1. Introduction

The war in Tigray and the consequent humanitarian catastrophe are being closely followed by prominent global news outlets. According to the United Nations the lives of 4.5 million Tigrayans (Tegaru) are already endangered by the war and the dislocation it has caused. UN representatives, aid agencies and states have repeatedly urged the Government of Ethiopia to restore the supply of electricity and other public services and to establish a humanitarian corridor for the delivery of aid. The response of the Ethiopian Government has not been encouraging. Many fear that a genocide is already underway, probably on an even larger scale than that seen in Rwanda in 1994, since Tigray has been deliberately cut off from the outside world for more than one hundred days. UN offices and officials have highlighted the magnitude of this crisis time and again. Unfortunately, the political response, especially from the Security Council, has so far been disappointing. This study shines a light on the nature of this war, how it is perceived by others, and what the challenges facing the United Nations are.

Tigray is one of the eight states of Ethiopia. It is surrounded by Eritrea to the north, Sudan to the west, and the Ethiopian states of Amhara and Afar to the south and east, respectively. Around 97% of Tigrayans are adherents of Coptic Christian Orthodox religion. Tigrayans are also, more or less, united by a common language (Tigrigna), culture, tradition and psychological make-up, very much like most European nations. Their territory has deep history, and considered by the inhabitants as the sacred ground of their ancestors, better known as the Axumites. Prior to the expansion of Islam, the Christian Kingdom of Axum was one of the four great powers of the world. Its army not only subdued Arabia Felix, across the Red Sea, but would even march all the way north to the frontiers of Egypt, when necessary. It was this Axumite power, and the common interest to defend Christianity, which made the kings of Axum and the Roman Emperors, such as, Constantine and Justinian, allies against Persia.

Leaving history behind, from 1991 until the end of November 2020, when Ethiopian Federal troops occupied the capital of Tigray, Mekelle, this State was ruled by the Tigray People’s Liberation Front (TPLF). This front had also occupied a dominant position in the Federal Government led by the Ethiopian People’s Revolutionary Democratic Front (EPRDF), from 1991 until 2018. Thereafter, Ethiopia was led by a new Prime Minister, Abiy Ahmed Ali

(hereafter referred to as Abiy, Abiy Ahmed or Mr. Ahmed). Mr. Ahmed changed the ruling method used previously by EPRDF by his own political party, known as the Prosperity Party. The TPLF refused to join, leaving Tigray as unrepresented in the current Government.

Abiy Ahmed justified the present 'military operation' in Tigray as a response to the TPLF's attack of November 4 on the Federal Government's Northern Defense Forces which was stationed on the border of Tigray facing Eritrea. The aim, according to him, was to ensure law and order by bringing those responsible for the attack to justice. He clarified this, on November 12, by stating:

"The Federal Government had every right to deploy Federal Security Forces and use force in order to apprehend those implicated in massive corruption and gross human rights violation". (1)

Yet, it is well known for all that relations between the Central Government in Addis Ababa and the TPLF Government in Mekelle had been deteriorating throughout 2019, especially after Ahmed postponed the national election by using the present pandemic as a pretext. Those who are familiar with the history of this region know too well that this conflict has deeper roots linked to the past cycle of wars, dominance, repression, and retribution, the political rivalry between the Amhara and Tigrayan political leaders (and their supporters) as well as that between the TPLF and the Eritrean leader, Isaias Afeworki.

From the beginning, the present military operation was directed at both military and civilian targets by resorting to systematic and deliberate bombardment of churches, a hydroelectric dam, factories, plundering and civilian atrocities. Later, the occupying army broadened the kinds of atrocities that were committed by expanding the robbery, rape and looting of homes, shops, hospitals, clinics, pharmacies and the distant monasteries. Even after the Federal Government formally declared that the military operation was over, on 28 November, these atrocities only intensified. They were systematic in that they were widespread, while revealing the same pattern, as if they are carefully designed. The occupying force is composed of Eritrean soldiers, Amhara militias and members of Federal Army. The latter was expected to protect the civilians from harm. Yet, the Government either does not fully acknowledge that atrocities were and are committed or belittles them when the evidence is widely circulated. Even the presence of Eritrean soldiers is still not

officially admitted, although increasing numbers of senior Ethiopian military and administrative officials are now speaking about it and as raising serious problems.

Like many other human rights organizations, the Human Rights Watch has followed what is happening in Tigray very closely:- including registering the crimes that were and are committed, and the times and places and who is responsible. Recently, it has released reports which were prepared after conducting interviews and assessing the available satellite imagery, photographs and videos, and reports of forensic experts, journalists and aid workers. These reports list the cities where civilians were killed and injured in violation of the rules governing military operations. One of them mentions the places where the Ethiopian forces have "fired artillery into Tigray's urban areas in an apparently indiscriminate manner that was bound to cause civilian casualties and property damage", displacing "thousands of people." The cities of Mekelle, Humera, Shire and Axum are all said to have been attacked in similar ways. This report states further that "[M]any of the artillery attacks did not appear aimed at specific military targets but struck generalized populated areas." One of the consequences of these kinds of indiscriminate attack is that well over "200,000 people are internally displaced, while tens of thousands have also fled to neighboring Sudan". Compounding the problem facing those who remained in their homes is the lack of "adequate access to food, fuel, water, and medicines … [and the] widespread abuses, including apparent extrajudicial killings, pillage, and arbitrary detention by Ethiopian federal forces and special forces and youth militia known as 'Fano' from the neighboring Amhara region" as well as by Eritrean forces. (2)

The present humanitarian catastrophe is directly linked to the deliberate destruction of farms and factories, the collapse of markets, the disruption of electricity and water supplies, banking and other services, the absence of employment, or pay for services given and the overall fear and insecurity that prevails. "The situation is extremely grave in Tigray" stated the February 5 update of the United Nations Secretary General, "and hundreds of thousands of people need life-saving assistance." (3)

The UN and other international aid agencies have shown both the eagerness and readiness to save lives in Tigray by delivering the desperately needed humanitarian assistance if they are allowed to enter this territory. Unfortunately, the regime of Mr. Ahmed has not been keen or willing to cooperate. "Three months into the conflict in Tigray in northern Ethiopia

the humanitarian response remains severely constrained and inadequate", explained the above report of the UN Secretary General, "and the main reason for that is simply that we cannot reach the people in deed and also that we have not received the clearances yet to move the necessary staff into Tigray in the first place."(4)

As expected, it is members of vulnerable groups, such as, infants, pregnant women, the elderly, young girls, refugees, those with illness and persons with disability that are seriously affected in times of wars. UNICEF's report of 12 February, entitled "Children in Tigray in acute need of protection and assistance", describes "troubling picture" which reveals the presence of "severe and ongoing harm to children". The UNCEF team, which was allowed to visit Shire and a few other cities, observed bank services that were not operational, "damaged or looted" clinics, halted immunization programs, damaged stock of vaccines due to power cuts, and "severe acute malnutrition – which is potentially life-threatening". They saw internally displaced people taking shelter in schools that were not equipped with drinking water supplies, showers or properly functioning toilets. They found unaccompanied children, separated from their families, many showing symptoms of deep psychosocial distress. "The very real risk of disease outbreak, coupled with poor access of water, sanitation, hygiene and health services, rising food insecurity and inflation in food prices," concluded the report, "poses grave threats for malnourished children."(5)

The on-going gender-based sexual violence is so widespread even senior Ethiopian military officers are now speaking out openly about the seriousness of this problem. In one of the meetings held in the capital, which was aired live on the Ethiopian state channel (EBC) one of the senior officers is seen expressing his anger by asking "Why does a woman get raped in Mekelle city? It wouldn't be shocking if it happened during the war … But women were raped yesterday and today when the local police and federal police are around".(6) The answer is obvious. Women and young girls too are the targets of this war, for degradation and all forms of abuse.

The UN Special Representative of the Secretary-General on Sexual Violence in Conflict, Pramila Pattern expressed her abhorrence about the kind of sexual violence which Tigrayan girls and women are exposed to. She singled out the "disturbing reports of individuals allegedly forced to rape members of their own family, under threats of imminent violence", the practices of soldiers who demand "to have sex in exchange for basic commodities

…{and} sexual violence against women and girls in a number of refugee camps.". Ms. Pattern, underscored the importance of extending to these victims medical and psychosocial assistance, including "emergency contraception and testing for sexually transmitted infections (STIs)… to ensure that those who have been forced from their homes due to violence are not placed at further risk of sexual violence within the camps" and to help those "sleeping in an open field with no water or food."(7)

The 96,000 Eritrean refugees that were sheltered in the four UN administered refugee camps prior to this war; i.e., in Mai Aini, Adi Harush, Shimelba and Hitsats, were not just trapped, but were directly targeted for attack by the occupying Eritrean soldiers. UN High Commissioner for Refugees, Filippo Grand described what is now seen in some of these camps as a serious violation of international law. The Commissioner has repeatedly urged the Ethiopian Government to protect these refugees and to enable his office to visit all four refugee camps so that they may receive humanitarian assistance, but all in vain. In his statement of January 14, the Commissioner reiterated his previous concerns by underscoring that he was "extremely troubled by the humanitarian situation in the Tigray (and) …very worried for the safety and well-being of Eritrean refugees." Mr. Grandi was also alarmed by the reports his office was receiving concerning the "ongoing insecurity and allegations of grave and distressing human rights abuses, including killings, targeted abductions and forced return of refugees to Eritrea … satellite imagery showing new fires burning and other fresh signs of destruction at the two camps … [all revealing] major violations of international law."(8)

Similar concern was echoed by the UN Secretary General, who was alarmed by the attacks on the refugee camps. He denounced the forceful abduction the refugees, and the claims that some of them were sent back to Eritrea by the Eritrean soldiers stationed around the refugee camps. The Secretary General also raised concerns by claims that some of refugees that escaped from the camps "have resorted to eating leaves because there was no other food available."(9)

It is apparent that the state of emergency which the Ethiopian Federal Government declared when the war broke out has provided a legal cover to disguise the atrocities that are committed by the soldiers against civilians. This law suspended basic human rights and freedoms that are guaranteed by international human rights law and the Ethiopian

Constitution and permitted the agents of the Government and soldiers to take measures that would not be allowed under normal conditions. Using this cover, these soldiers and militiamen would stop and search any person, anywhere or apprehend that person. They would also enter homes they wished to search and do whatever they wished once inside. The 6 p.m. curfew exposes everyone to these soldiers and militiamen who are free to enter their homes under the pretext of 'searching for weapons or persons of interest'. Reports after reports now tell similar stories of how these soldiers enter homes to abuse those living inside and to steal anything they find; jewelry, clothes, computers and phones. Any resistance or refusal to comply can lead to summary execution on the spot.

Robbery is so widespread there are even reports that claim to have seen televisions, cooking stoves and refrigerators being loaded on to cars parked outside homes, and pictures that show tanks and camels carrying all forms of stolen private properties. When car thefts started to multiply some car owners began to respond by letting down the tires of their cars to make it difficult for the robbers to move them.

Young girls and women are raped, sometimes repeatedly, inside their homes and in the most despicable ways. The interviews which are broadcasted by some foreign media include accounts of husbands being forced to kneel and watch as their wives are raped by several soldiers, and of family members being told to rape their family members. One of the girls that was interviewed stated that she was shot several times for refusing to comply with an order to have sex with her grandfather. The latter too was shot to die, but survived. The fact that these kinds of atrocities are widely committed in different cities suggests that rape is systematically perpetrated to achieve political goals, i.e. to destroy the minds of civilians.

In the latest press release the United States State Department made it clear that:

"The United States is gravely concerned by reported atrocities and the overall deteriorating situation in the Tigray region of Ethiopia. We strongly condemn the killings, forced removals and displacements, sexual assaults, and other extremely serious human rights violations and abuses by several parties that multiple organizations have reported in Tigray. We are also deeply concerned by the worsening humanitarian crisis."(10)

After visiting Ethiopia, Finland's Foreign Minister, Pekka Haavisto, who was sent by the

European Union on a fact-finding mission for EU foreign policy concluded that the situation in Tigray is now “militarily and human rights-wise, humanitarian-wise very out of control”, a situation where “we do not see the end”.(11) This strengthens the fears the European Union had about the dangers posed by this conflict and its concern over “the humanitarian situation, as well as allegations of human rights violations and ethnic targeting.”(12)

2. The Public Outrage Over the War

What is particularly worrisome for those who are following this tragic war closely but from far away is that this is not ‘a policing operation’ which is linked to one unfortunate incident on the Ethio-Eritrean border on November 4 as the Ethiopian Government claimed: i.e., to arrest individuals to ensure law and order for attacking the Ethiopian Defense Forces. There is no doubt that what is going on is a major war, rather than ‘a policing operation’, and one whose targets include civilians. This is why Grahman Romanes, an Australian scholar with a very long record of working for humanitarian agencies called it, “nothing short of genocide.”(13)

Similar views were expressed during the debate in the British House of Lords, only three weeks after Abiy Ahmed launched the military operation. Lord Triesman was convinced that what the Tigrayans face is “ethnic purges which may be on the edge of genocide”. Lord Alton of Liverpool, who shared this position, asked what the plans of the British Government was to discharge its “duties under the Genocide Convention to prevent, to protect and to punish” those responsible, in order “to avert yet more death, more carnage, more instability, and more refugees”.(14) Underscoring the urgency of taking measures Lord Viscount Waverly wondered how the political world would respond to what is taking place. “My Lords,” he said, “is the world going to stand by, yet again, knowing that mayhem is seemingly set to unfold, do nothing and having to then deal with the added consequences of regional instability?”(15)

Speaking before the European Parliament, Irish representative Mick Wallace called the Ethiopian leader, Abiy Ahmed “a war criminal” who should be charged by the International Criminal Court since his government “has done everything under its power to prevent humanitarian aid reaching the people of Tigray… used hunger as a weapon… deliberately burn[ed] fields of crops in Tigray [and]…caused[ing] suffering and death on its citizens”.(16)

Belgian representative Assita Kanko also asked fellow European Parliamentarians to consider why millions of Tigrayan civilians had been driven from their homes, lost their harvests to arson and are forced to abandon their fields. “It seems that the Ethiopian government is deliberately withholding food in order to starve people”, she concluded “central and eastern Tigray are on the brink of famine … There are continued reports of violations of international humanitarian law, such as the deliberate shelling of civilian targets, extra judicial executions and widespread looting.” She advised the Ethiopian leader to return the Peace Prize which he received from the Norwegian Peace Committee since such a prestigious prize was not meant for a person like him.(17)

Professor Martin Plaut, a South African expert on the Horn of Africa at London University expert on Horn of Africa, had difficulties in understanding the “intolerable suffering that people are required to put up with … the destruction …the looting, the discretion, the removal of religious artifacts”.(18) Helen Clark, the former Prime Minister of New Zealand described what is taking place inside Tigray as “shocking”, where all kinds of human rights abuses are in full display, “including accounts of rape & other forms of torture and inhumane & degrading treatment; arbitrary execution; destruction of health & other facilities.”(19)

The executive director of the World Peace Foundation, Professor Alex de Waal, had no doubt that the people of Tigray is facing now “unspeakable tragedy” with “uncounted numbers of people in Tigray who are in mourning for their loved ones, including many friends and family who perished in war, of hunger and disease or at the hands of cold-hearted killers”, those who do not know what is coming tomorrow. (20) This is also why four former American Ambassadors of the United States to Ethiopia, namely, Ambassador Aurelia Brazeal, David Shinn, Vicki Huddleston and Patricia Haslach, were forced to write an open letter to the Ethiopian leader expressing concern over what is going on Tigray. They wrote:

“We have watched the conflict in Tigray with gave unease as, according to the United Nations, nearly 60,000 refugees have fled to Sudan, 2.2 million people have been displaced, 4.5 million people need emergency assistance, many of whom are without adequate food. We are also worried about the reported presence of Eritrean troops in Tigray, which could jeopardize Ethiopia’s territorial integrity”. (21)

As if anticipating what was forthcoming, Pope Francis of the Vatican asked the world to pray for Tigray on November 27.(22) On January 26 the Vatican News reiterated the same concern, by appealing "for comfort for the ordinary citizens of Tigray who are paying with their lives, isolated from the world in a situation of anguish, threatened by violence and terror". The report expresses fears that "lack of communication may be screening ongoing atrocities". Particularly disturbing to the Vatican are the news which reveal the "possible murder of 750 people in an assault on the Orthodox Church of St Mary of Zion in Aksum last November… a series of killings and attacks on innocent people in many parts of Tigray … shops, schools, churches, convents and homes … looted and destroyed …two million … displaced … some 60,000 fleeing to Sudan …others (are) reportedly seeking refuge in remote areas in the mountains, without water or access to food".(23)

Church leaders in Africa too have raised their concern by condemning what is taking place in Tigray. As the press release of the South African Anglican Church Archbishop, Thabo Makgoba, on 23 February, 2021, stated:

"The plight of the Tigrayan people in northern Ethiopia tears at my heart. Over and above the coronavirus which threatens us all in Africa, tens of thousands of people in the region have been forced from their homes, millions need humanitarian aid and there are shocking reports of war crimes in the form of attacks against civilians… indiscriminate shelling of urban areas, striking homes, hospitals, schools, and markets…The level of ethnic hatred which has emerged on social media around this conflict is deeply disturbing. … What is happening in Tigray must not be allowed to deteriorate even further…Pray for justice and peace for the people of Tigray". (24)

Sad as it may sound, it is rare to see street protests against this war inside Ethiopia itself. Even the religious leaders (outside Tigray) have not denounced the war when monasteries, churches and mosques are deliberately attacked and damaged and religious leaders are murdered in large numbers. As if he was concerned about this, Kjetil Tronvoll, a Norwegian Professor and an expert on Ethiopian politics, felt very sad to see tragedies of this magnitude ignored at the time when local solidarity matters most. He wished more and more people had stood up in defense of higher causes of morality:

"To fight for humanity, to stand for humanity and to stand for that whoever is the victim is

the victim of all of us; that it should not be segregated into that victim belongs to that group so that I don't need to care about. Any people killed in Ethiopia today is a loss to all of Ethiopia, and I see that sentiment is not coming to the surface sufficiently enough, and that I think is very sad." (25)

A handful Ethiopian opposition politicians are now seen expressing concern over this war and showing sympathy for the victims. After all, the victims which are traumatized are citizens who are neither fighters nor armed. Furthermore, the crimes which the militias and soldiers (including foreign ones) that are committed against these innocent civilians are egregious in kind. Mr. Ledetu Ayelew, the leader of the opposition Ethiopian Democratic Party, and a few Oromo opposition political leaders are examples of this. There are also a few journalists who are now seen taking risks in uncovering the kinds of horrific crimes that are committed against citizens, e.g., Awlo Media and Ethio Forum, including by identifying the failure of the Government to protect women, children and properties. The Oromo and Eritrean diaspora have been seen in large number denouncing the war from the outset. In particular, the latter continue to show up in large numbers when Tigrayans march in Western streets protesting the war and in denouncing the Eritrean involvement. As more and more people oppose this genocidal war, the domestic public opinion is bound to swing from supporting Abiy Ahmed to calling for an end to this war. Until this happens, Abiy Ahmed will only intensify what he has been doing during the past months.

3. The Nature of the War and its Outcomes

3.1. The key actors

Prior to the military operation in Tigray there were four political actors that were seen maneuvering to shape the political course of the Ethiopian state, broadly speaking, and that of Tigray, in particular. In Addis Ababa, Prime Minister Abiy Ahmed was desperately struggling to consolidate his power by discrediting the TPLF and its supporters. The political leaders in the Amhara state, in Gondar, were preparing their own militia forces to protect the Amhara interests and pressuring Abiy Ahmed to use force against the TPLF as soon as possible. The Eritrean President, in Asmara, was also showing openly his hatred of the TPLF and his eagerness to see its demise. Ever since his enemy was defeated in the 1998-2000 border war by the TPLF-dominated Ethiopian Government of EPDRF, the

Eritrean President was working hard to undermine the TPLF including by providing military training to its opponents. The TPLF, which was encircled by these three political actors, was mobilizing to defend itself and rallying other Ethiopian opposition groups under the banner of protecting the Federal system and its constitution which Abiy Ahmed and the Amhara political establishment wanted to change. Before their adversaries consolidated their positions, Abiy and his allies moved faster to destroy the TPLF its state.

This, in short, is why we still see the abovementioned four key distinct military forces operating in the theatre of war inside Tigray; – namely the Federal Government, the Eritrean army, the militia (and police) force of the Ethiopian state of Amhara and the Tigrayan Defense Force. The former two use their military capacity in full, including with their mechanized forces and air forces. Tigray relies on its militia force. The State of Amhara has intervened with two militia forces, known as the Fano and Fotta Lebash, mainly to secure its territorial claims. The Federal Government also secured additional militia forces from the Ethiopian States of Afar and Oromia by promising them that they too can obtain territorial gains. Besides Eritrea, two other foreign actors are also said to have intervened, namely the United Arab Emirates (UAE) with drones and Somalia which is believed to have sent between 3000 or 4000 soldiers, or perhaps even more. The latter sent this contribution to Eritrea for training for deployment later in the war zones of Tigray.

The Ethiopian Government categorically denies that it has invited external actors for this war. This may well be due to the fact that admitting to the presence of foreign forces would reveal the military weakness of the Federal Army and/or because this violates the constitution of the country. Yet, this foreign involvement can hardly be kept in the dark for too long when the facts on the ground reveals their presence. The head of the newly appointed Provisional Administration of Tigray has already confessed that the Federal Army does not even have the power to force Eritrean soldiers to leave. This is also why the United States and other Western countries have informed the Eritrean government to withdraw its forces immediately.

3.2. The war theatre

The zones of operation used by the above forces can be, more or less, identified. Eritrean soldier have occupied the disputed border regions which led to the 1998–2000 border war.

Prime Minister Abiy Ahmed claims that that is where they are stationed. However, reports and after reports have indicated that they are all over the major cities of Tigray, in remote villages and around the four refugee camps where the 96,000 Eritrean refugees were sheltered prior to the war.

The Amhara militia forces have already controlled western and southern Tigray, and are seen making occasional forays into other areas. The Federal army claims to know clearly what is taking place in the regions which are controlled by the Amhara militias and the Amhara police force. Tigrayan sources claim that the Federal soldiers watch in silence as the Amhara and Eritrean soldiers loot Tigrayan properties. In any case, they too are accused of doing the same. Despite this partition of areas of interest, these forces also band together when they are threatened by the Tigrayan forces. Along the eastern frontiers of Tigray facing the Afar State, the latter has deployed its of own militia and has started to extend its influence in and control of eastern Tigray.

The forces of Tigray are believed to be all around the countryside, although this is denied by the Ethiopian Government. Although the latter claims its Provisional Administrative Authority in Tigray has full control of all of Tigray, some of the officials in this Administration admit experiencing problems in enforcing decisions at the local level. In a recording of a phone call that was sent to online platform Ethio-Forum, and aired on February 4, some of the senior officials of this Authority are heard confessing their inability to control even half of Tigray. They have also stated recently that they are unable to trace the whereabout of one million Tigrayans from western Tigray alone, and that they prefer to see the departure of both the Eritrean soldiers and the Amhara militia from Tigray. In short, the state of Tigray which exists under the Federal Constitution, and which had existed for nearly two thousand years, is now a war zone whose regions are administered by different occupying forces including one foreign state, Eritrea.

3.3. The nature of the war

The Ethiopian Federal Government has consistently denied the presence of war or civil war in Tigray. Instead, it calls it ‘policing operation’ which is aimed at bringing to justice the leaders of the TPLF who are responsible for the attack on the Northern Defense Forces on November 4. Tigrayans consider it mayhem and a war of genocide, which is unleashed to

obliterate Tigray and its inhabitants. In their view, this war has nothing to do with the incident of November 4. It was started two years earlier when the anti-Tigrayans mobilization dislocated thousands of Tigrayans from the different cities of Ethiopia, after they were attacked and their properties were damaged or looted. The neighboring Amhara State too was using road-blocs to prevent goods, supplies and food from reaching Tigray to starve Tigrayans. The calls by the government of Tigray and the Tigrayan representatives in the Ethiopian Parliament asking the Federal Government to take action to protect these federal roads fell on deaf ears. The Federal Government has even refused to release the budget of Tigray and to assist in combatting combat Covid-19 (e.g., by sending face masks) and the locust swarms. The country has spray planes to combat locust swarms and used them in the States neighboring Tigray. When they reach the airspace of Tigray they were returning back to Addis Ababa. Tigrayans also claim that the regime of Ahmed has refused to allow Tigray to get the drones were sent by the Tigrayan diaspora from Israel for this purpose.

This paper rejects Abiy Ahmed's description of the on-going military operation in Tigray as 'a policing measures' taken to ensure 'law and order' because of the incident of November 4. What is seen in Tigray, according to this writer, is carnage and an internationalized war which is intended to destroy the State of Tigray and its people. If this was about 'policing operation', how did western and southern Tigray end up being administered by the Amhara state and what are Eritrean soldiers doing in the major cities of Tigray several months after the Federal Government has proclaimed the defeat of the TPLF? Why are the economic enterprises of Tigray, churches, monasteries and farms targeted for attack and plundering in the most barbaric ways? And why is the Federal Government not protecting the victims of rape or the civilian properties and institutions?

Again, if the military measures of Abiy was prompted by the TPLF's attack of November 4 on the National Defense Forces, why did the delegation of the European Union visit Addis Ababa and Mekelle a few days before the war broke out, if it was not to diffuse the escalating tension, and how was it possible for the Federal army, the Eritrean army, the Amhara militias and the drones of the United Arab Emirates able to launch their offensive simultaneously, without adequate preparation and coordination? Abere Adamu, the police commissioner of the Amhara state, has answered this question when he confessed how well prepared the Amhara militias were prior to November 4, and how they crossed the borders

of Tigray that day the same hour the Federal army began its military offensive. If this was how the Amhara militia, as well as the Eritrean army joined hands, when they attacked Tigray, apparently this war is not about 'policing' or 'law and order operation' since the latter two have no legitimate mandate to be involved in 'policing activities' outside their jurisdiction. The fact that both of them have now gained political and economic advantages inside Tigray after invading it tells us that there were other hidden designs which have nothing to do with the November 4 incident. The latter is merely exploited by Abiy Ahmed as the pretext for unleashing the cruel and dirty war.

Even if the Northern Defense Forces were not attacked, on November 4 by the TPLF, it is hard to imagine how this military operation could have been averted. This is because the preparation for launching the offensive was progress for several months prior to November 4 for all to see, including when the Ethiopian and Eritrean leaders were seen visiting each other's military establishments. These are sensitive places which are supposed to be off limit for the citizens, let alone to the leaders of states. Apparently, there were important reasons for these two leaders for seeing these establishments from close range. The Eritrean leader was also vocal in threatening the TPLF militarily eight months before this war was launched, as will be explained in the next section.

Long before November 4 the Tigrayan and Federal authorities were also seen denouncing each other and classifying one another illegitimate, especially after the national election was postponed by Abiy Ahmed and the TPLF conducted its own election. Two days before the military operation was launched, the Ethiopian leader has asked the Sudanese military head, Lt-General Abdel Fattah Abdelrahman Burhan, to protect the borders in the days ahead. That same day, the President of the state of Tigray, Debretsion Gebremichael, has informed his people to expect military attack at any moment because the Ethiopian and Eritrean armies were placed on a standby for this operation. As far as the government of Tigrayan is concerned its move on the Northern Front was in self-defense since there were other military operations which were seen elsewhere. Whether this is true or whether what took place on November 4 was a pre-emptive attack only an independent investigatory commission can answer that question by assessing the facts on the ground.

The nature and features of this war are covered in greater details in the reports of human rights organizations, such as – Amnesty International and Human Rights Watch. Some of the

major Western medias, e.g., The New York Times, CNN and Washington Post too provide coverage of the kinds of serious human rights abuses which are seen in this state. Tigray Media House offers daily update on what is happening. The Governments of the United States, the United Kingdom and the European Union also issue statements about the developments in Tigray by relying on credible reports, when they denounce the serious violations of human rights and humanitarian laws.

If what is reported by these and many other sources are true, and most of them come from credible sources and complement one another, what is taking place in Tigray can only be described as a total war since both the governments of Ethiopia and Eritrea are using their full military force. What their forces, and that of the Amhara militias, have attacked is not confined to military sites, installations and the soldiers of the TPLF. Monasteries, churches, farms, industries, universities and hospitals were/are also targeted. As if this is not enough, killing civilians, raping women and abusing children and the elderly is also all too common. The manner in which these atrocities are committed when they are killed, raped and abused too is repulsive and savage. This is why the some of the foreign humanitarian workers and reporters who follow the development are disturbed by the kind of carnage and the cruelty which the innocent civilians are exposed to in the cities of Tigray.

The leaders of three Tigrayan political parties (Baitona, Third Woyane and Tigray Independence) claim that 52,000 civilians have already been killed, 4.8 million livestock were looted or killed and crops are constantly plundered or set ablaze in many parts of Tigray. According to their estimate, the lives of 8.6 million people is now endangered. The United Nations maintains that 4.5 million people are in need of humanitarian assistance.

The occupying soldiers claim that their fight is against the TPLF (or Woyane). Since 2.7 Tigrayans have voted in support of this Front at the last state election, this raises the number of the enemy to millions. Even TPLF veterans are not exempt, as the arrest of Aboy Sebhat Nega, the 87-year old veteran of the TPLF, who now faces charges before court in Addis Ababa shows. Added to this is the family members of the TPLF supporters who are targeted either out of revenge or in the pretext of obtaining information relating to the whereabouts of the enemy or to know what they owned or possessed earlier. When all this is taken into consideration the number of the victimized civilian population balloons to well over 5 million. This speaks a lot about the genocidal features of a brutal war which is aimed

at terrorizing and destroying a people, in part or wholly. The crimes against humanity, war crimes, ethnic cleansing and aggression which are being reported are the means used to that end.

Even if the international community manages to save 3 million out of the 4.5 million endangered people, the final body count could be more than double the numbers of lives lost in the genocide in Rwanda. It is important to note that this is still a raging war, and that the Ethiopian government continues to drag its feet in restoring electricity and water supplies or in facilitating the delivery of humanitarian assistance freely where it is needed most. Electricity was restored in few areas only to be disrupted again and again. The limited humanitarian aid that reached Tigray after months of delays is said to have been largely looted by the soldiers or diverted to the Amhara state.

The kinds of atrocities that are reported by the media, human rights organizations, the Tigrayan sources (such as Tigray Media House) and by Eritrean opposition medias (e.g., Assena TV) are horrific. They include accounts of wanton destruction of refugee camps, villages (e.g., the 508 homes in Gijet) and farms and widespread civilian massacre in both the urban and rural places. Examples include the killing of around 1,000 in Mai Kadra, more than 300 in Wukro, nearly 800 church followers in Mariam Tsion church, 164 in Maria Denelt church, and 45 in the town of Edi Arbi. According to one interview which Assena TV held with one priest by phone from inside Tigray only recently 162 church followers were executed in the town of Bora, around 100 in the village of Samre mi woyni, 20 kids in Adi Gudem, 10 in Edaga Hamus and 30 Maichew. This priest also mentioned the presence of widespread looting and abuses of the villagers as routine practices.(26) Children, it is said, are killed in large numbers inside their own homes in front of their parents, and in streets, even from moving cars. There are even reports of dead bodies seen without head, bodies being dragged by cars in Western Tigray, family members that are prevented from burying decomposing corpses of family members and soldiers bragging that they do not shoot on children below 7 years of age.

Women and girls are the favorite prey of the soldiers and militiamen everywhere. In particular, the wives, children and relatives of TPLF members are targeted for revenge. Rape-revenge also follows after the occupying soldiers are attacked by the Tigrayan forces in the battle fields. There are also reports which describe how the soldiers use rape as a

means of ‘entertaining’ themselves, including taking sex videos. They leave behind traumatized victims, most likely infected with venereal diseases and possibly also with the Covid-19 virus, and with no possibility of getting medical attention. Even going to a clinic, hospital or pharmacy is risky because it is not uncommon for these victims to be abducted again from streets.

The fact that this gender-based violence is now out of control and perpetrated in horrific ways reveal the presence of sinister and evil mind, which is designed and encouraged from above since the rapists are not punished. The reason for saying this is because, by and large, these atrocities are committed mainly out hatred to demoralize the Tigrayan society at large and women in particular. After all, this is not about ‘love-making’ in any sense but to penalize mothers for having given birth to the enemy (‘Woyane’) and to damage the womb of younger girls who will produce the future enemy. Seen from this perspective, it did not come as a surprise to hear that some of these rapists have left stones, nails and soil inside the womb of their rape victims or have told their victims to be grateful for being ‘Amharanized’ through rape, as one CNN reporter was told by one of the victims.

Robbery, by the armed forces and Amhara militias, is very common and committed to demand money, jewelry, mobile phones, computers and other private belongings. This takes place on streets, at homes, in shops or outside banks. According to one Tigrayan girl who managed to leave the country because of her foreign citizenship, her home was visited at four different times by soldiers, who demanded money or other valuables. In short, the prevailing political disorder under occupation is best described as barbarism or utmost savagery. Having said this, it is equally important to underscore the point that there should be an independent investigation to determine clearly whether these allegations are true or not, and if they are, to establish who did what, where and when.

3.4. Outcomes and other effects

The State of Tigray is the obvious loser, for now, since it is totally devastated. It is tempting to ask whether the Government of Tigray was adequately prepared to confront its adversaries, even if the timing of the invasion was decided by them. Still, the question is of interest because the invading forces were seen mobilizing since the middle of 2018, especially after Abiy Ahmed and Isaias Afeworki toured each other’s sensitive military

establishments. They were even releasing statements suggesting that the TPLF could be targeted for an attack. For instance, the night Isaias was warmly by welcomed by Abiy at the Millennium Hall on 15 July 2018, in Addis Ababa, there were a lot of talk about the coming to an end of the past 'dark decades' and the emergence of a new promising era under the leadership of Abiy and Isaias. Without mentioning the TPLF or EPRDF, Isaias blamed the frozen relationship between Eritrea and Ethiopia on the past regime and assured the cheering crowd that he will not stand by if his partnership with Abiy is thwarted by any force. The latter too told the excited guests to rest assured that those who deserve punishment for their past deeds should expect to get this sooner or later.

Although there is no doubt that Tigray is now in ruin, this is not the end of the story. Wars have many rounds, and what looks like a loss at one point can end up being an important gain later. A case in point is the sympathy which the victimized civilians are now getting from the outside world, which can be exploited politically. That said, there is no doubt that the occupying army has already destroyed Tigray by and large, and that its military strength has been degraded. During the initial phase of the military operations alone, the drones of the UAE were said to have neutralized the tanks, missiles, rocket launchers, heavy artilleries and fuel storages of the Tigrayan Defense forces.

Since the first week of November, the people of Tigray have lived under a reign of terror. Although there is no military conflict in the urban centers, the city-dwellers are constantly abused by the soldiers in the streets, public offices and inside their own homes. 'Normal days' in Tigray now resemble very much like those long before the Middle Ages: with no electricity, internet or phone services, mothers dying or developing health problems from giving birth at home without professional assistance, sick people suffering due to the absence or shortage of medical facilities, pharmacy products or shortage of food and clean water. This fact and the news concerning the daily execution, rape, robbery, and destruction of farms and factories as well as the abuses have contributed to widespread fear and insecurity. Soldiers and police are seen everywhere: not to protect civilian life or property or to promote the interests of the state of Tigray but for the opposite reasons. Their responsibility is to promote and protect outside interests at the cost of Tigray and its residents. This is why the economic infrastructure of Tigray was and is looted or deliberately destroyed and Tigray's western and southern arm and leg were amputated. Apparently, the Tigrayans were caught by surprise by the determination and speed used by

their enemies to destroy them.

When the invading troops entered the cities and villages of Tigray, hundreds of thousands of supporters of the TPLF left their homes, families, neighbors and friends in search of safety in the countryside. There, they had to beg for food and shelter or ended up staying in abandoned structures, churches, monasteries or inside school compounds. The 'shelters' which they occupied are ill-equipped to handle proper accommodation, with rooms, kitchens, water, beds, mattresses, blankets, clothing, functioning showers, toilets, etc. Survival under these unhealthy and primitive conditions posed a serious challenge, especially to vulnerable groups, such as, pregnant women and persons with disabilities or health issues. No one knows, for sure, how many people are seriously ill, injured, killed or are in the process of dying due to hunger, disease, shortages of medicines and other problems.

The economic fabric of Tigray, which were radiating around the 5,000 or so enterprises (commercial, banking, industrial, agricultural and other business activities), are now shattered. As stated earlier, farms, factories, hospitals, pharmacies and universities are, by and large, destroyed, plundered or taken elsewhere. Schools too are mostly closed and some of them are used as accommodation by soldiers to shelter internally displayed people (IDP). From western Tigray alone more than one million Tigrayans have arrived to the bigger cities, e.g., Mekelle and Shire. The challenges facing the IDP is not only about how to make it for the day and beyond but also how to overcome the painful traumatic experience of the past months without any professional help. Dismayed by what is happening and the fear of what tomorrow brings, the Tigrayan youth is now forced to choose between joining the fighters or remaining in the cities where they could be killed or abused any day.

This dire situation has strengthened the drive to struggle for higher cause. There is no shortage of recruits and their fighters have started to harass the occupying forces by resorting to guerilla fighting. Most of the country-side is already under their control. Since the war is waged in their own homeland, they have the upper hand. They are familiar with the terrain and can count on the full support of the local people for information and food. However, it is their adversaries that are well equipped with tanks, planes, drones, ambulances and hospitals, and that are able to get the replacements for their losses. Above all, they can easily get external military, economic and logistic support by using the state

finance or through loan. Because of this and because more time leads to more looting and civilian suffering, it would be wiser to speed up the liberation struggle, especially before the rainy winter season (July-August) comes since mobility and securing 'warmer shelter' will be more difficult when it is cold and wet.

The Amhara State is a clear winner, so far, since its leaders have achieved their political, economic and social objectives, thanks to the full cooperation of Abiy Ahmed and Isaias Afeworki. They see the former as their 'secretary general' and the latter as their general and hero. The Amhara nationalists and the Eritrean leader started developing closer relations after the 1998-2000 border war when Isaias launched military offensive inside Tigray. After he lost that war, he gave Safe Haven to the opponents of the TPLF, and even provided them military training. Nearly all of them are now inside or around the regime of Abiy Ahmed. When the Amhara political elites want to assure their citizens about the genuine nature of their relations with Isaias they add the fact that even his grandfather was buried inside their state, a fact which was also acknowledged by him during his visit there.

Although the Amhara leaders were on record in denouncing the ethnic-based federation of Ethiopia, they ended up absorbing western and southern Tigray into their state by using the ethnic factor. This illegal land grab has given their state significant political and economic benefits. The vast and rich rural farms in these regions, with their crops, cattle, tractors, homes and private cars, and the urban private homes and cars, businesses, shops and other economically beneficial enterprises now have new Amhara owners and users. The only exception to this property grab was that which Abiy Ahmed made to enable the Federal Government to take full control of the important enterprises and properties formerly belonging to the State of Tigray.

After western and southern Tigray came under the control of the Amhara state, the official language (for schools, courts, the administration, etc.) was changed from Tigrigna to Amharic. Speaking Tigrigna, as before, in streets and shops has suddenly become risky. It is also said that the Amhara and Eritrean leaders have come to terms on the demarcation of their new borders. Satisfied by all these gains, the Amhara leaders now claim that order and justice has already restored in the newly acquired regions and that life is back to normal. All that remains, according to them, to sanction legally what is gained by amending the constitution.

After taking western and southern Tigray the Amhara State extended its jurisdiction over these Tigrayan religious sites, entities, establishments and their properties. This has brought religion and history closer to the minefield of politics. It should be recalled that since religious places and institutions were deemed to 'sacred and protected' in the past these entities, establishments and place were used as custodians for the ancient Tigrayan treasures, religious writings, large golden, copper or silver crosses, unique gifts from political and religious leaders and undisclosed wealth and treasures. Now that they are placed under the Amhara 'protection', Tigrayans see this as robbery and the plundering of their rich religious and historical heritages and properties, which were preserved since the Axumite era. According to some of the Tigrayan religious figures which are interviewed by Tigray Media House, this is nothing short of 'a religious war'. To strengthen this viewpoint they provided the statistics which shows the number of churches and monasteries that were attacked after November 4, the priests and church followers that were either executed or injured and monks that were expelled from the monasteries without showing any regard on how they will survive in cities where there is no food and shelters.

Needless to say, this land grab will bring significant change with obvious advantages and disadvantages. To the Amhara religious and political authorities as well as to the Federal Government this opens the door for ensuring social and political control over the inhabitants of western and southern Tigray. This is because the decisions which the higher Amhara religious authorities make will not be implemented easily at the lower level by using the local priests and church administrators. In regions like Tigray, where church attendance is extremely high, and half of the year is designated for celebrating religious figures (as the Day of Saint Mary, Saint Paul, Saint Michael, Saint Gabriel, etc.) and related festivities (like Christmas, Baptism, Easter, etc.) priests play important roles in facilitating and monitoring such activities and in reporting back to the higher authorities on the lives of their followers. These reports can be politically exploited. While priests do not want to be perceived as political agents they are also trapped by the obligation to follow superior order. These orders require them to send feedback about the facts on the ground as well as to lead the mass as directed such as what to include in their teaching, to promote forgiveness and to pray, bless or support the political authorities.

These priests are also told about who is not entitled to get religious services linked to wedding, baptism and funeral. Consider, for instance, the situation of what can follow if the

TPLF was to be formally classified by the Federal Government as a terrorist organization. That would mean that its members, as well as who sympathize with it and contribute for it would be punished. Even the failure to share information with the government relating to the known members and supporters can lead to punishment. The fact the person who has failed to comply with this law was a priest would not matter. This being the legal situation, if the government classifies the TPLF as a terrorist organization religious authorities will be expected to reciprocate by issuing their respective directives instructing their priests to cooperate with the law. The more Churches are sucked into this political world in this way, the more their followers could see them as being politically corrupted. Obviously, there will be members who will choose to distance themselves from politics since they can't imagine life without their church leaders. Others may defy them and this can create a rift between the two sides poisoning the social and spiritual atmosphere in the same community. This scenario will benefit the political leaders.

The Amhara political elites are now seen rejoicing because the TPLF is no longer in power. They also like the fact that Tigrayans are removed from government offices in the capital city and that their state is, for all practical purposes, in ruins politically, economically and militarily. This is why it is very rare to see or hear of opposition to the war in Tigray inside the Amhara state, even sympathy to the sufferings of the Tigrayan civilians affected by this war. After all, for nearly three decades the Amhara political elites and the intellectuals in the diaspora were vocal in denouncing the Tigrayan dominance of the Ethiopian state. They can rest in peace, in feeling that the Tigrayan dominance of Ethiopia is now part of history. Although this 'dominance' actually ended way back in April 2018, the ant-Tigrayan mobilization still continues even after Tigray was destroyed. This suggests that this war was/is more about a vendetta, or 'justice' as some of them call it, and making sure on preventing Tigrayans from rising up in the future. This is why their property was/is plundered and all kinds of crimes are perpetrated against their women and the youth. But if the intention behind all these was to break their dignity and moral, it has backfired. Tigrayan nationalism is now fully ignited, and the talk about creating separate state is in the air.

The Eritrean Government has still not admitted that it has intervened in this war. This could be because of the realization that it is illegal to send military force in the territory of another country without being invited formally or to avoid taking responsibility for the

conduct of its soldiers. Since the TPLF has launched missiles around the airport of the Eritrean capital, Asmara, on 14 November one may wonder if the Eritrean invasion was motivated by self-defense or in retaliation. Yet, this was not officially stated by the Eritrean Government. This too could be because the missiles were launched after the Eritrean army had already invaded Tigray and was seen in the major cities of Tigray. Furthermore no one would believe this defense when the Eritrean President had made it clear way back on February 8, 2020 and February 17, 2021, in his televised interview on Eritrean Television, that the TPLF is an enemy that should be confronted sooner or later. In 1998, the Eritrean leader even sent his army to Tigray to destroy TPLF in the pretext of a border dispute. At the time, when he was asked when his army will be withdrawn from the occupied border areas, he said that is very much like expecting that the sun will not set.

In the abovementioned two televised interviews Isaias Afeworki gave two main reasons why the TPLF is an enemy. The first was the obstacles which it created in resolving the 1998-2000 border dispute. The second one was the ethnic-based federal formula which it has used to govern Ethiopia for the sake of ensuring its own political dominance by applying the strategy of divide and rule. This bothered him because it can have spillover effect on Eritrea. The TPLF was also described as a poisonous political organization because it was undermining the authority of the new Ethiopian leader. In light of this, there is no other option other than defending and strengthening the regime of Abiy Ahmed. Failure to do this or to postpone it would enable the TPLF to take power in Ethiopia again.

There is one other important reason why Isaias deeply resented the TPLF, which is not mentioned in the above two interviews. It concerns his disappointment over the refusal of the TPLF to entertain his idea of enabling him to secure political position in a political scheme which would link Eritrea with Ethiopia. This exchange took place before the TPLF took power in Addis Ababa. According to the former TPLF leader, Aboy Sebhat Nega, the reason why the TPLF did not appreciate this idea was because it is wrong to proceed with such an idea before consulting the Eritrean people on whether they want to abandon the goal of independence which they have struggled for. Mesfin Hagos, one the former Defense Ministers of Eritrea, also recalled during one of the interviews given by Assena TV, that Isaias did bring this idea of linking Ethiopia and Eritrea in one of their meetings prior to Eritrea’s independence but that it was not acceptable to the nationalists.

Whether the rebuff of the TPLF to accommodate Isaias Afeworki in shaping the post-1991 political order of Ethiopia and that of the Horn of Africa was motivated by respect for the will of Eritrean people or whether this was based on fears of opening the door which could enable Isaias to zig-zag up the ladder of power, thereby dominating the TPLF, no one knows. What is clear is that the TPLF did not want to take that risk, knowing too well that he was a skillful, ambitious and ruthless leader with a large and disciplined army at that time. In passing, it is also worth recalling that there is one rumor which is well known, which links the forefathers of Isaias to the Emperor Johannes IV of Ethiopia (a Tigrayan). They ended up in Eritrea with the permission of the Italian colonial administration because of their conflict (war) with the ruling circle of Tigray (with Ras Alula). If there is truth to this, one can understand why the TPLF would prefer to shape the political order of Ethiopia and the Horn of Africa without him. Isaias never forgave the TPLF for blocking his ambitions, after he has cooperated with this front militarily during the liberation struggle. The fact that the TPLF has the solid support of Tigrayans after three decades of rule has also left Isaias to feel that he has no chance to win the support of Tigrayans (and other Ethiopians) in any future scheme which links Eritrea with Ethiopia since he will not be accepted as the leader as long as the TPLF and its power-base is left untouched.

Leaving the resentment of Isaias over the TPLF aside, nationalist Ethiopians, who are opposed to the policies of Abiy Ahmed, are concerned about Isaias's interventions in the Ethiopian domestic affairs, especially after he said it is "game over" for the TPLF, eight months before Abiy launched his military operation.(27) If Isaias is left free to use force against the TPLF, they argued, what will stop him from doing the same to crush the other Ethiopian opposition groups? This is worrisome because he has well trained young and vast army. This was one of the reasons why Ledetu Ayelew, the leader of the opposition Ethiopian Democratic Party, called Isaias Afeworki as the number one enemy of the Ethiopian people. Two days before Abiy launched the military operation the Oromo Liberation Front too issued a statement expressing concern over the military campaign and called for a peaceful solution to the dispute before the situation gets out of control.

Although both the Ethiopian and Eritrean Governments deny the Eritrean intervention in the war in Tigray, Western powers and the UN are now telling the Eritrean Government to withdraw its force immediately. The interviews which were conducted by journalists and NGOs with some of the local witnesses all indicate that Eritrean soldiers are not only seen in

the cities of Tigray, such as, Adwa, Humera, Adigrat, Axum, Zelambassa and even Mekelle, but that in some of these cities, e.g., in Adwa, they remained there for more than two months, acting very much like the forces of a legitimate government. The leaders of the Baitona party, one of the Tigrayan political parties, have gone a step further in stating that even senior Federal military officers are now seen taking orders from Eritrean generals. This suggests that the Eritrean Government is more than intervening and even sharing the sovereign power (temporarily) over Tigray, if the Ethiopian authorities are really subordinated to the Eritrean generals. This dominant role which the Eritrean President plays in shaping the political development of Tigray boosts his political image by giving the impression that he is above Abiy Ahmed when it comes to how the political developments of Tigray are now shaped.

If Abiy Ahmed has not permitted the Eritrean State to intervene militarily, as he is now saying, and the Eritrean army has occupied Tigray, as Western Powers now claim, then the norm of non-use of force in international relations (Article 2 Paragraph 4 of the UN Charter) has been violated by the Government of Isaias Afeworki. This clearly makes Eritrea an aggressor. It follows, from this, that the state if Eritrea would be liable to compensate the victims for the damages caused by its army in the illegally occupied territory. Unless Abiy Ahmed changes his position on this matter and assumes responsibility for the damages caused by the intervening external force, Eritrea cannot escape from the responsibility to the damages caused by its forces. Meanwhile, the leaders of the Provisional Administration of Tigray and some of the senior military leaders of the Federal army continue to express concern over the atrocities which the Eritrean soldiers are committing. Proceeding from this premise as established facts, let us draw conclusions concerning what was achieved by the Eritrean leader from his intervention.

Bearing in mind what the Eritrean President stated in his interview of February 8, 2020 and February 17, 2021 on Eritrean Television, the war in Tigray must be viewed by him as one of vindication. Now that he has demonstrated practically his loyalty and commitment to protect the regime of Abiy Ahmed, the latter too has reciprocated by freeing Isaias from the political isolation and regimes of sanctions which were made earlier as demanded by the TPLF. What is more, his dream of getting the opportunity of shaping the politics of the Horn of Africa is now in the process of being realized. His enemy, the TPLF, has been removed from power, punished militarily and made financially bankrupt. Its supporters have been

dispersed in the countryside and exposed to danger. They were forced to leave their comfortable city life because of fears of being arrested or killed. Their departure has even made it easier for the soldiers of Isaias to enter their homes and offices, to search for anything they want and take what they get as well as harm their relatives in their homes with impunity. The Tigrayan society as a whole is also punished collectively by his regime of terror.

Isaias Afeworki has also achieved other political aims. He has assisted and strengthened the Amhara political elites, by enabling them to incorporate western and southern Tigray into their Amhara State. He has punished the 96,000 Eritrean refugees that were sheltered inside the four UN administered refugee camps for having escaped to Tigray illegally. Their camps were, by and large, destroyed or plundered. The destruction in two of these camps was so extensive they are now permanently closed. Some of the refugees that were known for being critical of their government were executed on the spot and while others, numbering in thousands, more were taken back to Eritrea for punishment. The Eritrean refugees who live in Addis Ababa and other Ethiopian cities, numbering well over one hundred thousand, are closely monitored, harassed and some of them are rounded up by the Government of Abiy Ahmed to please Isaias Afeworki. The sheer size of these refugees (200,000) and the fact that most of them were militarily trained in the Sawa camps of Eritrea posed security risk to the regime of Isaias since they could be used by the TPLF to overthrown him Even if this was to be mere speculation, their presence in Ethiopia was itself an embarrassment since it shows how bad life in Eritrea is.

Isaias Afeworki's army, which was kept in 'isolation' in the Eritrean countryside under the open-ended national service program (Sawa) is also now kept busy in Tigray. When 'the peace' deal between Isaias and Abiy was announced there were expectations that this will now enable the soldiers to lead normal life next to their relatives and friends by looking for employment, continuing higher studies and forming family and enjoying the recreational activities which the urban setting provides. But this was not the desire or plans of the regime. Perpetuating the military service scheme in the pretext of responding to national emergencies has always been its strategy, by constantly exploiting 'incidents' or finding new enemies and old enemies. This was why there were military conflicts in the past with Yemen, Djibouti, Sudan and with the TPLF.

Creating animosity between the two Tigrigna speaking communities of Eritrea and Tigray by committing atrocities in Tigray was the other aims of Isaias Afeworki. This was achieved partially. Tigrayans now resent by how they are/were abused by Eritrean soldiers. On the other hand, the Eritrean diaspora has, by and large, sympathized with how Tigrayans are abused, and the bond between the two groups in the Western countries has never been as good as it now is. The day the present regime of Eritrea is removed from power this 'animosity' between the two sides will weather away because the two sides have a lot in common. When the Ethio-Eritrean border was opened in 2018 the spontaneous celebrations that were seen in the frontier towns and fields was very emotional and uncontrollable, with people who do not even know each other embracing one another and tears of joy being shed everywhere. Thousands of Eritreans also took that opportunity to escape from Eritrea, which was why the border was closed shortly thereafter.

If the information which is circulating on Ethiopian and Eritrean opposition media circles is to be believed, Isaias Afeworki has also benefited economically. These reports claim that Abiy Ahmed has promised to pay the Eritrean leader US $1 billion, in cash and in kind, for the military cooperation, and assurances not to hinder his soldiers when they plunder Tigray. Eritrean soldiers are also said to be paid $15,000 Ethiopian Bir (US$350) which is much higher than what their Ethiopian counter-parts get.

Isaias has also been able to occupy the disputed border areas along the frontiers of Tigray as he sees fit. This means expanding his initial claims to the economically beneficial areas along the disputed area. But then again, if border dispute was the only and real cause for Isaias's intervention, the demarcation of the borders would have been finalized by now. Instead, what Abiy is doing is to provide the cover for Isaias's plans of subjugating and terrorizing Tigray. Isaias knows clearly that it is impossible to defeat the TPLF, and that as this war drags on, the Ethiopian military and Abiy will be considerably weakened. When that happens and Ethiopia is discredited and isolated internationally because of this dirty war, Abiy will be totally dependent on him. When that happens Isaias will easily dominate (or rule) Africa's second most populous country which is rich with resources. He is already seen as a respected 'savior of Ethiopia' by destroying the TPLF which Ethiopians consider as their real enemy. Even Sudan which has occupied Ethiopia's vast rich farmland is seen as a 'friend'.

No less important economically speaking is the plundering Tigray's industries, farms, universities, hospitals etc. which Eritrean soldiers are accused of and which was/is done with the permission and even cooperation of the Federal soldiers. Since what Isaias and Abiy have agreed upon is not clearly stated in written forms, the day Abiy Ahmed is replaced by a different leader there could be problems with the regime of Eritrea about some of these economic gains, since Tigrayans regard them as unacceptable.

The benefits which the Eritrean President has secured for himself are not necessarily benefits to the Eritrean society or to their country. The great majority of Eritreans do not like to see their sons, daughters, parents, relatives, neighbors, friends or citizens taken to Tigray. After all, this is neither voluntary nor for something positive, such as, tourism or to gain educational or work experience or to provide humanitarian services for Tigrayans. It is to kill and abuse innocent civilians, and destroy or plunder their belongings. They also well aware that there is the danger of being killed, injured, captured and traumatized. Since the Eritrean government does not officially acknowledge that it is intervening militarily, it does not inform the citizens about how many were killed, injured, captured and are lost. The death of selected senior military leaders is reported regularly on Eritrean TV because of the need celebrating their past lives when their funerals are arranged. But their death is always attributed to 'health' issues. Their families, relatives and friends know too well what the condition of their health was and where they were sent before they died. This means the regime is only fooling itself. But that does not matter for a regime that is not accountable.

Eritreans also resent hearing that their soldiers are implicated in the kind of horrific crimes that are committed in Tigray. The fact that the Eritrean refugees inside Tigray have been victimized and that those in the different cities of Ethiopia are now harassed and insecure is also of concern. Since both the Ethiopian and Eritrean Governments see these Eritrean refugees as security risk, the danger that they will be returned back to Eritrea by force is real and worrisome. Again, the destruction and looting of the Tigrayan monasteries and places of worship as well as the massacre of the religious leaders is not something Eritreans feel proud of. On the contrary, most Eritreans view these acts as if they they were committed inside Eritrea.

Last, but less important, most Eritreans do not see why their country involves itself in a war which promotes the political, economic and social interests of the Amhara state at the

expense of the state of Tigray. After all, it was and still is the Tigrayans who have defended the independence of Eritrea, and not the Amhara State and its leaders. In fact, one of the reasons why the latter wanted to punish the TPLF and its supporters was because of the role it played in facilitating and recognizing the separation of Eritrea from Ethiopia. The Amhara leaders openly praise Isaias Afeworki for protecting their vital interests, by sacrificing Eritrean soldiers. They even expect him to work for the integration Eritrea to Ethiopia under their domination.

It is because of all these issues that the Eritrean diaspora is now seen in large numbers joining hands with Tigrayans when protests are held in many Western cities calling for an end to the on-going political adventure. As they see it, this war is aimed not only at destroying the State of Tigray and Tigrayans, but Eritreans and their state as well. The longer this war continues, the more Eritrea will bleed economically and militarily. By overstretching and exhausting itself the Eritrean defense force has already made the country vulnerable for external attack. The political image and prestige of the military too has already been stained by the kinds of crimes that are committed in Tigray. This discourages the Eritrean youth from joining the military in the future. They prefer to pursue careers that will not require them to engage in criminal conducts.

This assessment can be challenged by those who rely on the absence of opposition within Eritrea to the war in Tigray or Eritrea's intervention. But this is because there is neither independent media nor tolerance for any form of opposition to the policies and actions of the government. Since the country became independent, in 1993, this Eritrean people have never been consulted about how they are to be governed. The leader does not use constitution, national assembly, an independent judiciary, budget or vice-president or believe in democracy. Those who called for the establishing democratic institutions, political parties and free press during the 1990s, and who opposed the 1998-2000 border wars still languish in jail, without court decisions. The whereabout of many celebrated Eritrean nationalists and x-fighters still remain to be unknown. If any person escapes from the country illegally, his/her family will be arrested or ordered to pay 50,000 Eritrean Nakfa (US$3,400). In short, Eritreans live under a tyrannical rule where there is no accountability. This is why Eritreans are not even told that their sons, daughters, fathers, mothers, friends etc. are sent to the war front in Tigray.

This being the fact, one should not expect Eritreans to speak out against the intervention of their government in this war. As some of the captured interviewed Eritrean soldiers have stated some of them did not even get the opportunity to say goodbye to their families when they were abducted from streets to be sent to Tigray. This is not always known by Tigrayans since they are often heard asking why Eritrean soldiers abuse them in cruel ways when they speak the same language, use the cultures and profess the same religion. To this, most Eritreans respond: “Sorry to see that you have been victimized by our soldiers. This is how they were behaving against their own people in Eritrea for three decades. They are also going after the 96,000 Eritrean refugees in Tigray and the other 100,000 refugees elsewhere in Ethiopia.” The longer the army of Isaias Afeworki remains in Tigray, the more Tigrayan women, girls, their youth, the educated people and religious establishments will be endangered. Tigrayans will also have difficulties in benefitting from external food aid or from their own natural resources and wealth. This being the simple truth, to shorten the pains and suffering of the people of Tigray it is important that Isaias will be forced to withdraw his army by the regime of Ethiopia or by other powers or international organizations.

The Federal Government is pleased by how the war in Tigray was executed and what was achieved, especially in rallying Ethiopians behind Abiy Ahmed. Since Prime Minister Ahmed lacked competence, experience and vision on how to move the country forward, the simplest way of deflecting public attention from the failure of his government was to rely on the ‘Tigrayan dominance’ rhetoric and their ‘bad records’. The statements which he was making before the parliament and that were aired in the tightly controlled media, including by strengthening them with ‘documentary programs’, were used to galvanize public support for this rhetoric and to enlist support for the war. This proved to be an effective strategy since three months after this war was launched, street protests against the war are still unheard of.

Abiy Ahmed benefited from this war personally because this has led to the removal of the TPLF from power in Tigray. Abiy saw the TPLF as a political threat and was also humiliated when this front defied his order not to proceed with the election which was postponed in the pretext of Covid-19. But now that Tigray is governed by Abiy through the Provisional Administration of Tigray which he established and controls, this surely pleases him. It is important not to forget that in the state election, which the TPLF arranged in Tigray, this

Front was able to secure around 97% of the Tigrayan vote. This says a lot about the concerns of Abiy's Prosperity Party in getting Tigrayan support if elections were to be carried out there. What is more, because the TPLF and its allies were in power in the central Government for more than a quarter of a century, they continue to pose a serious challenge to Abiy and his political party if and when the nation-wide election is held. In light of this, destroying the TPLF militarily clearly served the political interests of Abiy Ahmed since his ambition is to remain in power.

How long Abiy Ahmed will last as the Prime Minister is another question, since his political image abroad is now tarnished by the dirty war in Tigray. Very few observers now take Abiy's claim that what was launched in Tigray was to ensure 'law and order', seriously. Even Ethiopians doubt that and worry why their government is not concerned with 'law and order' when serious atrocities are committed against the civilians inside Tigray, when places of worshiping, factories and hospitals are attacked. They know too well that Tigray, which was the most stable and peaceful state in the country prior to this war has been transformed to a lawless and destabilized state. They also follow with anxiety what foreign human rights activists, and states are saying and writing about the genocidal war in Tigray, and their call for Abiy Ahmed to step down and to account for the crimes which he is responsible for. The day warrant is issued against him by a special UN tribunal or the International Criminal Court issues , Ethiopians will abandon him since this war, which is waged with the support of foreign states, has embarrassed them. When this happens all the political gains which Abiy made by unleashing this war would be washed away.

Abiy Ahmed's claim that 'the military operation' in Tigray was over on November 28, and that his government has secured full control of Tigray thereafter raises interesting legal questions. For instance, if Abiy is right and his government is monitoring what is happening inside Tigray, including the activities of the Amhara militias in western and southern Tigray then this regime is responsible for what the atrocities committed by the Amhara militias and police forces inside Tigray. The Ethiopian constitution requires the government to protect the life and property of the citizens, to punish criminal conducts and to provide justice to the victims. Yet, this is not what the government is doing.

If the regime of Abiy Ahmed was serious about ensuring respect for law and order and there are courts to apply laws, Tigrayans should have been compensated for their losses and

sufferings. This is required by international human rights instruments which the Ethiopian state has ratified, such as the covenant on civil and political rights (Article 2{3}), the convention on the elimination of discrimination against women (Article 2{c}} and the convention against torture, cruel, inhuman and degrading treatment (Article 12 & 13). The mere fact that the regime is pre-occupied with taking 'military or policing operations' does not entitle militias and soldiers to murder and dislocate civilians or loot and destroy their properties. Nor does these kinds of operations relieve the government from discharging its responsibilities in combatting such kinds of activities. Even if the military operation was to be formally acknowledged as war, which it is not, the rules of international humanitarian law prohibit the killing of civilians, ethnic cleansing and vandalism.

The same can be said regarding what the responsibility of the Federal Government is in relation to the wrongful conduct of the Eritrean soldiers. The presence of these foreign soldiers is not acknowledged probably to escape from responsibilities linked to the war crimes and crimes against humanity. However, reports after reports claim that the Federal and Eritrean soldiers are seen operating side by side. Senior Ethiopian authorities are heard blaming Eritrean soldiers for looting of property and widespread executions. The Federal Government should have prevented all such acts rather than covering up the crimes. The failure to react against these crimes makes the regime an accomplice. The rules relating the "Responsibility of States for internationally wrongful acts", as recognized in article 16 of UN General Assembly resolution 56/83 of January 28, 2002 provides that:

"A State which aids or assists another State in the commission of an internationally wrongful act by the latter is internationally responsible for doing so if: (a) That State does so with knowledge of the circumstances of the internationally wrongful act; and (b) The act would be internationally wrongful if committed by that State."

This being the legal situation, the regime of Abiy Ahmed will find if difficult to continue denying the presence of Eritrean soldiers when the more and more evidence relating to the kinds of atrocities which they have committed inside Tigray comes to light. This is not to say that they are relieved from accountability for their own conducts. All combatants, whether they belong to state or non-state actors (i.e. the members of the Amhara militia, the Eritrean or Federal army or the Tigrayan force) will be liable for the international crimes which they have committed.

It is difficult to see what the Ethiopian nation and peoples have gained from this war since the country has been damaged militarily, economically, socially and politically by taking this destructive path. When Abiy Ahmed justified the significance of unleashing the military offensive, on November 4, he claimed that this was because the TPLF attack on the Northern Defense Forces has this Front to control most of the military hardware of the country. When he announced the defeat of the TPLF, on November 28, he said his military force was able to destroy 99% of the military targets of the TPLF. If both these statements are true, the Ethiopian military must now be very weak. This is even without considering the military damage that was sustained after December on both sides. It is no wonder the Sudanese army was able to take more than 40 kilometers of the rich agricultural border land facing the Amhara state which was in dispute, recognizing that the Ethiopian military is weakened and also bogged down in Tigray. This is also why the Ethiopian Government is begging for diplomatic solution to the dispute with Sudan when its sovereignty is challenged militarily. Meanwhile, the Government of Sudan continues to expand its territorial claims, and humiliating Abiy Ahmed constantly by using insulting words.

This military weaknesses of the Ethiopian regime and the cruel and immoral policy that is pursued in Tigray, including by allowing neighboring Eritrea to terrorize Tigrayans has also damaged Ethiopia politically and diplomatically. Sudan, as stated above, is on war footings with Ethiopia. Relation with Kenya is the lowest it has even been. The African Union is seen moving its meetings from its headquarter, in Addis Ababa, to other African cities often in the pretext of Covid-19. The European Union and the United States are contemplating to impose sanctions if Abiy Ahmed does not change course in Tigray.

Inside Ethiopia too, social relation is poisoned with hate speech and ethnic mobilization spreading everywhere. Abiy Ahmed’s tolerance for the kind of atrocities that are committed against the civilians of Tigray is seen as a sign of moral decadence by those who take morality and religious seriously. The widespread rape, vandalism, destruction of property and arbitrary killings that are seen there are clearly prohibited by international law as well as by the Ethiopian Constitution. All this erodes the confidence which Ethiopians have on their government. When law and order is sacrificed in one state, the residents in the other states will be compelled to devise their own strategy of how best to protect their safety and interest in case the political chaos in Tigray spreads to their regions. Such moves, in turn, lead to suspicion, tension, rivalry and more insecurity.

The war in Tigray is also unsustainable economically since it depletes the badly needed resources and finances which could have been used for progress and development. Foreign investment and tourism have decreased considerably, the military expenditures and cost of living have increased, the government is getting less and less revenues from taxes now that the economic fabrics of Tigray are destroyed and the government is facing shortage of foreign currency. To make things worse, the European Union and the United States are contemplating to impose sanctions because of the policies used in Tigray and the World Bank and the IMF are not eager to extend loans. Even before this war, the country ranked 173rd out of 189 States under the human development Index used by the United Nations Development Programme.

4. The United Nations

According to the preambles of the Charter of the United Nations, the organization was established, in 1945, "to save succeeding generations from the scourge of war … to reaffirm faith in fundamental human rights, in the dignity and worth of the human person …[and] to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained." Its purposes, as stipulated in Article 1 Paragraph 3 of this Charter include, achieving "international co-operation in solving international problems of …humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion". Paragraph 2 of this Article underscores further that the U.N. is committed to the development of "friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace".

The war in Tigray provides a classical example of the type of situation which the UN is meant to address. Successive generations of Tigrayans have been exposed to the scourge of war, the last one being the genocidal war in which the Ethiopian Socialist Government of Mengistu Haile Mariam (the Derg) pursued in the 1970s and 1980s. This regime was known for carrying out mass murder and endless abuses on human dignity and worth throughout its rule. However, the atrocities which are now committed by the current regime of Ethiopia are much more serious and systematic and are carried out in persistent ways. As mentioned earlier widespread mass executions, attacks on civilian properties, including on sacred

places, violence against women, children, refugees and exposing civilians to inhuman and degrading treatment are all carried out consistently everywhere. The Derg was evil but it did not engage in practices requiring human corpses to be eaten by hyenas, or women to be raped by their families and foreign objects to be inserted inside their wombs as is seen here and there in Tigray. The Derg also used hunger as a weapon to starve Tigrayans, but not by as far as disrupting electricity and water supplies for months and by destroying or plundering hospitals and clinics. Abiy did all these so that the people would have to cook and to store their food, and to deny them access to medicine as well as to prevent hospitals from saving lives since some of their equipment operate using electricity.

There are people who share Abiy Ahmed's viewpoint concerning the legitimacy of taking punitive measures against those who conduct elections in defiance of government orders as well as for attacking the military, as the TPLF has done. But no one with sound mind would agree that wiping out the state and people where this was done is the appropriate course of action for these. It is true that Abiy Ahmed has not openly stated this, but that is what he is now doing, including by soliciting the support of foreign states. The Ethiopian state was not threatened by the people of Tigray, e.g. by declaring independence. In fact, during the state election, which was denounced by Abiy, less than 3% supported the party which was calling for secession. Yet, Tigrayans were doomed for extinction simply because the authority of Abiy was challenged by the TPLF, that which was not even secured by the people.

The state election in Tigray itself was carried out within the timeframe set in the Federal Constitution. It was the postponement of the national election by Abiy which has defied this constitution in the pretext of Covid-19. According to this law the people of Tigray is supposed to be sovereign (Paragraph 1 of Article 8) with the right to self-determination (Article 39). The military offensive was unleashed on this people, apparently, also because the people have voted in the 'illegal' state election, although there are other reasons as well. Abiy has not officially linked the offensive to this election, but his supporters and others mention this as one of the reasons for the war. Even if credit is to be given to this viewpoint this still will not provide the answers to the many other questions related to this war, including how western and southern Tigray ended up falling under jurisdiction of the Amhara state and why Eritrean soldiers are still in Tigray including in the major cities.

As clarified in section 3.3. this paper totally rejects the official view which describes the

scenario in Tigray as policing or military ‘operation’ whose aim is to bring to justice those responsible for the November 4 attack on the Northern Defense Forces. What is seen, in the view of the present author, is well-designed and coordinated total war including by inviting foreign actors such as Eritrea, Somalia and the UAE. The timing that was used to launch this military operation was carefully chosen when the global media turned attention to the coverage of the Presidential election in the United States. To prevent media reporting about the military operations inside in Tigray, the latter was also cut off from the external world, for several months, by disrupting electricity, phone and the internet. As if this was not bad enough, foreign journalists were forbidden from entering.

The Government of Abiy Ahmed knows too well that what is seen in Tigray is a major war which is taking the lives of hundreds and thousands of its own citizens and that the disruption of normal life alone has exposed close to five million civilians to hunger. Despite this, and although humanitarian agencies have been extending their hands to save the victimized civilians, this government has prevented these agencies from delivering food and medicine. It has also rejected the international calls asking the establishment of an independent investigating body to examine who was/is responsible for the serious international crimes that were/are committed. All this shows how determined the regime of Abiy Ahmed is to prevent the international community from seeing this ‘dirty war’ and from saving the victims before the genocidal war has achieved the desired goals.

Genocide, war crimes, crimes against humanity and aggression are all punishable crimes under the statute of the International Criminal Court. Genocide is defined in Article 6 of this statute as acts that are committed with “an intent to destroy, in whole or in part, a national, ethnical, racial or religious group”, such as, by killing or inflicting deliberately “on the group conditions of life calculated to bring about its physical destruction in whole or in part.” Examples of the crimes against humanity which are mentioned in this statute include, the “widespread or systematic attack directed against any civilian population”, murder, rape and enforced disappearance of persons. Added to this is “the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population” (art. 7). War crimes, according to this instrument include, intentional killing, the “extensive destruction and appropriation of property “attacks against civilian objects” bombarding towns, villages, dwellings, the “deportation or transfer of all or parts of the population of the occupied territory within or outside this territory”, deliberate “attacks against buildings dedicated to

religion, education, art … historic monuments, hospitals" rape, …and any other form of sexual violence". (art. 8). The forcible transfer of population from their territories (ethnic cleansing) falls under the categories of both crime against humanity (art. 7(1)) and war crime [art. 8(2)(a)(viii)]. Aggression is defined in article 9 of this Statute and includes:

"(a) The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary …

(b) Bombardment by the armed forces of a State against the territory of another State

(e) The use of armed forces of one State which are within the territory of another State with the agreement of the receiving State, in contravention of the conditions provided …

(f) The action of a State in allowing its territory, which it has placed at the disposal of another State, to be used by that other State for perpetrating an act of aggression against a third State."

Judging from the now circulating reports, most of the abovementioned crimes were committed and continue to be committed in this war as explained in section 3.3 as well as in the present section. The presence of 'an intent' to destroy the people of Tigray, as understood in the genocide convention, is evident from the practices of widespread execution of civilians, the destruction of farms and crops, the prevention of farming, the looting of industries, shops, health centers and universities, the use of hunger as weapon, the widespread systematic rape including by damaging the womb of women and girls, and the forcible transfer of around one million Tigrayans from western and southern Tigray

Seen from this angle, it did not come as a surprise that the leaders of the U.S., U.K., and E.U., as well as the UN and many human rights organizations have all denounced most of the above crimes, especially the killings of civilians, the plundering and destructions of civilian properties since they are all prohibited crimes by international humanitarian rules. This is also why they have repeatedly appealed to the Ethiopian leader to put an end to this war, and asked for the "immediate" withdrawal of Eritrean soldiers from Tigray. The latter demand also suggests an acknowledgement of the presence of an illegal intervention and aggression since the Ethiopian Government has not even formally asked for Eritrean

support.

The magnitude and consequences of this war are still not widely appreciated by the political world because of the blackout of the past three months. In their open letter to Abiy Ahmed, four former American Ambassadors to Ethiopia have expressed concern over the fact that "2.2 million people have been displaced, and 4.5 million people need emergency assistance, many of whom are without adequate food." (28) This is a staggering figure, considering that the population of Tigray is around 8 million. It means that the majority of the Tigrayan population is already exposed to hunger in less than four months. It is true that food supplies in Tigray were already at risk before the start of the war, as a result of locust plague. But it is the war itself and the deliberate policy of Abiy Ahmed to starve the people of Tigray which has compounded the humanitarian problem. The fact that weaponizing hunger is formally condemned by the international community – as a crime, – means nothing to the Ethiopian regime since it views international law as toothless.

The claim that hunger is used by the regime of Mr. Ahmed as a weapon to destroy the people of Tigray can be substantiated by using the following arguments. The first is the refusal of the regime of Abiy Ahmed to open its borders to enable international humanitarian organizations to deliver emergency food aid. If this was not motivated by the desire to see Tigrayans starve to death what other reasons are there? Yes, the regime made reference to 'sovereignty' and 'territorial integrity' as a pretext, but this makes no sense. How can providing access to aid agencies to feed starving people threaten sovereignty? Is it not the invitation of foreign soldiers, such as those from Eritrea and Somalia, or the attack by the drone of the UAE, which actually threatened the Ethiopian sovereignty and territorial integrity? Even an elementary school student would grasp this point. The foreign forces that are inside Tigray are not seen promoting the security of the people or their property or ensuring law and order, unless 'law and order' is understood in the sense of permitting soldiers rape and plunder and terrorize civilians. But these acts are prohibited under the Federal Constitution and deemed as punishable.

Second, the regime of Abiy Ahmed must know that hunger follows when electricity, water and bank services are disrupted for months, when farms and their crops are destroyed and markets collapse, when shops, hospitals are looted, and people are not paid for more than three months. This is precisely what is happening within Tigray today. Despite this there is

hardly anything that the Government of Abiy Ahmed has done to meet the challenges, which are caused by its soldiers other than blaming the TPLF. If the TPLF was defeated at the end of November, as Abiy Ahmed officially told his Parliament on November 30, how can the TPLF be blamed for all the problems in its absence? The fact remains that even the Federal Government is said to be unable to control what the Eritrean soldiers, the Amhara militias and its own soldiers are now doing.

The third reason for claiming that the regime is weaponizing hunger is the selection of November 4 as the date for launching the military operation. Most Tigrayans rely on *teff*, a fine grain, for their daily food. The harvest of wheat, barley and *teff* usually "start(s) in the last week of October, while the harvest of sorghum, finger millet and maize (the latter being of minor significance) is expected to take place from November through January." (29) It is legitimate to ask whether it was sheer coincidence that military operations were launched at the start of the *teff* harvest, or whether this decision was taken intentionally, in order to disrupt the harvest. Indeed, the destruction of farms and crops and disruption of the markets created serious problems for the population in the months following this military offensive.

If the military offensive was delayed by one or two months the farmers of Tigray would have been able to harvest their crops and earn an income by selling their produce. Traders would have earned money in the process. The consumers too would have stored the food to tide them over during the war. By launching the war just prior to harvest, the Government of Abiy Ahmed intentionally wrecked the flow of food and income, exposing the population to hunger.

The fourth reason is the government's own reluctance to come to the rescue of the farmers of Tigray when they were devastated by swarms of locusts in the weeks prior to the war. This is in stark contrast to the prompt assistance provided to those affected farmers in neighboring states. Even the drones that were donated by the Tigrayan diaspora from Israel to combat the locust invasion, and the helicopter which one person donated for this purpose were confiscated on security grounds. The fact that the National Bank of the country has frozen all the bank accounts inside Tigray too shows the presence of an intention to prevent people from using their savings in the banks before they were closed. Taking all this evidence together, there are compelling reasons for maintaining that the Government of

Abiy Ahmed did weaponize hunger in the present war in Tigray.(30)

When close to 8 million people are facing problems of the kind described above and their government is not willing or unable to protect them, the UN should have stepped in and protected them. The Secretary General of this organization was expected to "bring to the attention of the Security Council *any matter* which in his opinion may threaten the maintenance of international peace and security", as expected by Article 99 (emphasis added). Operative Paragraph 11 of Security Council resolution 2417 even required the Secretary General explicitly "to provide information on the humanitarian situation and response" so that the Council would be able to take measures, including the consideration of "sanction measures" against "individuals or entities obstructing the delivery of humanitarian assistance, or access to, or distribution of, humanitarian assistance" (Operative Paragraph 9). Yet, two months after Secretary General Antonio Guterres proceeded by cooperating with the Ethiopian Government the latter is still seen dragging his feet.

Mr. Antonio Guterres was receiving information about the dangerous humanitarian crisis from the various humanitarian organizations and UN offices that were expressing concern about the problem. He knew too well that this looming humanitarian crisis is directly linked to the disruption of normal life, especially due to power shortages and the difficulties of accessing clean water, banking, marketing and medical services. Yet, even when it was obvious that Ethiopian government was hindering humanitarian agencies from delivering assistance and that it was weaponizing hunger, the Secretary General chose to continue with the strategy of appealing to cooperate with Abiy Ahmed rather than pressuring him. He justified this approach by underscoring the point that it was much better "to establish with the Ethiopian Government a functional relationship."(31) But Abiy knows what he is doing, which is why he is ignoring the appeals of the international aid agencies.

The Secretary General Antonio Guterres was also asked why nothing is done about the Eritrean involvement in this civil war, since this external military involvement without even being invited threatens international peace and security. Here again Mr. Guterres bushed off this claim as being unsubstantiated. "We have no proof of the presence of Eritrean troops inside Ethiopia", he stated, by relying on the fact that he was assured by the Ethiopian Prime Minister denying the Eritrean presence.(32) If Abiy has assured the Secretary General that Eritrean troops were not invited, and there are credible allegations accusing Eritrean soldiers for committing crimes against humanity and war crimes, the Secretary General should have investigated this matter or referred the matter to the Security Council. Claims which concern the external aggression and threat to state sovereignty and territorial integrity should not be seen lightly. By not doing this, the Secretary General prevented this case from being considered by the Security Council, and in effect violated his obligation to function as

required in the first paragraph of article 100 of the UN Charter, The Ethiopian Government too has violated paragraph 2 of this same provision by influencing the Secretary General in a misguiding direction..

This is not to discredit the UN Secretary General without credible reasons but to face the truth. The UN should be appreciated for the roles it has played in the past but should also be criticized when mistakes are seen. This organization has developed human rights instruments and the mechanisms to be used for monitoring on how states are complying with the instruments they have ratified. Examples of the latter includes the use of country rapporteurs, thematic rapporteurs, working groups (such as those who examine situations revealing massive and systematic violations of human rights) and the Universal Periodic Review of the Human Rights Council. Another important milestone in this respect was the decision in 2005 to adopt the doctrine known as "International Responsibility to Protect." As summed up by the Office on Genocide Prevention and the Responsibility to Protect:

"The responsibility to protect embodies a political commitment to end the worst forms of violence and persecution. It seeks to narrow the gap between Member States' pre-existing obligations under international humanitarian and human rights law and the reality faced by populations at risk of genocide, war crimes, ethnic cleansing and crimes against humanity."(33)

Likewise, the adoption of resolution 2417 by Security Council was another significant achievement made by the UN made when it comes to devising when civilians should be protected in times of armed conflicts. This resolution condemns "the unlawful denial of such access and depriving civilians of objects indispensable to their survival — including willfully impeding relief supply and access for responses to conflict." According to operative paragraph 4 of this resolution, the parties to armed conflicts are required to respect the obligations recognized under international humanitarian law and "to cooperate fully with the United Nations Humanitarian Coordinator and United Nations agencies in providing such access". If they fail to do so, the matter should be brought to the attention of the Security Council since this amounts to "a threat to international peace and security" deserving the adoption of "appropriate steps". Here too they UN has not taken a firm stand in protecting the people of Tigray when the Government of Abiy Ahmed has shown its defiance, for several months, to the calls by the different UN agencies, such as OCHA, UNICEF, UNHCR and WFP to provide unfettered humanitarian corridor.

In short, although the UN has made considerable progress in developing human rights instruments and the mechanisms that should be applied to monitor them in practice, when it comes to responding to the challenges posed by the war in Tigray there was hardly any step that was taken by the Security Council or the General Assembly. The heads of the different UN offices, such as those of the UNHCR, UNICEF, OCHA and the Special Representative of the Secretary-General on Sexual Violence in Conflict have issued praiseworthy statements expressing alarm about what is taking place. The fact that the Security Council has not invoked the doctrine of responsibility to protect (R2P) in this case when the Government of Abiy Ahmed is clearly unwilling *and* unable to protect its own citizens has come as a surprise. But then again, Tigrayans, do not inhabit a territory blessed by rich natural resources like Libyans, who were protected in 2011 by invoking this norm of responsibility to protect.

Which direction the UN will take in the coming days and months is hard to tell. Hopefully, the Security Council will call for a cease-fire, send peacekeeping forces to ensure this and to protect the delivery of humanitarian assistance, establish an independent commission to investigate the international crimes that were committed and to make sure that those that have committed them will be accountable for their deeds. There are promising signs that this tract will be followed. The Biden Administration appears to be unwilling to accept the military gains made through ethnic cleansing. This is implicit from its Press Release which has called for:

“The immediate withdrawal of Eritrean forces and Amhara regional forces from Tigray are essential first steps. They should be accompanied by unilateral declarations of cessation of hostilities by all parties to the conflict and a commitment to permit unhindered delivery of assistance to those in Tigray. The United States is committed to working with the international community to achieve these goals.” (34)

Above all, the UN is expected to find a lasting solution to the conflict itself. The challenges are by no means easy. This organization should not proceed by disregarding its values and purposes which are mentioned in its Charter – i.e., democracy, human rights, law and order, and the principle of self-determination. These values are affirmed in the Ethiopian Constitution. Because the present humanitarian crisis is man-made, it will be difficult to provide humanitarian assistance without arranging a cease-fire. That will, in turn, require

sending a UN peacekeeping force to monitor the cease-fire and protect the delivery of the humanitarian assistance. The cease-fire should be linked to the immediate withdrawal of the occupying forces. Otherwise, these forces will take the humanitarian assistance leaving the victims starved. This makes the withdrawal of Eritrean soldiers and the Amhara militias a pre-requisite for extending humanitarian assistance. The failure to expel these forces will also amount to endorsing the ethnic cleansing in western and southern Tigray as well as the Eritrean aggression.

Requiring the withdrawal of the Amhara forces from Tigray will be met by opposition on the grounds of meddling in internal affairs. According to the Amhara officials, western and southern Tigray were incorporated into Tigray by the TPLF arbitrarily in 1991. Prior to that, they argue, these regions belonged to the Amhara. One way of resolving this controversy would be to allow the inhabitants to have a say in choosing between the states of Amhara or Tigray. However, even this too can be criticized for being illegitimate since this matter was settled formally when the Federal Constitution was approved in 1994. Even the Derg administration was considering the people of these regions as Tigrayans.

If the UN requires the withdrawal of the Federal forces, and the current Provisional Administration and their replacement by the previous TPLF administration, militia and police force this will be opposed by the regime of Abiy Ahmed as meddling in internal matters. On the other hand, if it fails to do this, this will signal that it is proceeding by disregarding democracy and the Ethiopian Federal Constitution. This is because the current Provisional Administrative Authority in Tigray was not elected by the people of Tigray. Nor is Abiy Ahmed himself, for that matter. The TPLF Government, which was elected by Tigrayans was removed militarily. Since the Federal Constitution protects the sovereignty of the people of Tigray, and the right to self-government, the UN cannot tell this people to accept the current Provisional Administration or to choose another government when they have already chosen one.

There will be states that will defend the position of the Government of Abiy Ahmed, by calling for respect for the norm of state sovereignty and hence non-interference in domestic matters (UN Charter, Article 2 Paragraphs 1 and 7, respectively). However, it is also evident that this is used as a cover for protecting their own interests. As is well known, States, especially the major powers, have their own important economic, political and other

interests inside Ethiopia and do not want to disappoint its regime by showing sympathy for Tigrayans. Yet, to say that this regime should be left alone to complete his genocidal policies would equally be morally and politically damaging to those who support Abiy Ahmed. Legally too it is difficult to defend this 'internal matters' clause in this case when serious international crimes, such as genocide and ethnic cleansing are committed. What is prohibited in article 2 Paragraph 7 of the UN Charter is intervention "in matters which are essentially" of domestic nature. When a government is suspected of having committed genocide, its conduct becomes "essentially" an international matter and to be punished as required by the genocide convention. It is also important to add that the Ethiopian Constitution, in Paragraph 1 of Article 8, makes "the peoples of Ethiopia" sovereign and guarantees them the "unconditional right to self- determination, including the right to secession" [Article 39 (1)]. If the rules governing sovereignty and territorial integrity are to be invoked they actually strengthen the case of Tigray since its "people" is deemed to be sovereign under the law of that country.

The pattern of human rights abuses that were/are committed inside Tigray, the violations of international humanitarian rules and the weaponization of hunger have clearly created a *situation* which the UN cannot ignore. This organization has a long record of confronting these kinds of *situations* by disregarding the clause on 'internal matters', e.g. when it relies on its 1503 procedure or on Security Council resolution 2417 of 2018. The situation inside Tigray also reveals an *internationalized* conflict since neighboring Eritrea is involved. This fact, combined with the use on ethnic cleansing have brought about a *political question,* namely how to resolve "the question of Tigray".

Sovereignty clearly shields states from 'external intervention', but only for those who respect the norms of international law. According to Paragraph seven of Principle Five of the UN Declaration on Friendly Relations (General Assembly resolution 2625 (XXV) of 1970) this implies being "possessed of a government representing the whole people belonging to the territory without distinction". The people of Tigray are not represented in the Ethiopian Government. As Mick Wallace stated, 17,000 Tigrayans have been removed in the past few months from the military alone.(35) Those that were removed from the Federal and local administration are much more. The TPLF administration itself has been replaced by one which is controlled from Addis Ababa. Nor are Tigrayans represented in the Ethiopian Parliament. Again, the electoral board has made it clear that the national election which will

be held this summer will not be held in Tigray. This means that Tigray will be excluded from parliamentary representation for another five years.

Thus, the day the people of Tigray decides to establish separate state, it will be difficult for the Government of Abiy Ahmed to challenge the legitimacy of this demand. The right of peoples to secede from the Ethiopian state is clearly recognized in Article 39 of the Constitution. True, international law protects the 'sovereignty', 'national unity' and 'territorial integrity' of independent states. But the people of Tigray, which is 'sovereign' according to the Federal constitution has been excluded from power (sovereignty). Nor is it viewed by the regime as an integral part of the Ethiopian nation as its exclusion from power reveals and the regime is seen using hunger as a weapon and refusing to extend protection when the residents are exposed to serious international crimes. The rule on 'territorial integrity' cannot be invoked while at the same time placing the territory under the control of foreign state (Eritrea) for purposes of terrorizing the inhabitants. Abiy Ahmed Ali cannot have it both ways: i.e., to benefit from the principle of state sovereignty, territorial integrity and national unity, while at the same time destroying the state and people of Tigray. He should choose between loosing this state or behaving with international norms. The latter do not recognize the rights of states to commit genocide.

If Tigray was a part of Europe, NATO would have resolved this question as it did in Kosovo, i.e., by protecting the people and facilitating its independence by involving the UN. Again, if neighboring Sudan was as powerful as India, and eager in protecting the people of Tigray, it would have intervened militarily to facilitate its independence just as India did for Bangladesh. Unfortunately, Tigray is lonely and surrounded by neighbors that are determined to crush it militarily even if this takes years and the total destruction of its people. The longer this war continues, the more atrocities will be committed and the louder the voices calling for independence. The creating a separate independent state is already in the air. Some are even debating if its name should be Tigray, Axum, Habesha, Ag'azi or simply Northern Ethiopia.

The more the UN avoids tackling the political crisis in Tigray head on, the more its own weaknesses and credibility, as an effective international organization, will be exposed. This is not simply because this organization is required to address serious problems like those seen in Tigray by its own Charter, but also because the 1948 convention against genocide

too requires it to “prevent” and “punish” the kinds of serious crimes that have been committed in Tigray daily during the past few months. The day the UN takes up this case seriously, it will be difficult to imagine how the political leaders that are responsible for all the war crimes, crimes against humanity, ethnic cleansing and aggression will escape from facing an international tribunal.

Leaving this aside, the other thorny problem which the UN will have to resolve will be how to ensure lasting peace in Tigray after arranging cease fire. One way of doing this would be to encourage the parties to the conflict to resolve their differences by stimulating negotiated settlement. The approach the Security Council used to resolve the North-South conflict in neighboring Sudan, based on the 2005 Nairobi Comprehensive Peace Agreement, could serve as a model for going forward. There, the principle of self-determination was deemed to be necessary for ending the war and for *strengthening peace,* although the Sudanese constitution did not guarantee the right to self-determination. Any attempt to resolve the question of Tigray outside this framework would be unjust and a violation of Article 39 of the Ethiopian Constitution which guarantees this right. Such a move will also disregard the purpose of UN Charter on the “*equal rights* and self-determination of peoples” (Paragraph 2 of Article 1, emphasis added). Furthermore, imposing a political formula which the people of Tigray have not asked for would be impractical and violate Paragraph 7 of Article 2 of the UN Charter which prohibits this organization from intervening “in matters which are essentially within the domestic jurisdiction.” This is why the reliance on the Ethiopian Constitution and the UN Charter principle on self-determination would be the only legitimate way of resolving the question of Tigray.

***About the author and this work**

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Between 2012 and 2019 this author taught at the School of Global Studies at the University of Gothenburg, in Sweden (as an Associate Professor). Prior to that he worked for different universities in Finland, Sweden and Southern California. Currently, his current affiliation is with the University of California in Los Angeles (UCLA) and San Diego State University (SDSU).

Reading this paper the reader might get the impression that this is probably the work of a person from Tigray or even commissioned by the Tigray People's Liberation Front (TPLF). Neither is the case. The author was born in Addis Ababa and lived there until 1977. Since then, he returned back to the Horn of Africa only once, in the mid-1990s and for about one month. He has never had any affiliation with the TPLF, and never lived in Tigray or even saw that state, regrettably, other than the bus routes between the Ethiopian and Eritrean capitals. What motivated him to contribute this paper is simply the calls of humanity, the refusal to look the other way when horrific crimes like the ones seen today in Tigray are committed against millions of human beings in the pretext of ensuring 'law and order'.

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