

Annexes

Key Individuals Meriting Criminal Investigation

Individuals who are responsible for crimes under international law should be investigated and appropriately brought to justice.⁹²² This includes those who commit or order a crime, as well as attempting to commit, assist, facilitate, and aid or abet a crime. Under international humanitarian and criminal law, military commanders, and other superiors, including civilian officials, can be held criminally accountable for the acts of their subordinates under the principle of superior or command responsibility. A commander or superior is criminally responsible if they knew or should have known of the crimes and willfully failed to prevent or punish them.⁹²³ A superior does not necessarily need to know the identity of subordinates who carried out crimes. It is sufficient that the commander or superior have “effective control” over the forces responsible for the crimes.⁹²⁴ Effective control means the material ability, at the time relevant to the charges, of superiors to prevent or punish the crimes of their subordinates.

Applying these rules to the situation in Western Tigray leads to the following conclusions. First, administrators as well as military, security, and militia leaders who gave orders or directly participated in the commission of the crimes in Western Tigray documented in this report should be investigated on the basis of their individual responsibility. In addition, commanders of military units, as well as of other security forces (such as police commanders and militia leaders), may bear responsibility for violations committed by forces under their command in accordance with the doctrine of command responsibility.

⁹²² International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law* (Cambridge: Cambridge University Press, 2005), Rule 102, 151, 158.

⁹²³ See *Prosecutor v. Elizaphan Nkaritumana and Gérard Nkaritumana*, International Criminal Tribunal for Rwanda, Case No. ICTR-96-10 and ICTR-96-17-T, Judgement and Sentence (Trial Chamber), February 21, 2003, para. 819; *Prosecutor v. Alfred Musema*, International Criminal Tribunal for Rwanda, Case No. ICTR-96-13-T, Judgement and Sentence (Trial Chamber), January 27, 2000, para. 148; *Zejnir Delalić (“Čelebići”)*, Case No. IT-96-21-A, Appeal Judgement, February 20, 2001, para. 195; *Prosecutor v. Zejnir Delalić, Zdravo Mucić, Hazim Delić, Esad Landžo (Čelebići case)*, International Criminal Tribunal for the Former Yugoslavia, Case No. IT-96-21-T (Trial Chamber), November 16, 1998, para. 378. See also article 28 of the Rome Statute of the International Criminal Court.

⁹²⁴ *Prosecutor v. Hadžihasanović*, International Criminal Tribunal for the Former Yugoslavia, Case No. IT-01-47-T, Judgement (Trial Chamber) March 15, 2006, para. 90; *Prosecutor v. Ignace Bagilishema*, International Criminal Tribunal for Rwanda, Case No. ICTR-95-1A-T, Judgement (Trial Chamber), June 7, 2001, para. 45.

Amnesty International and Human Rights Watch call for the investigation of civilian leaders as well as those within the military chain of command, security, and militia leaders in Ethiopia who either were directly responsible for crimes in Western Tigray or who knew or should have known of the crimes and took no steps to prevent or punish them.

In particular, Amnesty International and Human Rights Watch believe, based on their research, that the following individuals should face judicial proceedings for the crimes detailed in this report, including war crimes and crimes against humanity:

Col. Demeke Zewdu, deputy administrator of the Western Tigray Zone and Head of Security in the Zone. Col. Demeke is a leading member of the Welkait Identity Committee and was a former member of the Ethiopian army.⁹²⁵ Demeke has been serving as one of the most senior officials in Western Tigray and is reported to exercise oversight and control over the Amhara Special Forces, Fano militias, and Amhara militias in the zone.⁹²⁶ As documented in our forthcoming report, these forces, at times acting in coordination with one another, carried out numerous abuses against Tigrayans throughout Western Tigray to violently expel Tigrayans from the area.

Witnesses said that Demeke engaged in rallies, meetings, and decisions in Humera town, as well as in Adi Remets and Adebai towns.⁹²⁷ Witnesses in Humera identified Colonel Demeke as coordinating activities with other interim authorities, militias, and Eritrean officers in a hotel and in the zonal office in Humera town and as encouraging the occupation of Tigrayan homes and businesses in Humera town.⁹²⁸ A witness identified him at a detention site observing Tigrayan detainees in Adi Remets town.⁹²⁹

In early November 2021, civilian authorities and security forces in Western Tigray initiated a new wave of abuses and accelerated the forcible displacement of Tigrayans from the area, particularly in the towns of Adebai, Humera, and Rawyan. A witness identified

⁹²⁵ See for example, Katharine Houreld, Michael Georgy, and Silvia Aloisi, “Special Report: How ethnic killings exploded from an Ethiopian town,” Reuters, June 7, 2021, <https://www.reuters.com/investigates/special-report/ethiopia-conflict-expulsions/> (accessed March 29, 2022); Zecharias Zelalem, “Amhara protest stalwarts released but government remains mum on Welkait issue,” (February 23, 2018), *Opride*, <https://www.opride.com/2018/02/23/amhara-protest-stalwarts-released-government-remains-mum-welkait-issue> (accessed March 29, 2022).

⁹²⁶ Phone interviews, April, June, July, and November 2021.

⁹²⁷ Phone interviews, March, April, May, and November 2021; and in January 2022.

⁹²⁸ Phone interview, April 2021.

⁹²⁹ Phone interview, May 2021.

Colonel Demeke in Adebai town during the roundup of Tigrayan residents, where older people, women, and young children were expelled on trucks heading east to the Tekeze River, while Tigrayan men were forcibly rounded up in the town and taken to a makeshift detention site.⁹³⁰ An unknown number of those trying to flee were killed.

Demeke failed to prevent, stop, or punish crimes against Tigrayans committed by security forces operating under his apparent command in Western Tigray. He outright rejected allegations made in a Reuters investigative report on Western Tigray that Fano militias were responsible for abuses, telling reporters that accounts of “attacks on Tigrayans by Fano are ‘completely and absolutely false.’”⁹³¹

Amnesty International and Human Rights Watch believe that Colonel Demeke should be investigated and appropriately prosecuted for command responsibility for crimes against humanity of murder, torture, deportation, forcible transfer, sexual violence, persecution, and other inhumane acts including possible extermination; and for command responsibility for the war crimes of murder, cruel treatment, torture, pillage, committing sexual violence, the displacement of civilian population not required for their security or imperative military necessity, and seizing property not required by military necessity, as detailed in this report. He should also be investigated for direct responsibility for these crimes.

Commander “Shaleqa” Dejene Maru, commander of the 2nd battalion, Gafat Brigade, Amhara Special Force.⁹³² A public associate of Col. Demeke Zewde since the Amhara protests in 2016,⁹³³ Commander Dejene was also the commanding Amhara Special Force officer in Adi Goshu town during the early offensives in November 2020 and the roundups, beatings, and extrajudicial killings of Tigrayans at the Tekeze bridge by Amhara Special Forces in January 2021⁹³⁴. As documented in this report, Amhara Special Forces, at times acting in coordination with one another, carried out numerous abuses against Tigrayans throughout Western Tigray zone to violently expel Tigrayans from the area.

⁹³⁰ Phone interview, January 2022.

⁹³¹ Katharine Houreld, Michael Georgy, and Silvia Aloisi, “Special Report: How ethnic killings exploded from an Ethiopian town.”

⁹³² See Facebook post, https://m.facebook.com/watch/?v=415328752932448&_rdr (accessed March 29, 2022).

⁹³³ Phone interviews, May, June, July 2021.

⁹³⁴ Phone interviews, June 2021.

Witnesses identified Commander Dejene Maru in Adi Goshu town as being in Western Tigray as early as mid-November 2020, after the Ethiopian military and allied forces from the neighboring Amhara region captured the town and indiscriminately shot at fleeing residents. Bodies lay unburied until residents approached Commander Dejene for permission to bury those killed.⁹³⁵

On November 14, 2020, Commander Dejene reportedly called a meeting of town residents and said that “from now on there is nothing called Tigray here. This is a land of Gondar, of Amhara... from now on.”⁹³⁶

In a video posted on Facebook on November 20, 2020, Commander Dejene can be seen on the Tekeze bridge, approximately 25 kilometers from Adi Goshu town, addressing a group of Amhara Special Forces and militias.⁹³⁷

In an interview in Adi Goshu town and posted on Facebook on December 1, 2020, Dejene states that the “priority [of his forces] was to ensure stability in the town [Adi Goshu].” He added: “We established a temporary town/city committee. And we also established a committee to facilitate the surrender or neutralization [of TPLF militiamen in the bushes]. Many of them finally surrendered their guns when they ran out of options.”⁹³⁸

Several witnesses said that in the weeks and months that followed the capture of Adi Goshu town, Amhara Special Forces under Commander Dejene’s command carried out threats, intimidation, arrests of Tigrayans, and the looting of Tigrayan property, including homes and businesses.⁹³⁹

On January 17, 2021, Amhara Special Forces, militias, and local residents rounded up over 60 Tigrayan men. Witnesses and a few survivors said that Amhara Special Forces then transported the men to the northwestern bridge on the Tekeze River and shot them.

⁹³⁵ Phone interviews, June 2021.

⁹³⁶ Phone interview, June 2021.

⁹³⁷ Emmanuel Man’s Facebook page, https://www.facebook.com/story.php?story_fbid=237568794367275&id=100043424670385 (accessed March 29, 2022).

⁹³⁸ See Facebook post, https://m.facebook.com/watch/?v=415328752932448&_rdr (accessed March 29, 2022).

⁹³⁹ Phone interviews, June 2021.

After an ultimatum was issued to Tigrayans to leave Adi Goshu, witnesses saw Dejene lead a meeting in the town. Residents asked where the Tigrayans detained had been taken, to which Dejene apparently replied: “we escorted them to the Tekeze.”⁹⁴⁰ Administrators in the meeting he presided were also heard saying that “if Tigrayan fighters attacked Amhara Special Forces, Tigrayans would pay the price.”⁹⁴¹

As the most senior ASF officer in Adi Goshu, Dejene had authority and command over the forces in Adi Goshu town that carried out the massacre on the Tekeze River on January 17, 2021. He failed to prevent or stop the crimes by Amhara Special Forces in Adi Goshu town or to punish subordinates responsible.

Commander Dejene should be investigated and appropriately prosecuted for command responsibility for the crimes against humanity of murder, torture, deportation, forcible transfer, sexual violence, persecution, and other inhumane acts; and for command responsibility for the war crimes of murder, cruel treatment, torture, pillage, committing sexual violence, ordering the displacement of civilian population not required for their security or imperative military necessity, and seizing property not required by military necessity. He should also be investigated for direct responsibility for these crimes.

Belay, full name believed to be Belay Ayalew, intelligence officer based in Humera. Amnesty International and Human Rights Watch have not been able to determine his formal position.

Witnesses identified Belay as coordinating Fano militias in Humera and Adebai towns and carrying out intelligence, investigative, and interrogation work in detention sites, aimed at identifying Tigrayans in Humera town.⁹⁴²

Former detainees held in Humera detention sites also describe Belay as being directly involved in the beating of Tigrayans.⁹⁴³

⁹⁴⁰ Phone interview, May 2021.

⁹⁴¹ Phone interview, June 2021.

⁹⁴² Phone interview, May, August, and December 2021.

⁹⁴³ Phone interviews April, June, and December 2021.

In early November 2021, civilian authorities and security forces in Western Tigray initiated a new wave of abuses and accelerated the forcible displacement of Tigrayans from the area, particularly in the towns of Adebai, Humera, and Rawyan. Witnesses said that Belay was in Adebai town on November 3, 2021, during a roundup of Tigrayan residents, when older people, women, and young children were expelled on trucks heading east to the Tekeze River, while Tigrayan men were forcibly rounded up and taken to a makeshift detention site. An unknown number of those trying to flee were killed. Witnesses said Belay issued instructions to Fano militiamen and attempted to take Tigrayan detainees away that day, only to be prevented from doing so by the Eritrean military.⁹⁴⁴

Belay should be investigated and appropriately prosecuted for criminal responsibility for the crimes against humanity of murder, torture, deportation, forcible transfer, sexual violence, persecution, and other inhumane acts including possible extermination; and for the war crimes of murder, cruel treatment, torture, and committing sexual violence.

⁹⁴⁴ Phone interviews, December 2021, January 2022.

Amhara Regional Government Response Letter

Received on March 26, 2022

A Response to the false allegations against the Amhara Regional Government

This is a broad reflection to the Amnesty International and Human Rights Watch query referenced as TG AFR 25/2022.2718.

The Tigrayan People Liberation Front, TPLF, has labeled the Amharas as ‘enemies’ some four decades before and targeted our people in all walks of life. That hatred has been enlarged during its tenure in the name of political and ideological reforms; and finally an official sidelining from the state apparatus was due. Further, after the overthrow of the group from the Ethiopian political power four years back, TPLF entered to a direct attack against our people. The false narrations across generations then, upgraded and helped them to invade us, the premises of our people; committed calamitous massacres against civilian ensued from the anti-Amhara sentiment spread across generations, looted properties in the most invaded areas and created appalling crisis that bounce from rights violations to war crimes.

The Dreadful Scenes that all humans shall bear in mind

To help you well understand the whole story and construct a refined frame, few incidents are presented below.

The November 9-10, 2020, Maikadra Massacre on ethnic Amharas is one of the greatest brutality against humanity. The Ethiopian Human Rights Commission (EHRC) had deployed an investigation team to Maikadra, Abrhajira, Sanja, Dansha and Humera and between November 14 and 19th 2020. According to the Commission’s findings, dreadful crimes were committed by the TPLF expertise on murders. Evidence gathered and analyzed by the EHRC revealed that the Maikadra attack is not a simple criminal act but is rather “a premeditated and carefully coordinated grave violation of human rights.”

Members of Samri (youth groups assigned for the massacre), with the help of the Tigrayan police and militia crossed Tekeze River unveiled the cruel and atrocious rampage on people they pre-identified/profiled as Amharas. They slaughtered more than 1,600 innocents, beating them with batons/sticks, stabbing them with knives, machetes and hatchets and strangling them with ropes. They also looted and destroyed properties. It has been made apparent that the attack was ethnicity based and specifically targeted men the attackers profiled through, amongst other things, identification cards, as Amharas.

Indeed, our people have suffered the economic damages and well planned pillages have equivalently exceeded hundreds of billions of Ethiopian Birr. This has really caused significant impact on the Ethiopian economy.

After such torments, the TPLF forces invaded the Amhara Region while we were on peace efforts. The North Wollo, Waghimra, Soth Wollo, North and South Gondar, North Shewa and Oromo nationality Special Zones of Amhara Region were raged by the invasion. Incidents are investigated as the most horrible and inhumane acts.

The Mehoni, Agamsa, Chena, Boza, Kobo, Hayk, Worebabo, Kombolcha, Gashena and Antsokiya massacre are not just stories of antique, but fresh and shocking scenes.

However, rebuffing all the trajectories our people have come through, the unfounded allegations against our people, governance and security forces is bothersome. Equally, the frequent mention of the ‘Western Tigray’ that is not existing even in the vocabulary of our administrative entities but often associated with the Amhara Region is the romance of the TPLF dictators. We do not have such constituency that we run for, thus there is no canton called or known with this name. The false accusations of the ‘expel of Tigrayans’ from the Amhara Region is also cynical. Rather, we have compiled tens of thousands of TPLF invading forces infantry personnel list found (and meticulously audited) in North Shewa in August. The lists along with five other classified documents have disclosed that a remarkable number of the TPLF military staff deployed for invasion were residents in our Region, but diagnosed the biodata as they joined TPLF, invaded us and fought against our people. This is the fact that anyone can audit for further report.

Final Remark: Unleashing the Power of Peace

TPLF did everything to annihilate youths, women, people with disabilities, and farmers. The mass it agitated invaded most of our farming communities, looted ranches, moved door to door to murder boys and rape girls, including nuns. The invasion and its consequences are still resonating in the minds of our innocent people and of course remained the most disconcerting factors. The international community, media, rights groups and the humanitarian agencies shall provide basic needs to the victims and uncover the very atrocities of the TPLF.

Despite all these stories, human rights protection is the priority of the Amhara Regional State. The Region respects rights and fights against any violations. Therefore, contrary to the TPLF’s terror entrepreneurship, the Amhara Regional government and its people justly remain committed to the rights and security of civilians regardless of their political, ethnic and

gender differences. We aspire peace and development for our people and the nation at all. We are working for that. We are walking the untrodden ways for mutual peace. Hence, we tolerate no rights violations in the territory we govern and beyond, so that we firmly denounce the baseless stories that hash behind.

Amhara Regional State

Bahir Dar, Ethiopia