



Tigrayan Advocacy & Development Association (TADA)

211 Clapham Road

London

SW9 0QH

Email: info@tadauk.org

Website: www.tadauk.org

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The Evasive Tactics of Abiy Ahmed: Undermining the Pretoria Agreement Prolonging Tigray's Suffering & Legal Argument to Restore Tigray's Constitutional Territories and Ensure IDP Return

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For nearly three years since the signing of the Pretoria Agreement, Prime Minister Abiy Ahmed's government has systematically avoided fulfilling its core obligations—resolving the issue of internally displaced persons (IDPs), restoring Tigray's constitutional territories, and facilitating an inclusive political dialogue on transitional justice. Instead of adhering to the mandated framework involving the Federal Democratic Republic of Ethiopia (FDRE), the Tigray Interim Regional Administration (TIRA), the African Union (AU), UN, United States, and IGAD, Abiy has resorted to diversionary tactics aimed at weakening Tigray's political and military structures while delaying justice and accountability.

Bypassing Legitimate Institutions in Favor of unmandated actors is repudiatory breach of the Pretoria Agreement – The COHA explicitly designates the FDRE, TIRA, AU, and international observers as the primary bodies responsible for overseeing its implementation. However, Abiy has deliberately sidelined these institutions, instead calling & promoting unmandated "community elders" Federal Regions Elders' including 'Aba Geda (traditional leaders) as mediators. This is not an act of inclusivity but a calculated strategy to fragment the Pretoria Agreement & the AU Transitional Justice Action Plan ; and dilute the authority of the TIRA, Tigray Regional Administration by substituting legally recognised stakeholders with informal actors, Abiy undermines the binding nature of the Pretoria Agreement, creating a smokescreen of engagement while avoiding binding legal engagements.

While illegal occupations continue, military provocations and false accusations continue: Despite the ceasefire declaration, Abiy's regime continues military campaigns in Southern and Western Tigray, where ethnic cleansing and forced displacement persist under the watch of Ethiopian Federal forces. Simultaneously, his government propagates baseless accusations that the TPLF is collaborating with Eritrea and Fano militants—an absurd claim given Eritrea's genocidal war on Tigray and Fano's open hostility toward Tigrayan forces.

These fabrications serve two purposes: Justifying Continued Military Presence, framing Tigrayan authorities as "security threats,". Abiy rationalises the militarisation of contested territories, delaying their return to Tigrayan administration and diverting Attention from Federal Non-Compliance, accusing Tigray of destabilisation shifts blame away from Addis Ababa. The Failure to remove Eritrean troops and Amhara occupying militias (now coined as Tekeze Brigade) in Western Tigray is a tactic deployed by the PP government to weaken the Tigray Regional state, perpetuate Tigray /Amhara conflict as a political leverage to weaken Tigray.

The recent Public Diplomacy Committees engagements in Addis Ababa and Mekelle are stalling tactic used to delay/totally abandon the Pretoria Agreement, designed to hoodwink the international community and buy time for another round of war and military occupation. The recent meeting between Abiy and the Tigray Public Diplomacy Committee—an unofficial body lacking legal mandate—was paraded as a "breakthrough," yet it produced no concrete commitments. The committee's optimistic media statements about border resolutions and IDP returns are dangerously naive, if not complicit in Abiy's deception.

These cruel manoeuvres are intended to achieve several manipulative goals:

- 1- Creating Illusions of Progress: By engaging with non-authoritative figures, Abiy feigns cooperation while excluding TIRA, the legitimate interlocutor.
- 2- Sowing Division Within Tigray: Elevating unaccountable voices weakens Tigray's unified stance, fostering internal discord that Addis Ababa can exploit.
- 3- Buying Time for Demographic Engineering: Delaying Western Tigray's return allows Federal Government, Amhara Regional State and Tekeze Militia to entrench their occupation, altering demographics to legitimise future official annexation. To date over 150000 Amhara farmers forcefully occupy Tigrayan farms and houses, with a declared intention of permanent occupation, creating demographic change & effective ethnic cleansing.
4. Starvation, Siege, and Economic Strangulation: Beyond military and political sabotage, Abiy sustains a de facto blockade on Tigray, restricting fuel, banking, trade, and humanitarian aid. This economic asphyxiation serves to exhaust Tigray's resistance capacity, forcing desperation that could lead to unfavourable concessions. The withholding of reconstruction funds and the deliberate obstruction of IDP returns further illustrate a policy of collective punishment disguised as bureaucratic inertia.

TADAUK believe there is a Pattern of Bad Faith by FDRE- Abiy Ahmed's strategy is not one of peacebuilding but of attrition. By circumventing mandated institutions, escalating military tensions, weaponizing misinformation, and manipulating Tigray's internal dynamics, he ensures the Pretoria Agreement remains ink on paper!!!!

The international community's silence—particularly from the AU, U.S., and IGAD—has emboldened this charade. If justice and stability are to prevail, these actors must enforce compliance, sanction obstructionists, and recognise that Abiy's delays are not a financial & logistical hurdle but deliberate acts of subversion. Tigray's survival depends on exposing and countering these evil tactics before they succeed in erasing its rightful claims to its constitutionally recognised territories, justice, and sovereignty. We call up on the UN, AU, UK, IGAD, EU, US and Canada governments and international community at large to stop genocide and ethnic cleansing in Tigray.

Way Forward and Recommendations:

In the absence and silence of the international community, the right of to use coercive force to restore Tigray's Constitutional Territories and Ensure IDP Return becomes legitimate- The Tigray civil Defense and the Tigray Interim Regional Administration (TIRA) possess a legitimate legal, constitutional, and historical right to use force to restore Tigray's constitutionally guaranteed territories in Western and Southern Tigray and facilitate the return of internally displaced persons (IDPs).

This recommendation is grounded in:

- 1-Ethiopia's Constitutional Framework: The right of regional states to self-administration and territorial integrity under the FDRE Constitution.

- 2-The Pretoria Agreement's Breach – The Federal Government's deliberate failure to implement its obligations under the Cessation of Hostilities Agreement (CoHA),
- 3- International Law on Self-Defense and Remedial Secession – The right to use force in response to ongoing occupation, ethnic cleansing, and forced displacement and Historical and Legal Precedents – Tigray's historical territorial sovereignty and Ethiopia's legal commitments to regional autonomy.

Legal Justifications explained:

I. Constitutional Guarantees of Tigray's Territorial Integrity- FDRE Constitution: Regional Borders and Self-Administration: Under Article 39(1) of the Ethiopian Constitution, regional states like Tigray have an unconditional right to self-determination, including self-administration and territorial autonomy. Article 47(2) explicitly recognizes Tigray as one of the nine regional states with defined territorial boundaries. The forcible annexation of Western and Southern Tigray by Amhara forces—backed by the FDRE and Eritrean armies—constitutes an unconstitutional alteration of borders in violation of:

- Article 62(6): Only the House of Federation can adjudicate border disputes, not military force.
- Article 39(3): Regions have the right to secede if their territorial integrity is violated.

Since the FDRE has failed to enforce these constitutional provisions, Tigray retains the right to take lawful measures, including military action, to restore its legal boundaries.

The Pretoria Agreement's Binding Commitments-The November 2022 CoHA (Pretoria Agreement) explicitly mandated:

1. Withdrawal of Foreign Forces (Eritrea) and Non-ENDF Militias (Amhara Fano) – (Article II.1(d)).
2. Restoration of Tigray's "pre-war territorial administration" – (Annexure, Article 6).
3. Unhindered Return of IDPs – (Article II.1(e)).

The FDRE has violated these terms by: Refusing to disarm Amhara forces occupying Western Tigray, allowing Amhara militia & Eritrean troops to remain in border regions and blocking IDP returns through bureaucratic obstruction and continued military presence. Since the FDRE has materially breached the agreement, Tigray is no longer bound by its unilateral disarmament obligations and may lawfully resort to force to reclaim its territories.

II. International Law Justifications for the Use of Force

A. Self-defence Under the UN Charter

While the UN Charter (Article 2(4)) prohibits the use of force, Article 51 permits self-defence against armed attacks. Tigray's case satisfies the conditions for lawful self-defence because:

1. Ongoing Occupation as an "Armed Attack" – The presence of Amhara and Eritrean forces constitutes a continuous armed aggression.
2. Failure of Peaceful Remedies – Diplomatic and legal avenues (Pretoria Agreement, AU mediation) have been exhausted.
3. Necessity and Proportionality – Any military action would be limited to reclaiming Tigray's constitutional lands, not expanding beyond them.

B. Remedial Secession and the Right to Resist Oppression

Under international customary law, regions subjected to systematic repression, ethnic cleansing, and territorial dismemberment may exercise remedial secession (Reference: Kosovo Advisory Opinion, ICJ 2010). Tigray's case meets these criteria due to:

- Ethnic Cleansing in Western Tigray – Documented by Amnesty International, EHRC, and the UN.
- Forced Displacement of 1.2 Million Tigrayans – Constituting crimes against humanity.
- FDRE's Complicity in Violations – Refusal to restore constitutional order justifies remedial action.

C. Ethiopia's Violation of International Humanitarian Law (IHL)

The FDRE and its allies have committed grave breaches of the Geneva Conventions, including:

- Forced Displacement (Article 49, GC IV) – Preventing IDP returns.
- Collective Punishment (Article 33, GC IV) – Siege warfare, aid blockades.
- War Crimes (Rome Statute, Article 8) – Starvation, sexual violence, and occupation.

Since Ethiopia has failed to comply with ICCPR, CERD, and IHL obligations, Tigray has a right to enforce its territorial claims where international mechanisms have failed.

III. Historical and Legal Precedents Supporting Tigray's Constitutional Sovereignty:

A. Historical Sovereignty of Western and Southern Tigray: Tigray has historical sovereignty and the 1995 Constitution formalised Tigray's boundaries, recognized by the FDRE until the 2020 war. The 2020-Present: Amhara expansionism, backed by federal forces, constitutes illegal annexation under international law.

B. Comparative Legal Precedents: Kosovo vs. Serbia (ICJ 2010) – Unilateral independence justified due to Serbia's oppression, South Sudan's Secession (2011) – Right to self-determination after systematic marginalization and Bangladesh Liberation War (1971) – Use of force to resist genocide and occupation are applicable case laws. Tigray's case is stronger than these precedents because- It seeks restoration of constitutional borders, not full secession (yet). And the FDRE has openly violated its own laws and agreements.

Tigray's Lawful Right to Restore Its Territories will be justified due to Constitutional Violations by the FDRE in altering Tigray's borders, breach of the Pretoria Agreement on IDPs and territorial restoration, continued Occupation and Ethnic Cleansing in Western/Southern Tigray and exhaustion of Peaceful Remedies (mediators deliberate failures - AU, IGAD, UN inaction). Tigray Civil Defence /TIRA's use of force is legally justified under: Ethiopian Constitutional Law (Self-defence against unconstitutional land grabs), International Humanitarian Law (Remedial action against war crimes) and UN Charter (Article 51) (Self-defense against ongoing occupation).

The international community must either enforce the Pretoria Agreement or recognise that Tigray has the legal right to reclaim its territories by force. Continued inaction only emboldens the FDRE's strategy of delay, demographic change, and de facto annexation. Tigray's military action to restore its constitutional territories is a lawful measure of self-defence and remedial justice in the absence of federal and international compliance.

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