some areas in Oromia Regional State as reported by the Human Rights Commission in the wake of its own investigation, resulted in the loss of life, physical injury, and property damage.
- The Commission's report shows that region's police and militia as well as the federal police and defense forces paid a significant sacrifice to contain the disturbances before they assumed disastrous proportions. The report finds that the actions taken by the law enforcement agencies to contain the disturbances when seen against the nature of the reported incidents were proportional.
- On the other hand, it is also noted that what allowed the anti-peace forces to engage uninvolved civilians to participate in numerous acts of disturbances were related to governmental failure to respond to questions raised by the people, including failure to address complaints related to lack of good governance. As a

result, the movement which started with a call to rectify the lack of good governance, gained steam.

- It is further noted from the Commission's report that there was a significant involvement of the youth in the disturbances and that the reasons for such participation includes, in part, unemployment. Therefore, resolving the issue of youth unemployment must be given high priority.
- The Commission's report also reveals that there are numerous issues related to the use of natural resources and land for which there needs to be a solution. Under the Constitution, land and natural resources are properties to be shared by the public, however, issues related to fair use of such resources by farmers in the regional states need to be resolved.
- In those circumstances where a situation arises wherein an individual can no longer exercise his right to the use land when such land will be used for public use, he or she – usually the farmer - needs to be informed of such decision in advance, should be a participant in discussions related to such denial, and also, should be convinced of that denial. Where the public's interest must compel dislocation from ones' land pursuant to those preconditions in the Constitution, the dislocated individual must be fairly and immediately compensated. In addition, favorable conditions must be created to allow the famer a sustainable benefit from such loss.
- The Commission's report indicates that in those areas investigated there is a widely-shared sentiment among the public that land – which is a public property – is being illegally misallocated and given to individuals. The Commission has indeed cited cases in point where officials of government institutions have been engaged in misappropriating land. Therefore, the root causes of grievances regarding land use and administration must be urgently identified and resolved; related measures must also be taken.
- The Commission's report vividly shows the adverse effects of the disturbances on the country's efforts to attract and expand local and foreign investments. The effort to end poverty and to create an environment that will allow all Ethiopians to fairly benefit from the nation's continuing development requires a secure environment that ensures confidence to investors, a mechanism that protects property from damage, as well as a contractual agreement framework. Both federal and regional governments need to create a mechanism that preemptively avoids similar threats to the above-referenced preconditions to economic development.

- Given the nature of our development-centered democratic form of government, it is evident that efforts underway to expand public services and development infrastructures across the country are registering results. Yet, it should be noted that due to limitations in the nation's capacity, it is unable to address all problems in all areas at the same time.
- The Commission's report also shows that there are groups designated as terrorist organizations by the House of Peoples' Representatives (such as the OLF) that clearly attempted to usurp the public's legitimate demands related to rights and interests by encouraging participation in disturbances in order to serve their own agenda. Our efforts and preparedness to fight this terrorism needs to be further strengthened. Those who participated in these efforts should be held legally accountable.
- The report further reveals that some opposition political parties, their leadership and their members who are legally registered in the country, took part in the planning, coordination, and implementation of the disturbances. Therefore, conditions should be created whereby those leaders and members of such political parties who are said to have played a role in the disturbances could be held accountable for their actions.
- The majority of administrative officials were cooperative in the Commission's investigation, however, legal measures must be taken against those administrators who refused to discharge their legal responsibility to assist the Commission.
- Even though the regional government did its utmost to end the disturbances by enacting measures, it followed a legally-proscribed process and procedure when it requested reinforcement from the federal government and ultimately for the deployment of the Federal Police and National Defense Force when it was unable to restore law and order to the region.
- The HoPR uses this opportunity to express its respect to those who made significant efforts to protect human life and property, including residents, religious leaders, elders, the Defense Forces, the Federal Police and the state police and militia. The House believes it appropriate for the people of the region to preserve the longstanding value of paying special respect towards elders; such culture of co-existence between followers of various religions and protection of minority groups must be preserved and protected from the types of damage and injury observed during the disturbances.

- The regional government needs to intensify its support structure to continue its ongoing efforts to rehabilitate those who suffered loss, damage and injury.
- The HoPR wishes to extend its respects to some woredas and zones, their administrators and staff who joined the public and did their utmost to prevent loss of life and injury, who helped secure the peace and prevented damage to public and government property. However, those administrators and their staff who, contrariwise, in addition to failing to discharge their responsibilities, participated in and also aggravated the disturbances, which include members of the regional police who committed human rights violations, should be held accountable to the law.

**C. REPORT ON THE FINDINGS ON THE CONFLICT IN SOME AREAS IN NORTH GONDAR ZONE OF AMHARA REGIONAL STATE**

- The Ethiopian Human Rights Commission's report on its investigation of the conflictual situation in some areas in North Gondar Zone reveals that the reasons for the loss of human life, the physical injury and property damage were caused by the failure to immediately implement provisions provided in the Constitution. The report shows that subsequent work remains to be carried out in dealing with issues related to the nations, nationalities and peoples as well as questions of identity provided for in the Constitution. Article 39 of the Constitution provides clear guidance on the issue of nations, nationalities and peoples. The report makes clear that implementation of the clause requires a need to rigorously develop and apply the detailed laws and procedures as well as to lay out an inter-governmental mechanism. The relevant federal and regional government bodies must do the required work to fill these apparent gaps.
- The Commission's report finds that in Amhara Regional State, North Gondar Zone, in Mawra and Aykel, members of the police and administrators failed to use proportional force. The HoPR notes that while the police are duty-bound to ensure law and order they may only use proportional force required to bring a situation under control. Those members of the Amhara Regional State's Special Police and administrators who failed to use proportional force and caused loss, damage and injury to human lives and property should be held accountable.
- The report shows that there is sufficient evidence to find that crimes were committed in those areas where the Commission conducted its investigation. The human rights protection regime requires that those individuals suspected of human rights violations must be held accountable. Therefore, those individuals

responsible for the loss of life and other violations of rights should be investigated by competent bodies and made to answer to the rule of law.

- The Commission's report shows that members and officers of the region's Special Police as well as other individuals who hold various positions who failed to use proportional force had a hand in the crimes that were committed. The investigations into those suspected of crimes to bring them to justice should ensure that the rights of the accused should also be protected, a process that will also result in instilling confidence in the victims.
- Notwithstanding the process of legal accountability, the work to find solutions to lack of good governance which resulted in human rights violations must be redoubled.
- All questions of identity and other questions must be resolved through peaceful and legal means; forcing road and school closures, creating chaos in marketplaces, and engaging in other conduct that undercut a peaceful process cannot be tolerated and those who coordinated these acts should be made to answer to the law.
- Legal measures should be taken against those administrators who failed to discharge their legal responsibility by refusing to cooperate with the Commission during its investigations.
- The regional state should put in place a mechanism to assist and rehabilitate those individuals displaced or victimized in other ways in those areas where the conflict occurred.
- In those areas investigated as well as in others, all relevant bodies should seek to develop activities that will encourage rapprochement among the people to prevent the boiling-over of anger and resentment in the future.
- Clear mechanisms must be available to allow for a legal, lasting and peaceful resolution of questions related to identity and self-administration in a process that adheres to the Constitution.
- With regards to the illicit arms trafficking, all concerned federal and regional bodies need to establish a mechanism to monitor and combat this crime.
- Expressing ones' views through peaceful demonstrations is a constitutional right guaranteed to all Ethiopians. Relevant agencies should make sure that such demonstrations are conducted in compliance with legal procedures. Those bodies

should particularly ensure that armed individuals do not participate in demonstrations; that the rights of other nationalities are not infringed upon, and that other legal requirements are respected. If these principles are violated, the coordinators of the illegal demonstrations should be held accountable to the law.

- A mechanism should be placed to provide capacity-building activities for the region's police and other bodies on their responsibilities and the role they should play in conflictual situations.
- The region's request to the federal government for additional support from the National Defense Force and Federal Police was made pursuant to proper legal procedure and the measures undertaken by both entities to prevent the conflict from escalating and contributing to significant harm were appropriate.
- With regards to the violations of laws identified in the report, the Regional State did not issue orders which resulted in those violations nor did it have a hand in the violations.
- The peoples of Amhara and Qemant, in particular, the elders and religious leaders, played a significant role in deescalating the conflict through peace and reconciliation. The fundraising conducted by members of the Amhara nationality who reside in Aykel to help resolve the Qemant petition confirms that there is no ill-will between the peoples.

## **2. RESOLUTION**

The FDRE Human Rights Commission took the appropriate step in investigating and presenting a report – on its own initiation and upon request – on the disturbances that took place in some parts of Oromia Regional State and on the conflictual situation that occurred in some parts of North Gondar Zone in Amhara Regional State, and on the loss of life, physical injury, damage to public and government property and infrastructure.

Based on the Commission's investigative work:

- (1) The HPR accepts the free and independent Commission's investigative report conducted in accordance with its mandate and responsibilities;
- (2) We request the relevant bodies to implement the recommendations provided in the report.

**THE HOUSE OF PEOPLES' REPRESENTATIVES**