

UN Genocide Convention & Its Applicability to Tigray



The Genocide Convention

The Convention on the Prevention and Punishment of the Crime of Genocide was adopted by the General Assembly of the United Nations in 1948. Article II of the Convention defines genocide as “[...] acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

a. Killing members of the group

b. Causing serious bodily or mental harm to members of the group

c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part

d. Imposing measures intended to prevent births within the group

e. Forcibly transferring children of the group to another group

Since November 2020, Ethiopian and Eritrean forces have committed four out of the five acts articulated in the Convention, which demonstrates the genocidal aim of the War on Tigray.



Killing Members of the Group

Ethiopian, Eritrean, and Amhara forces have carried out countless massacres and extrajudicial executions in Tigray since November 2020, killing tens of thousands of Tigrayans.

Recorded massacres include the following:

November 12–18, 2020: Adi Hageray Massacre

November 18–19, 2020: Selekhekha Massacre

November 18 – December 14: Adigrat Massacres

November 28–29, 2020: Axum Massacre

November 30, 2020: Dengelat Massacre

Late December 2020 – January 2021: Irob Massacres

January 15, 2021: Mahbere Dego Massacre

February 24–27, 2021: May Kintéal Massacre

March 8–14, 2021: Saharti–Samre Massacres

July – August 2021: Humera Massacres



Causing Serious Bodily Or Mental Harm To Members Of The Group

Indiscriminate bombing and shelling by Ethiopian and Eritrean forces has inflicted immense bodily and mental harm on Tigrayans across the region. Civilians, including children, the elderly, and persons with disabilities have suffered horrendous physical injuries from artillery rounds striking their homes.

Weaponized Sexual and Gender-Based Violence (SGBV), which has characterized the genocidal war on Tigray, has inflicted unimaginable bodily and mental harm on all persons in Tigray, both women and men. The horrific brutality of the systematic sexual violence inflicted on tens of thousands has left many with permanent bodily injury, including internal organ damage, spinal injury, and paralysis.

In addition to the physical harm, Post-Traumatic Stress Disorder (PTSD), depression, insomnia, anxiety, and other forms of mental harm are common among survivors, families, and communities.



Deliberate Destruction

Since declaring war on November 4, 2020, the Ethiopian, Eritrean, and Amhara forces have deliberately created conditions designed to bring about the physical destruction of the Tigrayan people.

These include:

Weaponized Hunger and Famine

A coordinated campaign of destruction and prohibition of humanitarian aid delivery has contributed to the worst famine in decades. Over 5.2 million Tigrayans are in need of immediate food aid, with 900,000 in conditions of famine.

Deprivation of Shelter

There are currently 2+ million internally displaced people in Tigray. In what has been described as ethnic cleansing by U.S. Secretary of State Antony Blinken, hundreds of thousands of Tigrayans have been forcefully displaced from their homes in Western Tigray.

Destruction of Healthcare Infrastructure

The deliberate targeting, looting, and vandalism of health facilities has destroyed 80% of the health infrastructure in Tigray.

By deliberately and systematically undermining the resources and infrastructure necessary for the continued existence of the group, such as food, water, shelter, and medical services, the Ethiopian and Eritrean forces sought to bring about the destruction of the Tigrayan people.



Imposing Measures Intended To Prevent Births Within The Group

The war on Tigray has been characterized by widespread and brutal weaponized Sexual and Gender-Based Violence (SGBV), including rape, gang-rape, sexual slavery, and sexual mutilation.

UNFPA estimated that at least 22,500 women and girls in Tigray will seek medical help for weaponized SGBV in 2021. The sexual violence has been accompanied by abuse, ethnic slurs, and expression of genocidal intent, such as:

Telling survivors, they are “cleansing their bloodline”, “Girls can make Amhara babies” and “A Tigrayan womb should never give birth;” during assaults; Forcibly sterilizing Tigrayan women by burning their reproductive organs; Eritrean soldiers telling survivors they sought to deliberately infect them with HIV.

In a patrilineal society such as Ethiopia, where a child traditionally takes on the ethnicity of their father, widespread, systemic rape is intended to ensure that the children born will not be seen as Tigrayan. The brutal SGBV committed by Ethiopian, Eritrean, and Amhara forces in Tigray is genocidal in its intent to prevent Tigrayan women from giving birth to more Tigrayans.



Expression of Intent

To be considered a genocide, per the convention's definition, acts must be undertaken with the intention of destroying a given group in part or in whole. Ethiopian Prime Minister Abiy Ahmed, his advisors, and allies have openly expressed their genocidal intent.



Having identified the Tigrayan people as enemies of the state, labelling and dehumanizing them as cancers and invasive weeds, Abiy and his allies have called for the complete elimination of the group.

Minorities Within a Minority

The genocidal war on Tigray imposes an existential threat to minority groups within Tigray, who are a core component of Tigrayan society: the Irob and Kunama peoples.



Irob

Because of their proximity to the Eritrean border, the Irob people, with an estimated population of 30,000 to 40,000, have been devastated by the war. The Irob people have been under occupation by brutal Eritrean forces. Spurious reports out of the region indicate that “nothing at all” remains of life pre-occupation.



Kunama

Like the Irob, the physical proximity of the Kunama people, who are an estimated total of 10,000 in Tigray, to the Eritrean borders has left them vulnerable to attacks by Eritrean troops. During the genocidal war on Tigray, there has been forceful occupation, massacres, and starvation among the Kunama. Many Kunamas have been forced to flee their homes and are sheltered as IDPs across Tigray.



International Response

According to the International Court of Justice (ICJ), the prohibition of genocide is a peremptory norm of international law, obligating states to prevent and punish genocide. While international bodies have refrained from labelling the Tigray genocide a genocide, various statements acknowledge that it meets the criteria for the Convention's definition of genocide.

“What we are seeing appears to be systematic and intentional, part and parcel of a coordinated campaign of destruction.” – Bob Menendez, Chairman of the Senate Foreign Relations Committee, 26/05/2021

“Comments from administrator [Samantha] Power that Ethiopia is ‘destroying the reproductive health of Tigrayans’ really calls into question whether conditions amount to a genocide under the 1948 Genocide Convention.” – Michael McCaul, US Congressman, 16/06/2021

“The patterns of rape and sexual violence carried out by the ENDF [Ethiopia army], the EDF [Eritrean army] and Amhara regional militia and special forces against Tigrayan civilians are consistent with acts of genocide.” – World Peace Foundation, 10/08/2021



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#CallItAGenocide, #TigrayGenocide

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