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## **PRESS RELEASE**

### **VICTIMS OF THE TIGRAY CONFLICT FILE THE FIRST-EVER CRIMINAL COMPLAINT IN GERMANY AGAINST SENIOR ETHIOPIAN AND ERITREAN GOVERNMENT AND MILITARY OFFICIALS**

Berlin, 20 March 2025

Eight survivors of the forgotten conflict in Tigray, Ethiopia, including a former humanitarian aid worker and a former interim government official, have filed a groundbreaking criminal complaint with the German Federal Public Prosecutor alleging that twelve senior Ethiopian and Eritrean government officials and military officers committed war crimes and crimes against humanity during the conflict.

These survivors, like hundreds of thousands of others, are victims and witnesses of sexual violence, arbitrary detention, torture, and starvation, and thus far have been denied access to justice for their suffering. As one of their only hopes for accountability, these survivors, some of whom currently reside in Germany, have requested the German Federal Public Prosecutor open an investigation into these crimes.

Since it began in November 2020, the conflict in Tigray has been characterised by persistent allegations of atrocities including forced starvation, humanitarian aid blockades, massacres, sexual and gender-based violence, torture, and arbitrary detention. These violations and abuses were predominantly committed against Tigrayan civilians by Ethiopian and Eritrean forces, as well as allied militia groups, although other parties to the conflict and civilians from other ethnic groups have also been implicated. One widely cited source puts the conflict's death toll at anywhere between 300,000 and 800,000 people.

The complaint the eight Tigrayan survivors have filed attempts to seek accountability for some of these atrocities. Prepared by their representatives Legal Action Worldwide (LAW) and Dr. Anna Oehmichen, with support from Debevoise & Plimpton LLP and the European Center for Constitutional and Human Rights (ECCHR), the complaint requests the German Federal Public Prosecutor to open an investigation into the alleged crimes under the legal principle of *universal jurisdiction*, which allows states to prosecute international crimes committed abroad due to the egregious nature of the underlying conduct.

German authorities have successfully used the principle of universal jurisdiction to prosecute atrocity crimes that occurred in Syria, The Gambia, and Iraq. Tigrayan victims are now rightfully demanding their own day in court. Should the complaint proceed to investigation, it will be the first time that such an investigation has been undertaken.

Antonia Mulvey, Executive Director of Legal Action Worldwide, said, *'The conflict in Ethiopia saw atrocities committed with a level of cruelty rarely seen. Yet in over two years since active hostilities ended, victims are no closer to seeing those responsible held to account. Today marks an important day in their brave pursuit of justice as they implore the world to listen and to take action.'*

Catherine Amirfar, Co-Chair of Debevoise & Plimpton LLP's International Dispute Resolution and Public International Law Groups, said, *'We are honored to partner with LAW again to seek accountability on behalf of victims of the forgotten war in Tigray. We hope the German Federal Public Prosecutor heeds our call to investigate and prosecute those responsible for these horrific crimes, in light of Ethiopia's ongoing failure to hold the perpetrators to account domestically.'*

Dr. Anna Oehmichen, Founder of Oehmichen International, said, *'The scale and dimension of the offences committed in Tigray – between 300,000 and 800,000 deaths! – is dramatic. These crimes need to be investigated and prosecuted, not the least to stop the still on-going grave violations of international law, and deter other world leaders from committing similarly egregious crimes. It is to the credit of LAW that the conflict and surrounding circumstances, as well as some specific offences, was diligently investigated and brought to the German Federal Public Prosecutor's attention. We trust that the Federal Public Prosecutor will prioritize this case adequately.'*

Andreas Schüller, Program Co-Director of International Crimes and Accountability, ECCHR, said, *'As in many other conflicts, victims and witnesses are living in Germany. German prosecutors should secure the evidence for their own investigations and those of other States as part of the global system of international criminal justice.'*

### Background notes

This is the second complaint filed by LAW and its partner Debevoise and Plimpton LLP on behalf of Tigrayan victims, the first of which was submitted to the African Commission on Human and Peoples' Rights, in partnership with the Pan African Lawyers Union (PALU). The African Commission communication was filed against the Federal Democratic Republic of Ethiopia, alleging violations of its obligations under the African Charter on Human and Peoples' Rights during the conflict. In October 2022, the African Commission issued emergency provisional measures urging Ethiopia to cease all violations, including extrajudicial killings and sexual violence, and to ensure humanitarian access in Tigray.

The complaint in Germany was submitted to the Federal Public Prosecutor's Office in September 2024 and is being supplemented with another evidentiary filing [20 March 2025]. The German Federal Public Prosecutor has the capacity to open structural investigations into alleged crimes brought to its attention, to conduct individual criminal investigations into alleged perpetrators, and to request the issuance of arrest warrants and undertake criminal prosecutions.

LAW is an independent, non-profit organization of human rights lawyers and jurists working in fragile and conflict-affected areas. LAW provides legal aid to victims and communities that have suffered human rights violations and abuses in Africa, the Middle East, and South Asia.

Dr Anna Oehmichen, *Rechtsanwältin*, is the Founder of Oehmichen International, a Berlin based criminal law firm specialized, inter alia, in international criminal law, human rights and judicial cooperation in criminal matters.

Debevoise and Plimpton LLP is a global law firm headquartered in New York with a broad public international law practice, including in representing parties before regional and international courts and tribunals. Debevoise is *pro bono* counsel to LAW in these proceedings.

ECCHR is a Berlin-based independent, non-profit legal and educational organization dedicated to enforcing civil and human rights worldwide. It was founded in 2007 by international human rights lawyers to protect and enforce the rights guaranteed by the Universal Declaration of Human Rights, as well as other human rights declarations and national constitutions, through legal means.