

Tilburg School of Humanities and Digital Sciences

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Ethiopia at crossroad: The Role of Eritrea in the Tigray War

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This Conference speaks to the observation that Ethiopia is at a Crossroads. As an expert on Eritrea and its role in the wider region, I have been asked to highlight the role of Eritrea in reaching this point of a Crossroads. The journey has been confusing for many:

- A newly appointed Prime Minister Abiy Ahmed sworn in on 2 April 2018 in Ethiopia;
- The signing of a Joint Declaration of Peace and Friendship between Eritrea and Ethiopia on 9 July 2018;
- A Nobel Prize awarded to PM Abiy on 10 December 2019;
- A Declaration of a short Law and Order Operation by PM Abiy on 4 November 2020;
- An all-out war in Ethiopia affecting the whole country.

So how did we get to the slightly bewildering point of today, where, 13 months after the war started, a debate is held on the future of Ethiopia?

The role of Eritrea. President Isayas declares: "Game Over"

I will argue that Eritrea is a key player in the genesis of the war, in the war itself and in the future of Ethiopia. A confident President Isayas of Eritrea declared on the national Martyrs Day, 20 June 2018, two weeks before the Joint declaration of Peace and Friendship: "Game Over". It was Game Over, he said, for the Tigray People's Liberation Front (TPLF), which he coined the 'junta'; this coming from a despotic regime that can be described as totalitarian which holds its people in an iron grip of forced labour, forced conscription and slave-like conditions. In Eritrean official media the Eritrea-Ethiopia Peace Agreement was also covered, on 3 July 2018, as a "Game Over" initiative of President Isayas, denouncing the TPLF and declaring it dead:

The Game Over declaration by President Isaias Afwerki on 20 June 2018, was the culmination of TPLF's apartheid system in Ethiopia and their adventurism in the Horn of Africa. From this day forward, TPLF as a political entity is dead. Its soul has been bound in hell, but for a little while, its skeleton will be walking like a zombie to create chaos and harm innocent civilians to disrupt the ongoing transition in Ethiopia and terrorize its people.³

While the world celebrated peace between Ethiopia and Eritrea, the content of the agreement remained hidden from the populations of both countries. What we can now reconstruct is that rather than a peace agreement, the alliance between Abiy and Isayas was a declaration of war against TPLF, the government of the regional state of Tigray, which shares a common border of 1051 kilometers with Eritrea.

Preparations of the war by Eritrea

While PM Abiy and President Isayas denied for months that Eritrea was involved in the war after it was declared on 4 November 2020, not only was Eritrea present inside Tigray, it had also prepared to move into Tigray prior to the declaration of the Law and Order operation. One Eritrean interviewee explained that he was released from prison in Eritrea on October 30th 2020, and deployed at Shiraro on the border to enter Tigray on November 2, and that subsequently their participation in the war began:

All these things happen just in the first week, the first days. In the beginning, we fight. But after four, five days, everything is finished. The Tigray army is successful to protect the area from the Amhara army, the Ethiopian army, until the Ethiopian army escaped to Eritrea. But the Eritrean army was successful in fighting against Tigray. The Ethiopian army has not got the ability to fight against Tigray. But when the Eritreans came, they succeeded in fighting against them.⁴

The perception in Eritrea was clearly that a war was coming:

We knew before 4 November that a war was coming. Everything was ready. We knew a war would happen, we just didn't know when. The government was telling us, we have a problem with Tigray. They just didn't tell us when it would start.⁵

The information on the deployment is also specific and could be investigated further:

Divisions 13 was deployed in Forto, around Senafe for border patrol; division 29 in Tsorona and division 74 for scouting, each division with five to six thousand troops.⁶

Evidence was obtained that on the morning of 4 November 2020, before the Law and order operation was declared, Eritrean troops were seen in Gerhusernay, a town near the border between Ethiopia and Eritrea. Reportedly, the Eritrean troops started killing civilians.

Sources from Eritrea have remained adamant that Eritrean troops entere Tigray on the 2nd of November and not after the 4th of November, as is communicated in the following message:

I shared the draft presentation with colleagues in Eritrea this morning. The reply f came immediately: "Haftey thank you. the writer needs to do more research to find out when we entered. We entered on the second not sixth of November in Tigray." (emphasis added)

The (potential) early entry in Tigray together with years of preparations were accompanied with propaganda against Tigray and Tigrayan people:

We were told, Tigray is our enemy. We only hear the TV, radio and news from the government, there is no other news. Everything we didn't have was blamed on Tigray. If we had no water, it is the fault of Tigray. If we have poverty, it is the fault of Tigray. So if the government says Tigray is our enemy, we think the same. We were told, they have stolen from us, they are rich, have

factories, schools, universities. When we could travel for a short time to Tigray, we could see all these things. So it was confirmed that they had what we didn't have.⁷

Not only were Eritrean troops mobilized, it appears that also Ethiopian troops were mobilized within Eritrea. One interviewee stated:

I am from Meshal Wedekele, Forto. Before November 4 the ENDF was in the school and in the hospital of the town.⁸

Reports during the war in Tigray state that the Eritrean regime was forcibly rounding up young people, including many minors, by way of razzias (so-called 'giffas') with the aim of sending them to fight in Tigray. As recently as 29 March 2021, reports have been received that the following message from the regime was spread to Eritrean citizens:

"All families have been asked to hand in their children from 16 onwards. ALL CHILDREN TRAINED OR UNTRAINED. IT DOESN'T MATTER."9

Eritrea supplied a large number of military forces, made up of generally traumatized and maltreated Eritrean citizens, who are forced to serve indefinitely, to fight on the side of the Ethiopian military forces in a coordinated military action in the region of Tigray in early November 2020. The exact number is unknown but is estimated at anywhere between 100,000 and 200,000 soldiers, many of whom are minors who have only just been forced into the national service and have received no more than perfunctory training at the "Sawa" military training center in Eritrea. In an interview on February 7 2020¹¹, President Isayas – ruling over a country whose Constitution he has set aside - dismissed the Ethiopian Constitution, spurning its logic, while at the same time, the Tigray government followed this Constitution, art 39(3), in arranging regional elections. That the elections were the trigger of the war is confirmed by an observation of an Eritrean respondent from the border area in Eritrea:

Especially after the election in Tigray, there was movement of heavy and mechanized forces around the Senafe border and moving from one place to another.¹²

Subsequent rationales provided to justify the Law and Order Operation do not account for the premeditated intent expressed earlier by President Isayas, to pronounce war on Tigray together with Ethiopia. Moreover, these long-term preparations that were carried out cannot be explained by the rationale that the Law and Order Operations were a response to the Tigray Government attacking the Northern Command. Furthermore, the situation on the ground suggests that the war was triggered when the Ethiopian federal government sent special forces to arrest the regional government of Tigray on 3 November 2020, ¹³ and the timeline of military deployment and preparations in Eritrea suggests that Eritrean forces were standing ready to invade at that

moment. In any case, our researchers investigated several irregular flights that are recorded from Addis Ababa to Asmara and other locations in Eritrea and locations close to the Tigray region,¹⁴ associating Eritrea with the war efforts in Tigray, and independently, CNN reported the same:

Cargo documents and manifests seen by CNN, as well as eyewitness accounts and photographic evidence, confirm that arms were transported between Addis Ababa's international airport and airports in the Eritrean cities of Asmara and Massawa on board multiple Ethiopian Airlines planes in November 2020 during the first few weeks of the Tigray conflict.¹⁵

The involvement of Eritrea was further confirmed by observations from within Eritrea:

Within a week after 4 Nov, the town of Senafe was flooded with ENDF forces and military equipments. Some of them came from the Zalambesa border side (Tigray side) and other from inside Eritrea after being transported from Addis Ababa to Eritrea.

A video from the 5 November 2020, investigated on its veracity, showed that Ethiopian federal forces handed over to Eritrean military a range of Ethiopian mechanized heavy equipment in a location close to the border area, inside Eritrea.¹⁶ PM Abiy admitted for the first time on 23 March 2021 while addressing MPs that Eritrea took part in the war efforts to support Ethiopia and that they may have committed human rights abuses, but that they had already promised to withdraw.¹⁷

Atrocity Crimes and pronouncement of Genocide

Eritrean soldiers have been widely implicated, and continue to be implicated, in severe human rights violations in Tigray, including widespread looting, destruction of the region's heritage and the livelihood of its people, as well as killing civilians in grave incidents.¹⁸ Eritrean soldiers have perpetrated several well documented massacres, including in Aksum and Humera. Eritrean soldiers have also been accused of widespread sexual violence against women,¹⁹ summary and extrajudicial killings of civilians, and the forced deportation of refugees.

Eritrean soldiers have made heavy use of artillery during the conflict. Many towns and other sites were bombarded by Eritrean forces before their capture. The UN Special Rapporteur said that Tigrayan forces "systematically withdrew from urban areas" as Eritrean and Ethiopian forces advanced.²⁰ Consequently, many of the towns bombarded probably had few combatants at the time they were attacked. The town of Humera, on the Ethiopian - Eritrean border, was shelled by Eritrean forces in early November. At least 46 people were killed and 200 wounded in the process. The towns of Mekele, Shiraro, Aksum, Adigrat, and Hawzen are among other cities that have been shelled, often with civilian casualties. Eritrean soldiers have also been accused of shelling religious sites. The mosque of Al Negash, one of the oldest mosques in Africa, was shelled by Eritrean troops in December 2020. Eritreans have also been accused of shelling Debre Damo, a 6th century

monastery, on January 11th, 2021. Eritrean soldiers looted the monastery, and a monk was killed in the process.

The reports that are available demonstrate despicable and horrific acts of sexual violence committed with impunity. What is being reported is the tip of the iceberg. Nevertheless, it appears that these crimes are widespread and characterised by their extreme and sadistic nature. The reports include abduction, gang rape of (groups of) women held in isolated places and drugged, rape in front of relatives including husbands and children, the forced rape of women by their relatives, burning of genitals and forcing of objects into the vagina. Women are abused for being Tigrayan. Children or witnesses are killed. Many have qualified these as conflict-related sexual violence, used as a weapon of war used against the civilian population, and committed, in part, with genocidal intent. The following testimonies are examples that speak to this genocidal intention, in which the TPLF ('the junta') is equated with the entire civil population of Tigray and the systematic sexual violence is part of the objective to eliminate the population:

Without a second thought, the soldiers said "that's good, let's remove the 'junta' inside you, and replace it with our own race." Two of them opened her legs forcefully and the other brought a rough stick and inserted it into her vaginal canal and stirred it with the intention of aborting her pregnancy.²¹

Another witness reported:

But the Eritrean soldiers took turns raping the three women for hours, after that one of the soldiers pulled out a metal from his Kalashnikov and put it on fire and then inserted it into her uterus, he then said now you will never give birth to a baby of the 'junta'. She then passed out and as she would find out later they put small pieces of metals inside of her.²²

The military forces of Eritrea have committed grave violations in Tigray. The following grave violations of human rights have either been confirmed or at least credibly reported. Many of these violations were allegedly perpetrated by or with assistance of the Eritrean military forces:

- (i) Perpetration of massacres, including massacres of civilians in the areas of Mai Kadra, Aksum²³, Mariam Dengelat, Debre-Abay, Bora-Selewa and Cheli;
- (ii) The looting and destruction of factories, universities and educational facilities and shops and the removal of the loot in an organized way to be transported to Eritrea;
- (iii) The deliberate destruction and looting of cultural and religious heritage, resulting in irreversible damage to objects and sites of great importance in Tigray culture;²⁴

- (iv) The widespread and pervasive use of rape as a weapon of war, where credible reports have emerged that the most brutal and violent cases of rape have involved Eritrean soldiers with the aim to break the morale of the Tigray people and to dishonor them;²⁵
- (v) Deliberate targeting of health facilities in Tigray for destruction, resulting in only slightly over 10% of existing health facilities functioning during the COVID-19 pandemic;
- (vi) The use of starvation as a weapon of war, including by hindering access for humanitarian aid to Tigray;
- (vii) The deliberate destruction of refugee camps under international protection with Eritrean refugees and forced return of Eritrean refugees to Eritrea, including the Hitsats²⁶ and Shemelba refugee camps²⁷ which have been completely devastated by Eritrean forces.²⁸ Refugees were forcibly returned to Eritrea, those who were regarded as 'opposition' put in prison and others forcibly deployed in conscription including in Tigray.²⁹

In addition to this, given what is known about (forced) military service in Eritrea, it can reasonably be said that the military presence of Eritrean forces in Ethiopia by itself already qualifies as a grave violation of human rights.

This is even more so as it has become clear that the Eritrean military forces in Tigray are partly made up of minors (child soldiers).³⁰ It is generally believed that at the start of the war in Tigray, the Eritrean military force in Ethiopia was made up at least partly of Eritrean youngsters who were part of the yearly group of young people forced to endure military training in the infamous "Sawa" training camp in Eritrea. The 33rd Round had just been graduated, before being deployed in Tigray. It has been widely reported and is well established that from approximately the age of 16 (or sometimes even younger), the Eritrean regime forces minors to enrol in this military training program.

Conclusions

In a situation of war, there is a task for academia to help discover truth, and to do so with facts from the ground. In my research group we have conducted and analysed 66 interviews with people within Eritrea, within Ethiopia, within Tigray, with people who fled, and others relevant to the situation.

Eritrea has no internet access and phones and communications are heavily monitored. Asmara University was closed in 2001. Eritrea has systematically fought against free thinking: academia, media, embassies, and humanitarian organisations removed and closed; youth and the entire civil population incorporated within military conscription; large numbers of potential 'trouble-makers'

detained based on widespread intelligence operations; hate speech, propaganda and misinformation replacing free media; and intimidation, registration, and threats against the population at large. Ominously, this Eritrean playbook now seems to be unfolding in Ethiopia.³¹

While the exact extent of these human rights violations may take years to uncover, it is already beyond debate that (a) some of the gravest violations of human rights known to man have taken place, and continue to take place, in Tigray and Eritrea, and (b) currently, only very little coordinated international action has taken place to remedy the situation and bring the perpetrators to justice.

The actions clearly qualify as crimes against humanity and/or war crimes as defined in inter alia Articles 6 and 7 of the Rome Statute. There is no possible justification for any of these actions and the offenders should be prosecuted to the maximum extent of the law. When looking at all actions taken together and noting reports that Tigray civilians and the Tigray culture have been specifically targeted, the actions may constitute the crime of genocide as defined in Article 6 Rome Statute.

Additionally, Eritrea's actions in Tigray may very well constitute the crime of aggression (pursuant to Article 8bis Rome Statute), as it has used its armed forces within the territory of another State. While Eritrea and Ethiopia agreed to this use of Eritrean forces, it is unthinkable that the commission of crimes against humanity was within the conditions of this agreement (and as such Article 8bis under 2(e) Rome Statute is violated). Conversely, if Ethiopia did not agree to Eritrean military presence within its borders, Eritrea has invaded Ethiopian territory and taken actions which likely qualify as war crimes and/or crimes against humanity there, which as and of itself is a manifest violation of the Charter of the United Nations (noting that the Security Council is free to determine what it considers qualifying as an act of aggression).

It can be concluded that the situations in Ethiopia and Eritrea are inextricably interlinked. It appears highly likely Eritrea has made an export product of its widespread human rights violations and is both subjecting its own citizens and the citizens of Tigray and Ethiopia to (the effects of) these violations on a continuing basis. This is a clear and present threat to international peace and security. Ethiopia is indeed at a Crossroads.

References

 $\underline{Atsida, +Eritrea/@14.5125556, 38.4904522, 11z/data = !4m13!1m7!3m6!1s0x166ea3474aa8df3f:0x7680b6dea540b6dea540b6dea540b6dea540b6dea540b6dea540b6dea540b6dea540b6dea540b6dea540b6dea$

¹ June 21 2018. YouTube link - https://shabait.com/2018/06/20/president-isaias-speech-on-martyrs-day/

² OHCHR (2015). Report of the commission of inquiry on human rights in Eritrea. Retrieved on 05 December 2021 from: OHCHR | ColEritrea Report of the Commission of Inquiry on Human Rights in Eritrea; OHCHR (2016). Report of the commission of inquiry on human rights in Eritrea. Retrieved on 05 December 2021 from: OHCHR | ColEritrea 2016 Report of Col Eritrea. Retrieved on 05 December 2021 from: https://www.ohchr.org/EN/HRBodies/HRC/ColEritrea/Pages/2016ReportColEritrea.aspx The report finds that the Eritrean regime has continuously committed grave violations of human rights against its own citizens since at least 1991. Amongst these violations is the so-called 'national service', by which Eritrean citizens – often minors – are forced into involuntary and indefinite State employment. This practice, which has caused a mass exodus from the country, was found to qualify by a UN Commission of Inquiry as "enslavement" and a "crime against humanity" committed in a "persistent, widespread manner" (2016). Eritrea is built on the national service and almost all its citizens are forcibly and often indefinitely subjected to it. In the context of the national service, but also more generally, Eritrean citizens have been victim of numerous crimes against humanity including murder, rape, torture, enforced disappearances and arbitrary imprisonment (UN Commission of Inquiry, 2016).

³ The English transcript of the speech can be found - http://www.madote.com/2018/06/english-translation-of-president-isaias.html; Bruton, B. (2018, July 12). Ethiopia and Eritrea Have a Common Enemy. Foreign Policy. Retrieved on 27 March 2021 from: https://foreignpolicy.com/2018/07/12/ethiopia-and-eritrea-have-a-common-enemy-abiy ahmed-isaias-afwerki-badme-peace-tplf-eprdf/; Asmelash, O. (2018). Eritrea Successfully Ends Operation Fenkil 2.0. Tesfanews. Retrieved on 28 March 2021 from: https://tesfanews.net/eritrea-ends-second-operation-fenkil/

⁴ Interview 0046. Also published in Van Reisen, M., Smits, K., and Berhe, K. (3 November 2021) Who Triggered the Tigray War on 3 November 2020? Published online at: https://martinplaut.com/2021/11/03/who-triggered-the-tigray-war-on-3-november-2020/

⁵ Interview 0043.

⁶ Ibid. 0043.

⁷ Ibid.0043.

⁸ Ibid. 0043.

⁹ Interview 0066.

¹⁰ The infamous Military Training Centre of Sawa was visited by President Isayas and PM Abiy reported on 22 July 2020, https://www.youtube.com/watch?v=qbiZvsClCZA

https://www.youtube.com/watch?v=NFEIBdDLY5Y

¹² Respondent H. See also Respondent T: "The date was about one week before the 4th of November. The military was moving towards the North part of the country at that time. They were going through two directions. Through Adi Esiti and towards from Dekemhare to Tsorona route. They were moving in big trucks. There were no tanks, because tanks were already at the border." The movement from Dekemhare towards Tsorona is very long route. The observation of T seems to relate to additional reinforcements of military men transported in big trucks towards the border. The observation of H appears to relate to the movement of heavy weapons around the border in Senafe. Several respondents said that soldiers were moved to the border with Tigray under a pretext of assisting in harvesting, but that the eventually realised that they were deployed to join the war. I further reports military troop movements before Nov 4 2021 in Adi-Atsida in May-Mine (https://www.google.com/maps/place/Adi-

- ¹³ Van Reisen, M., Smits, K., and Berhe, K. (3 November 2021) Who Triggered the Tigray War on 3 November 2020? Published online at: https://martinplaut.com/2021/11/03/who-triggered-the-tigray-war-on-3-november-2020/
- ¹⁴ Original list published in: Van Reisen, M., Smits, K., and Berhe, K. (3 November 2021) Who Triggered the Tigray War on 3 November 2020? Published online at: https://martinplaut.com/2021/11/03/who-triggered-the-tigray-war-on-3-november-2020/
- ¹⁵ CNN reference: Nima Elbagir, Gianluca Mezzofiore, Katie Polglase & Barbara Arvanitidis (2021): Ethiopia used its flagship commercial airline to transport weapons during war in Tigray, The Cable News Network (CNN), retrieved on 05 December 2021 from: Ethiopia used its flagship commercial airline to transport weapons during war in Tigray CNN.
- ¹⁶ Reported in twitter: https://twitter.com/mattckwilliams/status/1464228853409370113?s=20
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- ¹⁹ See for instance this report by Amnesty International (august 2021): https://www.amnesty.org/en/documents/afr25/4569/2021/en/
- ²⁰ https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gld=26352
- https://www.eepa.be/wp-content/uploads/2021/05/TESTIMONIES-Proceedings-Conflict-Related-Sexual-Violence-against-Women EEPA Webinar-Voices of Tigray 25 05 2021.pdf (page 5)
- ²² Ibid (page 6)
- ²³ The massacre in Aksum was committed by Eritrean troops at the end of November 2020. Reports include https://www.hrw.org/news/2021/03/05/ethiopia-eritrean-forces-massacre-tigray-civilians
- ²⁴ Debre Damo is one of the sites that was attacked and destroyed by Eritrean troops. Civilians (religious monks) died and were injured. Interview M. See also the following reports: https://eritreahub.org/theeritrean-attack-on-the-ancient-debre-damo-monastery; https://www.tghat.com/2021/01/19/a-footageof-a-destruction-of-a-tigrayan-church-by-the-invading-forces-in-zalambessa/. Alulu Tesfay (2021) argues that the massacres perpetrated within compounds of reoligious institutions can only be explained as a coordinated genocide against Tigray, https://www.eepa.be//wp-content/uploads/2021/05/Voices-from-<u>Tigray-Alula-Tesfay-.pdf</u> He identifies the following core patterns of destruction of heritage in the Tigray war: (1) Appropriation of heritage through ethnic cleansing. The heritage sites in the western and southern occupied territories of Tigray were systematically depopulated and appropriated. Many heritage objects are reported to be looted and displaced to other places. (2) Heritage as a hostage. Heritage sites are bombarded and looted as a hostageto get information or other resources from the public. The shelling of Debre Damo monastery, one of the oldest in the country, is an example. The public were asked to give information on the whereabouts of the local defending army or lose their valuable heritage. (3) Depopulation of the area through destruction of the public good. Many religious sites in Tigray are traditionally places of refuge and safety to civilians during conflict. Many sites were directly hit to scare the public and depopulate these areas. This was done in major cities of Tigray and occupied territories. (4) Intentional destruction of markers of Tigrayan identity. The destruction of statues, obstruction of traditional site names, burning villages, and other markers of Tigrayan identity are conducted in all occupied territories of Tigray.
- Interviews 0012-0020; 0042. See report and lost of selected references: <a href="https://www.eepa.be//wp-content/uploads/2021/05/SUMMARY-Proceedings-Conflict-Related-Sexual-Violence-against-Women EEPA Webinar-Voices of Tigray 25 05 2021V1.p and https://www.amnesty.org/en/documents/afr25/4569/2021/en/

²⁶ Interviewee 003.

²⁷ Interviewee 0001- 0019.

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²⁹ Interviews 0042 – 0044, 0063.

³⁰ Interviewee 0001 stated "The soldiers that entered Shemelba refugee camp with the 33rd round were mainly minors between the age of 16 and 20 years, most of them filed for the matriculation exam [...] I met with one of the minors and he was 16 years old. Some of the Eritrean youth who came were taking additional training in Shemelba and some refugees from Hitsats camp were also joined the gun shooting training." (emphasis added)

[&]quot;Ethiopian authorities have closed all secondary schools so pupils can harvest crops for those on the frontline of the civil war, state-affiliated media says. The closure will last for one week, according to the education minister. More than 2 million pupils were already out of school due to the war which started in the northern region of Tigray last year, the government says.https://www.bbc.com/news/world-africa-59524707; https://addisstandard.com/news-addis-abeba-university-warns-to-take-measures-against-graduate-academics-supporting-tplf-measures-may-include-revocation-of-academic-degrees/;https://twitter.com/ZekuZelalem/status/1464094614000963585?s=20;https://news.un.org/en/story/2021/09/1101872; https://www.bloomberg.com/news/articles/2021-08-03/ethiopia-suspends-two-humanitarian-groups-from-war-torn-tigray