

An Open Letter to the United Nations High Commissioner for Human Rights Justice Navanathem Pillay

Petitions Team
Office of the United Nations
High Commissioner for Human Rights
UNOG-OHCHR
1211 Geneva 10, Switzerland

Dear Madame High Commissioner,

Advocates of justice around the world are thrilled at the strong action the Prosecutor of the International Criminal Court has taken in issuing a warrant for the arrest of Omar al-Bashir of the Sudan, resulting in finally holding him accountable for the atrocities being committed in Darfur over the last six years. Under al-Bashir's leadership, millions of Sudanese from Darfur, as well as from Southern Sudan, have suffered inconceivable harm, injustice and hardship.

The action that the International Criminal Court has taken in this situation has restored hope to peace and justice loving people, affirming that international human rights law not only exists on paper, but in reality.

It also sends an important message to perpetrators throughout the world that impunity for their crimes is not assured forever; which may be a primary reason that one of the first leaders to defend Omar al-Bashir and condemn the warrant was Prime Minister Meles Zenawi of Ethiopia, whose government has also been implicated in a pattern of widespread perpetration of serious human rights atrocities in Ethiopia and in Somalia. He and those within his government may be keenly aware of their own vulnerability to similar actions by the ICC in the future that could upend a deeply entrenched system of government-supported impunity that has protected perpetrators from any accountability.

I first became knowledgeable regarding the abhorrent human rights situation in Ethiopia when Genocide Watch and Survivors Rights International were called by the head of the Anuak Justice Council, Obang Metho, (now the leader of the newly formed Solidarity Movement for a New Ethiopia) to investigate the brutal massacre of 424 Anuak carried out in Gambella, Ethiopia in December of 2003. The Anuak are a tiny, dark-skinned ethnic group who live in a remote section of southeastern Ethiopia.

Ethiopian National Defense Forces (ENDF) and civilian militia groups from another ethnic group utilized a prepared list to target Anuak leaders, many of whom were opposed to the government's plan to exclude

them from any involvement in the drilling for oil on their indigenous land. As militia groups chanted, "Today is the day for killing Anuak," both the military and militias used machetes, axes and guns to kill the unarmed victims, frequently raping the women while chanting, "Now there will be no more Anuak children." Extra-judicial killings, rape, disappearances, destruction of livelihood and the displacement of thousands of Anuak continued into late 2005 before finally subsiding when the same Ethiopian National Defense Forces were moved to the Ogaden area of southeastern Ethiopia and into Somalia where similar atrocities were and still are being committed. A subsequent investigation of the Anuak massacre by Genocide Watch and Survivors Rights International to determine who was behind the human rights crimes, documented the existence of a plan called "Operation Sunny Mountain," that could be traced to originating at the highest levels within the central government of Ethiopia.¹

1 See: <http://genocidewatch.org/Today%20is%20the%20Day%20of%20Killing%20Anuaks.htm> ; <http://genocidewatch.org/EthiopiaAnuakOperationSunnyMountainGWSRIRReport13December2004.htm> and updates at www.genocidewatch.org/alerts/anuak.htm ; and www2.ohchr.org/english/bodies/cerd/docs/ngos/IHRLC.pdf .

As a result of our investigation and based on our experience in international law and genocide, we concluded that the killing of the Anuak in Gambella, Ethiopia, fit the definitions of genocide and crimes against humanity. Human Rights Watch also conducted two investigations of their own and determined that the crimes against the Anuak meet the stringent definition of crimes against humanity.

Most of the perpetrators in their report and in ours have never been brought to justice under the Ethiopian justice system due to the failings and corruption of that system. Despite the violation of international law, not only has no one has been held accountable for these crimes which occurred over five years ago, but worse than that, such crimes continue in other places in the country.

Only some of these cases have been investigated by respected international human rights organizations, but where they have, findings consistently point to the involvement of the Ethiopian government in the inciting, the empowerment or the perpetration of crimes against humanity, war crimes and even genocide, often justified by them as "counter-insurgency."

In light of these facts, I would strongly urge you to initiate an investigation of the situation in Ethiopia based on your proprio motu powers as the U.N. High Commissioner for Human Rights.

We believe that your investigation is justified due to the culture of impunity that exists within

Ethiopia.

Extensive documentation is available to examine the violations, most of which has been compiled in independent investigative reports completed by international human rights organizations. We also believe that the Ethiopian people have been waiting long enough for genuine justice and relief from the harsh oppression and brutal tactics committed by a government that purports to be a partner in the War on Terror, while terrorizing their own people. Addressing the EPRDF regime, friendly to Omar al-Bashir, may bring greater stability to the entire Horn of Africa.

We are willing to provide assistance to you in carrying out this task because we, in Genocide Watch, and other human rights organizations are determined to pursue justice, even long after violations have occurred, as part of our mission. Investigative reports, contacts and other information can be provided should you need them.

I thank you for the excellent work you are doing in combating impunity, the enemy of justice. Perpetrators of crimes against humanity must not be allowed to walk free. Genocide Watch will continue to do its part, collaborating with others, in pursuing additional ways to make such crimes carry a heavy penalty. One way is to work with domestic governments to make sure that those Ethiopians who have committed these crimes do not gain access to entry into western countries, something that is now supported through new legislation in many of the western countries. Additionally, in Canada, Europe and in the US, there are now laws giving authority to these governments to prosecute human rights perpetrators found within their new countries of residence should admissible evidence be found to charge them. The western countries should no longer act as a haven for such criminals.

Thank you for your consideration of this request for the initiation of an investigation of genocide, crimes against humanity and war crimes in Ethiopia. We look forward to hearing from you.

Sincerely yours,

GHStanton
Dr. Gregory Stanton,
President of Genocide Watch

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