



Amhara Association of America
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Awaken, Organize, Struggle

LEGAL ANALYSIS ON THE ONGOING AMHARA GENOCIDE IN "OROMIA" REGION, ETHIOPIA: A PLEA FOR ACCOUNTABILITY



MARCH 2023

ABOUT AMHARA ASSOCIATION OF AMERICA (AAA)

The Amhara Association of America (AAA) is a nonprofit civic organization located in Charlotte, North Carolina that investigates and documents human rights atrocities and repression against Amharas in Ethiopia. AAA seeks to inform U.S. policymakers, international human rights organizations, media, and all Ethiopian stakeholders to pressure Ethiopian leaders to change laws, policies, and practices in Ethiopia so that perpetrators are held accountable and victims receive justice. AAA also collaborates with Amhara organizations in the U.S., supports independent Amhara organizations in Ethiopia, and provides humanitarian aid for Amharas impacted due to targeted ethnic attacks. AAA's funding comes directly from members and supporters; the organization is not affiliated with any Ethiopian or American political or governmental entities.

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LIST OF ACRONYMS

AAA	Amhara Association of America
EHRC	Ethiopian Human Rights Commission
EHRCO	Ethiopian Human Rights Council
EOTC	Ethiopian Orthodox Tewahedo Church
EPRDF	Ethiopian People's Revolutionary Democratic Front
FDRE	Federal Democratic Republic of Ethiopia
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for Yugoslavia
IDPs	Internally Displaced Persons
OFC	Oromo Federalist Congress
OLA	Oromo Liberation Army
OLF	Oromo Liberation Front
OMN	Oromia Media Network
OSF	Oromia Special Force
PWD	Persons with Disabilities
TPLF	Tigray People's Liberation Front
UN	United Nations

EXECUTIVE SUMMARY

Since young university students in the 1960s mistook the status of Amharic as a government language for ethnic Amhara dominance in Ethiopia, Amharas have been the subject of collective scapegoating hate speech and killings in Ethiopia. The apartheid-style ethnic federation established in the 1990s followed the ascendance of the *Tigray People's Liberation Front* (TPLF)-dominated government into power which transformed the hatred towards Amharas into recurrent massacre of Amharas in many regions of Ethiopia. A dramatic upsurge in mass killings and displacement of Amharas and burning of villages began in 2018 after Abiy Ahmed Ali, an ethnic Oromo, was selected as Prime Minister of Ethiopia. While ethnic Amhara civilians have been targeted repeatedly in other parts of the country, most notably in Benishangul-Gumuz, since 2018, the Oromia Region has been the epicenter of frequent massacres against Amharas.

The AAA started documenting these atrocities against Amharas by establishing a team of investigators in Ethiopia. The purpose of this report is to draw from evidence collected by AAA and others to characterize the crimes of ongoing systematic massacre against Amharas since the 1990s in light of the notion of genocide under international criminal law. The first section of this report (Part I) aims to discuss the causes and nature of the ongoing systematic massacres against the Amhara people in Ethiopia's Oromia Region by using the ten-stage characterization of genocide or the "Ten Stages of Genocide", used in many human rights discussions. As detailed in Part I of this report, the Amhara residents of the Oromia Region have been subject to the first step (classification) to the last, which is denial, with no adequate response from the Ethiopian Government or the international community. Furthermore, the facts presented in Part II of the report absolutely demonstrate the special intent (*dolus specialis*) of genocide: (1) the intent to destroy wholly or partially, (2) the Amhara ethnic group, (3) and as such. Furthermore, it is evident from the facts that at least two of genocide's core crimes—killing and substantial physical or mental harm—have been perpetrated (any one of these would be sufficient for a legal claim). The Amhara people of the Oromia Region have thus been the victims of genocide, based on the law and the realities on the ground.

Both government forces such as the *Oromia Special Force* (OSF) [under the Oromia Regional Government] and violent armed groups such as the *Oromo Liberation Front* (OLF)/*Oromo Liberation Army* (OLA) and *Qeerro* (ultranationalist Oromo youth) were the main perpetrators of the genocide against Amharas in Oromia Region. The OSF not only tactically supported OLA's mission to exterminate Amharas by refusing protection but also were involved in direct massacres against Amharas in many zones of Western Oromia. In many instances, properties of Amharas were looted and destroyed and Amharas were told to leave the region, emphasizing the shared ethnic cleansing objective of the Oromia Regional Government and OLA. The Federal Government is complicit and responsible for the genocide for refusing to hold accountable Oromia Regional leaders, for refusing to deploy military timely and for denying the massacres and/or the Amhara identity of the victims.

Most of the international community's attention has been focused on the Northern Ethiopian civil war over the past two years. But as this report shows, the genocide against Amharas, one of Ethiopia's largest ethnic groups, has exploded in other parts of the country during this time frame, particularly in the Oromia Regional State - where innocent Amharas, including children, pregnant women, disabled people, elderly and bedridden people, are killed every day in unprecedented numbers. Given the evidence of state complicity in the Amhara massacre in the Oromia Region, it is long overdue for national, continental and international organizations to hold the Ethiopian Government and OLA accountable for their decades-long crime of Amhara Genocide in Ethiopia. We call upon the *United Nations* (UN) Security Council to refer the Amhara Genocide to the ICC prosecutor's notice pursuant to Article 13 of the Statute.

INTRODUCTION

The targeted killing of Amhara people was exacerbated with scapegoating of the Amhara ethnic group by leftist political movements that emerged in the 1970s on the heels of the student movement of the 1960s. Scapegoating of Amharas was ratified in particular by TPLF and the OLF, among other groups, who declared that Amhara oppression was the main impetus for their struggle as soon as they were formed in 1975 and 1973, respectively. The TPLF, for instance, considered the Amhara's "great nation" attitude as the primary source of oppression and injustice in Ethiopia, making its struggle a *de facto* effort to eradicate this mentality among the Amhara.¹ The party's first manifesto outright refers to its struggle as being "*anti-Amhara national oppression*."² The OLF, which believed that "Amhara dominance" characterized Ethiopia, also focused its struggle on "liberating" the Oromo by having removed this repression.³ As Mohammad Hassen put it, "*Oromo nationalism emerged partly out of the struggle against Amhara domination*."⁴

With the establishment of the TPLF-led *Ethiopian People's Revolutionary Democratic Front* (EPRDF) in the 1990s, this perceived Amhara hegemony narrative began to dominate Ethiopian historical and political discourse.⁵ When the *Federal Democratic Republic of Ethiopia's* (FDRE) Constitution was adopted in 1995, the "anti-Amhara prejudices" had been codified into the Constitution. The Constitution was written to make up for what were purportedly "historically unequal" relationships between the Amharas and other nations and nationalities in Ethiopia. It asserts to "liberate" nation and nationalities so that they could exercise "self-determination." It above all constructs restrictive ethnic divisions in which some residents, particularly the Amharas, who are the most scattered ethnic group in the nation, are reduced to migrants and settler status in their own country.⁶

As a result of this misguided divisive politics, numerous ethnic-based attacks against Amharas which were uncommon in Ethiopia before were launched in the wake of the Derg's fall, killing thousands of Amharas and displacing millions.⁷ Until it was ousted from power in 2018, the TPLF, backed by its allies the OLF, had mercilessly murdered thousands and uprooted millions of Amharas in the Oromia Region between 1991-1993 in areas such as East Harerge, West Harerge and Arsi of the Oromia Region. Following this, between the years of 1994-1998, 1999-2001, 2004-2006, and 2014-2015, Amharas were the targets of additional state-sponsored mass killing, rape, forced displacement, and abduction in many areas of the Oromia Region.⁸

The year 2018 marked another tragic chapter in the history of Amhara persecution in Ethiopia's Oromia Region. In Asmara, Eritrea, the Ethiopian Government and the OLF signed a peace accord.⁹ According to the terms of the agreement, the OLF would reenter Ethiopia from its exile in Eritrea since its withdrawal from the transitional government in 1992 and carry out its political activities without violence.¹⁰ However, discussions with the armed wing soon turned sour, and the OLA broke away from the OLF and started killing defenseless Amharas across the Oromia Region. As a result, countless numbers of Amharas have been killed and forced to flee. Their residences, places of business, and places of worship have all suffered vandalism, damage, or even total

¹ Bamlak Yideg, 'The 1976 TPLF Manifesto and Political Instability in Amhara Region', Ethiopia' (2019) 4 RESEARCH REVIEW International Journal of Multidisciplinary 300.

² *ibid.*

³ Mohammad Hassen, 'The Development of Oromo Nationalism', *Being and Becoming Oromo: Historical and Anthropological Enquires* (The Red Sea Press, Inc 1996) <<https://zelalemkibret.files.wordpress.com/2013/07/being-an-becoming-an-oromo.pdf>>.

⁴ *ibid.*

⁵ The Ethiopian People's Revolutionary Democratic Front (EPRDF) was an ethnic federalist political coalition in Ethiopia that existed from 1988 to 2019. It consisted of four political parties, namely TPLF, Amhara Democratic Party (ADP), Oromo Democratic Party (ODP) and Southern Ethiopian People's Democratic Movement (SEPDM). After leading the overthrow of the People's Democratic Republic of Ethiopia, it dominated Ethiopian politics from 1991 to 2019. In November 2019, the EPRDF was dissolved, and Prime Minister and EPDRF chairman Abiy Ahmed merged three of the constituent parties (not including the TPLF) into his new Prosperity Party, which was officially founded on 1 December 2019.

⁶ Bekalu Atnafu, 'Ethnic Cleansing in Ethiopia Bekalu Atnafu' (2018) 50 The Canadian Journal of Peace and Conflict Studies 77 <https://www.peaceresearch.ca/pdf/50_1/PRJ_50_1_2018_Atnafu_Full.pdf>.

⁷ Moresch Wogene, 'The Amhara Genocide Ignored by the World: A Study of the Genocide and Ethnic Cleansing of the Amhara Ethnic Group from 1991 - 2015' (2016) <<http://www.ethiopatriots.com/pdf/amara-genocide-in-ethiopia.pdf>>.

⁸ *ibid.*

⁹ Abdur Rahman Alfa Shaban, 'Ethiopia Gov't Agrees Peace Deal with Eritrea-Based "ex-Terror" Group', *Africanews*' (2018AD) <<https://www.africanews.com/2018/08/07/ethiopia-govt-agrees-peace-deal-with-ex-terror-group-based-in-eritrea/>>.

¹⁰ *ibid.*

destruction. Currently, the OLA continues to use military grade weapons, machetes, and other lethal weapons to attack Amhara villages.

Even though the response is not proportional to the scope of the violation of human rights, the media and several human rights organizations, such as Amnesty International and Human Rights Watch, have on various occasions condemned the horrifying atrocities committed against the Amhara ethnic minority that persist unabatedly in the Oromia Region.¹¹ For instance, the *Amhara Association of America* (AAA) and the *Ethiopian Human Rights Council* (EHRCO)¹² have on various occasions reported on the systematic displacement of Amharas from the Oromia Region as well as their torture, murder, and extrajudicial killings.¹³ AAA was able to document at least 85 massacres in the last two years alone. The casualties in these massacres were often in the hundreds, and in cases such as Tole Massacre; AAA verified a list of victims that was more than 554, with other organizations reporting up to 1,500. While AAA strived to document as many massacres as possible, it has limited capacity compared to the frequencies and scales of massacres against Amharas in Oromia. Furthermore, many of the massacres were committed in remote areas or areas under OLA control, which makes them hard to reach. Thus, the below list of massacres for 2021 and 2022 is presented for insight only and does not show the true extent of the scale of the massacre of Amharas in Oromia.

Table 1: List of documented massacres in 2022

No.	Massacre Name	Date(s)	Woreda	Zone	Perpetrator(s)
1	Derge Koticha massacre	Nov. 22 - Dec. 3	Jardegga Jarte	Horo Guduru Wollega	OSF-OLA
2	Senbo Chiefie and Jardegga towns massacre	Dec. 5 - 8	Jardegga Jarte	Horo Guduru Wollega	OSF-OLA
3	Jojina and Migir massacre	Sept. 17 & 20	Amuru	Horo Guduru Wollega	OLA
4	Jardegga town massacre	Sept. 22 & 24	Jardegga Jarte	Horo Guduru Wollega	OLA
5	Jarte and Amuru towns massacre	Sept. 23 - 25	Jardegga Jarte and Amuru	Horo Guduru Wollega	OLA
6	Agamsa massacre	Aug. 29	Amuru	Horo Guduru Wollega	OLA
7	Wondo massacre	Feb. 13	Abe Dengoro	Horo Guduru Wollega	OLA
8	Ame Ansara massare	Feb. 23	Gida Ayana	East Wollega	OLA
9	Kiremu town massacre	Nov. 18 - 20	Kiremu	East Wollega	OSF
10	Kiremu town and Haro Kebele massacre	Nov. 29 & 30	Kiremu	East Wollega	OSF-OLA
11	Kiremu town massacre 2	Nov. 30	Kiremu	East Wollega	OSF
12	Guto Gida and Gida Ayana massacre	Dec. 3 & 5	Gida Ayana and Guto Gida	East Wollega	OSF
13	Sasiga massacre	Dec. 4	Sasiga	East Wollega	OSF-OLA
14	Uke Kersa town massacre	Sept. 9	Guto Gida	East Wollega	OLA

¹¹ For instance, see the July 21, 2022 report of the Amnesty International which, according to the report, resulted the summary killing of over 400 Amhara residents of Tole Kebele in Oromia Region on 18 June at <https://www.amnesty.org/en/latest/news/2022/07/ethiopia-authorities-must-investigate-massacre-of-ethnic-amhara-in-tole/>. Professor Gregory Stanton, the president of the Genocide watch, spoke to a local media that genocide is being committed against the Amhara residents in the Oromia Region. Genocide is happening in Ethiopia Gregory Stanton Genocide Watch President <https://www.youtube.com/watch?v=gc0QAsRYqPo&t=2862s>. The Lemkin Institute of Genocide Prevention has also recognized that a crime that amounts to genocide is being committed against the Amharas in Ethiopia. Lemkin Institute Statement on the ongoing Violence against the Amhara People, June 20, 2022 <https://img1.wsimg.com/blobby/go/439a6698-678b-4db3-aec7-94d7f05bfb32/downloads/Lemkin%20Institute%20Statement%20on%20the%20Ongoing%20Viol.pdf?ver=1663225498981>. Last accessed on November 25, 2022

¹² For instance, the Ethiopia Human Rights Council (EHRCO), a local non-governmental human rights organization, has been documenting ethnic based attacks against the Amharas in the Oromia Region since the early 1990s.

¹³ The human rights investigation reports of the Amhara Association of America from facts on the ground can be found at <https://www.amharaamerica.org/reports>.

15	Haro massacre	Dec. 23	Kiremu	East Wollega	OSF-OLA
16	Joji Kebele massacre	Dec. 18	Amuru	Horo Guduru Wollega	OLA
17	Lemlem massacre	July 4	Hawa Gelan	Qellem Wollega	OLA
18	Tole massacre	June 18	Gimbi	West Wollega	OLA
19	Wore Jarso massacre	Feb. 10-15	Wore Jarso	North Shewa	OLA
20	Dera massacre 1	Jan. 5	Dera	North Shewa	OLA
21	Dera massacre 2	Apr. 4	Dera	North Shewa	OLA
22	Koro Gindeberbere massacre	Apr. 30	Dera	North Shewa	OLA
23	Dera massacre 3	June 17-19	Dera	North Shewa	OLA
24	Dera massacre 4	Nov. 13	Dera	North Shewa	OLA
25	Abadir camp massacre	Sept. 30	Fentale	East Shewa	OLA
26	Boset massacre	Aug. 6	Boset	East Shewa	OLA
27	Algie massacre	Mar. 17	Fentale	East Shewa	Unidentified gunmen
28	Addis Hiwot massacre 1	Aug. 11	Jeju	Arsi	OLA
29	Addis Hiwot massacre 2	Oct. 17	Jeju	Arsi	OLA
30	Addis Hiwot massacre 3	Nov. 2	Jeju	Arsi	OLA
31	Menbere Hiwot massacre	Nov. 5	Jeju	Arsi	OLA
32	Sokie Bokicha massacre	Nov. 21	Jeju	Arsi	OLA

Table 2: List of documented in 2021

No.	Massacre Name	Date(s)	Woreda	Zone	Perpetrator(s)
1	Chando massacre	Dec. 31	Nonno	West Shewa	OLA
2	Keleche Jibat massacre	Nov. 4	Dano	West Shewa	OLA
3	Dano massacre	May 26	Dano	West Shewa	OLA
4	Alem Gena massacre	Apr. 30	Dano	West Shewa	OLA
5	Bagin massacre	Nov. 21	Kiremu	East Wollega	OLA
6	Haro massacre	Oct. 10 - 14	Kiremu	East Wollega	OLA
7	Ejere massacre	Sept. 29	Gida/Kiremu	East Wollega	OLA
8	Wolmai village massacre	Sept. 19	Kiremu	East Wollega	OLA
9	Wolmai village massacre 2	Sept. 18	Kiremu	East Wollega	OLA
10	Laften village massacre	Sept. 16	Kiremu	East Wollega	OLA
11	Tena Teferi village massacre	Sept. 4	Kiremu	East Wollega	OLA
12	Negesso massacre	Aug. 24	Gida Ayana/ Kiremu	East Wollega	OLA
13	Kiremu massacre	Aug. 18	Kiremu	East Wollega	OLA

14	Kiltu Abo massacre	July 26	Kiremu	East Wollega	OLA
15	Negesso massacre	July 15	Gida Ayana/ Kiremu	East Wollega	OLA
16	Ashu Kussaye massacre	June 6	Kiremu	East Wollega	OLA
17	Booqaa and Naccinoo massacre	Feb. 25	Gida KIRAMU/ Kiremu	East Wollega	OLA
18	Sibu Sire massacre	Nov. 4 - 6	Sibu Sire	East Wollega	OLA
19	Boko Jima massacre	Oct. 19 - 30	Sibu Sire	East Wollega	OLA
20	Boko Jima massacre 2	Oct. 14	Sibu Sire	East Wollega	OLA
21	Diga massacre	Nov. 11	Diga	East Wollega	OLA
22	Ano massacre	Nov. 8	Gobu Seyo	East Wollega	OLA
23	Agolafte/Meticura massacre	Nov. 1	Gobu Seyo	East Wollega	OLA
24	Arkumbi massacre	Apr. 13 - 14	Limu	East Wollega	OSF
25	Arkumbi massacre 2	Feb. 14	Limu	East Wollega	OSF
26	Ambule massacre	Apr. 4	Gudaya Bila	East Wollega	OLA
27	Cheru village massacre	Aug. 25	Abe Dongoro	Horo Guduru Wollega	OLA
28	Robit massacre	July 3	Abe Dongoro	Horo Guduru Wollega	OLA
29	Bocdtro massacre	June 26 - 27	Abe Dongoro	Horo Guduru Wollega	OLA
30	A'edo Boti massacre	May 22	Abe Dongoro	Horo Guduru Wollega	OLA
31	Addis Alema massacre	May 10	Abe Dongoro	Horo Guduru Wollega	OLA
32	Lomicha massacre	May 3	Abe Dongoro	Horo Guduru Wollega	OLA
33	Amuru Bus massacre	Apr. 28	Abe Dongoro	Horo Guduru Wollega	OLA
34	Mirga massacre	Apr. 22	Abe Dongoro	Horo Guduru Wollega	OLA
35	Wobachi massacre	Apr. 4	Abe Dongoro	Horo Guduru Wollega	OLA
36	Baleegziabher massacre	Mar. 6	Abe Dongoro	Horo Guduru Wollega	OLA
37	Hacho massacre	Dec. 17	Jardaga Jarte	Horo Guduru Wollega	OLA
38	Abu village massacre	July 14	Jardaga Jarte	Horo Guduru Wollega	OLA
39	Suxxa Kuttalle massacre	Mar. 13	Jardaga Jarte	Horo Guduru Wollega	OLA
40	Haro Da'i massacre	Mar. 9	Jardaga Jarte	Horo Guduru Wollega	OLA
41	Yilamu massacre	July 11	Amuru	Horo Guduru Wollega	OLA

42	Yilamu massacre	July 8	Amuru	Horo Guduru Wollega	OLA
43	Luko village massacre	Sept. 3	Horo	Horo Guduru Wollega	OLA
44	Horo Woreda massacre	Mar. 28	Horo	Horo Guduru Wollega	OLA
45	Boni and Bisho massacre	Mar. 30	Babo-Gembel	West Wollega	OLA
46	Gidami Woreda massacre	Jan. 17	Gidami	Qellem Wollega	OLA
47	Garba Gurracha massacre	Aug. 6	Kuyu	North Shewa	OLA
48	Ali Dero massacre	Apr. 28	Degem	North Shewa	OLA
49	Agamsa massacre	Jan. 25	Dera	North Shewa	Unidentified
50	Gebre Kirstos massacre	Jan. 23	Dera	North Shewa	Unidentified
51	Muger Monastery massacre	May 26	Sululta	Addis Ababa Zuria	OLA
52	Miskele massacre	Apr. 28	Merti	Arsi	OLA
53	Galle Kemisse Kechotrtra massacre	Apr. 23	Limu Kossa	Jimma	OLA

This report seeks to determine the nature of crimes for which Amharas have been raped, slaughtered, and displaced based on AAA's data and reports from other organizations. To do so, the 1948 Genocide Convention¹⁴, the Rome Statute¹⁵, and numerous cases determined by the international tribunal formed for different countries are utilized as a foundation for analysis. In addition, the report draws on the ten phases of genocide developed by Genocide Watch,¹⁶ which have been used in genocide characterization in several countries. This framework is used to highlight how the Amhara people of Ethiopia's Oromia Region became target of genocide through a process of stigmatization, dehumanization and discriminatory policies in post-1960s Ethiopia.

Part I of this report tries to describe each of the ten stages of genocide and demonstrate how the Amharas in the Oromia Region of Ethiopia have experienced each one. To demonstrate that stages one through ten have been reached, without any adequate response, a reference to incidents of massacre against the Amhara people that occurred in various locations of the Oromia Region and at various times is shown. Part II of the report makes an attempt to characterize the atrocities committed against Amhara people in the framework of international law's notion of genocide. It examines the "underlying crimes" and "special intent" requirements of genocide, as defined under Article 2 of the Genocide Convention, as well as its underlying components. The sub-elements of the special intent requirement will be discussed in the following order: the need for "intent to destroy" will be discussed in the first, and the condition that the intent to destroy must target "a national, ethnic, racial, or religious group" will be covered in the second. In the third section, the requirement that the intent to destroy must be "in whole or in part," will be discussed and in the fourth, the intent to destroy must specifically target a national, ethnic, racial, or religious group as such will be addressed. Each of these subparts will provide factual information demonstrating how the crimes committed and being committed against the Amhara people meet these legal standards. On the other hand, the underlying crimes part will look at the killing and an intentional infliction of serious bodily or mental harms and demonstrate that those crimes have been committed against the Amharas in the Oromia Region of Ethiopia.

¹⁴ Convention on the Prevention and Punishment of the Crime of Genocide 1948.

¹⁵ Rome Statute of the International Criminal Court 1998.

¹⁶ Gregory H Stanton, 'The Genocide Education Project Ten Stages of Genocide' (2013) <https://genocideducation.org/wp-content/uploads/2016/03/ten_stages_of_genocide.pdf>.

¹⁷ The elements of the crime of genocide under article 4 of the convention can be reduced into two. That is the special intent ("dolus specialis") requirement and the underlying crimes.



The Atrocities Committed Against the Amhara in Ethiopia's Oromia Region Conform to the Ten-Stage Pattern of Genocide Outlined by Genocide Watch.

The "Ten Stages of Genocide" framework outlines the steps that can lead to genocide in a society.¹⁸ Genocide requires the collaboration of a significant group and the state; it cannot be carried out by a single person or small group. However, preventative interventions have the power to halt it at every step.

1. Classification

Every society has categories that divide people into "us" and "them" depending on their ethnicity, race and religion.¹⁹ Though classifications are a common occurrence in society, when they are fixed categories they create fertile ground for possibilities of mass atrocities.

Ethiopia is divided into several regions, each named after its main ethnic group (aside from two) and granted self-rule status.²⁰ The policy of anchoring ethnicity as an official marker of identity and division of Ethiopia was introduced when the TPLF assumed power in 1991. This policy was elevated in an arrangement comprising of semi-autonomous federal states arranged along ethnic lines when the Constitution was adopted in 1995.²¹ The Constitution guarantees self-determination including the right to secede from the federation.²² Since then, Ethiopia is cited as an example in textbooks of a nation with a divided society based on ethnic origin.

In the Oromia Region of Ethiopia, the regional Constitution solely grants sovereignty to the Oromo people.²³ Other than the Oromos, no other ethnic group is named in the Constitution. But the reality is that millions of non-Oromos-predominantly

Amharas- live in the region. For instance, the 2007 population census, which steered debate in the Federal Parliament because it underreported the population of Amharas by millions, reporting around two million Amharas live in the Oromia Region.²⁴ The designation of the Oromo as "us" and the non-Oromos as "them" is clearly the unstated assumption of the Constitution when it refers to the Oromos as the sole sovereign owners of the region. In conclusion, it's important to consider that in the circumstances outlined above in the Ethiopian region of Oromia, the first criterion for genocide to happen—classification—has already been satisfied.

2. Symbolization

As the second phase of genocide, symbolization involves assigning names or symbols to the already-categorized group.²⁵ The classes have names or other symbols assigned to them. For instance, we refer to people as "Jews" or categorize them based on their clothing or skin color, and we assign symbols to group members. Classification and symbolism are universally human and, unless they lead in dehumanization, do not always lead to genocide. However, when combined with hate, symbols such as the yellow star for Jews under Nazi rule and the blue scarf for those from the Eastern Zone in Cambodia during the Khmer Rouge era could be regarded as symbolism that serves as a basis for genocide.²⁶

The Amharas were the primary targets of the TPLF and OLF rebels for nearly three decades. The TPLF incited hostility and hatred toward this ethnic group by falsely accusing them of being tyrants,

¹⁸ Stanton (n 16).

¹⁹ *ibid.*

²⁰ The regional States are Tigray, Afar, Amhara, Oromia, Somalia, Benishangul Gumuz, SNNP, Gambella, Harari. Therefore, except SNNP and south west regions, the rest are named after the dominant ethnic group in the territory.

²¹ 'Constitution of The Federal Democratic Republic of Ethiopia' <<http://www.parliament.am/library/sahmanadrutyunner2019/etovpia.pdf>>.

²² *ibid.* See the infamous article 39 of the constitution which makes secession unconditional right of the so-called nation, nationalities and people of Ethiopia.

²³ See, Article 8 of the Constitution, The Oromia Region 2002.

²⁴ Federal Democratic Republic of Ethiopia Population Census Commission, 'The 2007 Population and Housing Census' (2008) <[https://rise.esmap.org/data/files/library/ethiopia/Documents/Clean Cooking/Ethiopia_Census 2007.pdf](https://rise.esmap.org/data/files/library/ethiopia/Documents/Clean%20Cooking/Ethiopia_Census%202007.pdf)>.

²⁵ Stanton (n 16).

²⁶ *ibid.*

oppressors, and exploiters.²⁷ Amharas are referred to as "neftegna" not just in the Oromia area but throughout the country.²⁸ The Oromo extremist term "neftegna" is used to denigrate the Amhara and accuse them of being territorial expansionist settlers who helped to create modern Ethiopia by the late nineteenth century.²⁹ The word "neftegna" has three meanings from the perspective of Oromo nationalism.³⁰ First, it has ethnic component that Amhara refers to everyone who has Amhara ethnic origin regardless of religion, therefore whether you practice Islam or Christianity, you are an Amhara thus a "neftegna." Second, Orthodox Christians—regardless of their ethnic background—are considered "neftegna," adding a religious component to the term. Thirdly, it has an ideological component in that everyone who loves Ethiopia, Ethiopian history, and the Ethiopian flag, and the dignity and sovereignty of the Ethiopian state is neftegna, regardless of their ethnic background and religion.

3. Discrimination

A dominating group denies the rights of other groups by using the law, custom, and political influence.³¹ An ideology of exclusion will be held by the dominant group, which will deny rights to disadvantaged groups. The ideology promotes the dominant group to consolidate or strengthen its domination. Examples include the 1935 Nuremberg Laws of Nazi Germany, which stripped Jews of their German citizenship and prohibited their employment in the public sector and higher education.³²

Ethiopia's Federal Constitution created regions based on ethnic groups and granted ownership of certain territories to so-called "nations, nationalities, and peoples", and it failed to guarantee protection for the rights of ethnic minorities. Since none of the regions in Ethiopia are homogenous, this would in practice, mean the Federal Constitution sanctioned

discrimination based on ethnicity. As a result, the Constitution has made it easier for minority ethnic groups to be marginalized and disadvantaged in "majority" regions, allowing for the revival of oppressive and discriminatory practices under the pretext of enjoying cultural rights.

The impact of this lack of protection is most visible in Oromia Region. Millions of Amharas reside in the Oromia Region as an ethnic minority. But despite their obvious presence, they are simply ignored.

The Oromia National Regional State's Constitution under Article 8 states that "the people of Oromo" have sovereign authority over the region.³³ This provision is a blatant denial of the existence of millions of Amharas who live in the Oromia Region because no provision in the regional constitution guarantees them protection and effective political representation. The application of this regional constitutional clause has, for instance, resulted in the adoption of a proclamation that grants the Oromo special treatment regarding uncontested political authority regardless of the size of non-Oromo residents.³⁴ For example the legislation that the Oromia Regional State Council adopted to govern how the state's cities are administered states at least 50 percent of the seats of city councils should be reserved for Oromos, even if they are numeric minorities.³⁵ Thus, Article 2(4) of the Oromia City Council Proclamation No. 116/206 on the makeup of Oromia City Councils reads:

"When the number of Oromo residents in 1st and 2nd grade city (sic) is found minor or undersized, the administrative Council of the National Regional Government may notice (sic) the number of Oromo People against other peoples and reserve 50% of the seats in the City Council. This provision is also applicable to the Council of the Gadaa (lowest administrative units in the region's towns)."

²⁷ Amanuel Tesfaye, 'Commentary_The Birth of Amhara Nationalism_ Causes, Aspirations, and Potential Impacts' (2018).

²⁸ Moges Zewdu, 'The "Disposable People" _ The Plight of Neftegna' borkena (December 2022) <<https://borkena.com/2021/01/14/the-disposable-people-the-plight-of-neftegna/>>.

²⁹ *ibid.*

³⁰ Henok Abebe, 'Oromia; The Auschwitz of Amhara - Addis Insight' (22 June 2022) <<https://addisinsight.net/oromia-the-auschwitz-of-amhara/>>.

³¹ Stanton (n 16).

³² *ibid.*

³³ Constitution, The Oromia Region, article 8. <https://chilot.me/wp-content/uploads/2012/02/oromia-national-regional-state-constitution.pdf>

³⁴ EHRCO, 'Parallel Report Submitted to the Committee on Racial Discrimination' (2009) <https://www.ecoi.net/en/file/local/1292919/470_1263141582_ehrc-ethiopia-cerd75.pdf>.

³⁵ *ibid.*

Despite the fact that Ethiopian urban centers are multi-ethnic and Oromos are a numeric minority (in some circumstances, as low as 10% of the population), this provision provides the Oromos in the Oromia Region's urban centers a privileged position in matters of political representation and participation in the governance. This system effectively prevents non-Oromo ethnic groups (including the Amharas) from being represented fairly in the administration of their cities in Oromia. As a result of their exclusion from administrative and political representation and involvement, Amharas in particular are subjected to discriminatory practices in sectors of public life, such as access to education, administrative services, and justice.

4. Dehumanization

Dehumanization refers to the denial of a group's humanity where its members are compared to pests, diseases, vermin, and animals³⁶. Dehumanization triumphs over the natural human aversion to murder. At this point, the victim group is demonized through hate speech in print, on hate radios, and on social media. On the other hand, the dominant group is trained to dehumanize and even despise the minority group as an outsider to their society. They have been brainwashed to think "*we are better off without them.*" The weaker group may become so depersonalized that they are given numbers instead of names, as happened to the Jews in the concentration camps.³⁷ They are compared to immorality, filth, and impurity.

The TPLF-led EPRDF coalition, which ruled Ethiopia for nearly three decades, systematically advanced its anti-Amhara agenda across the nation by making use of the resources available to it.³⁸ It used derogatory terms to label Amharas with numerous inimical images to portray them as less than human, including "chauvinist," "invaders," "national oppressor," "neftegna (gunslinger)," "yekedmo sre'at nafaqi" (one who pines for the old order)," and "donkey," reducing them to subhuman creatures suitable for abuse and humiliation.³⁹

The genocide against Tutsi in Rwanda was started by labeling people as "Cockroaches" (insects encroaching into spaces).⁴⁰ The propaganda and terror advanced by *Oromia Media Network* (OMN) and other extremist Oromo medias against non-Oromos have shockingly followed a similar pattern. Similar to the *Radio Television Libre des Mille Collines* radio fanning the "cockroaches" label, the OMN has made it a standard to refer to the Amhara residents of Oromia as "sefari" (alien settlers). The dehumanization campaign being carried out by Oromo extremist groups in the country against the Amharas is well illustrated by a recent instance of hate speech made by an Oromo student at Harvard University.⁴¹ In this address, the student urged the Oromo young to "*eat up the Amhara flesh and drink their blood,*" implying that doing so would give them energy and may even improve their intelligence. Even though her family was slain, an Amhara who escaped the mass murder of ethnic Amharas in Wollega recounts hearing the perpetrators shout, "*Amhara flesh is salty and their blood makes you strong and wise.*"⁴² In Ethiopia's Oromia Region, Amharas are so dehumanized that their deaths are reasons for joy and spiritual pride. The attacking Qeerro danced together and yelled "Allahu Akbar" during the Post-Hachalu death massacre.⁴³

5. Organization

Genocide is always organized, generally by the state, and frequently involves militias to give the state the appearance of innocence, as was the case with the *Janjaweed* in Darfur, for instance.⁴⁴ The group may be informal,

³⁶ Stanton (n 16).

³⁷ *ibid.*

³⁸ Alemante G Selassie, 'Federalism, Human Rights and the EPRDF Constitution_ The Bad, the Ugly, and the Evil' *Ethiocybertec* (2013) <<https://ethiocybertec.blogspot.com/2013/11/federalism-human-rights-and-eprdf.html>>.

³⁹ Tesfaye (n 27).

⁴⁰ 'Rwanda: The Preventable Genocide International Panel of Eminent Personalities' (1994) <<https://www.refworld.org/pdfid/4d1da8752.pdf>>.

⁴¹ Girma Berhanu, 'Cannibalism and Necropolitics – The Ugly Face of Genocide in Ethiopia's Oromia Region against the Amhara People' *Borkena* (23 December 2022) <<https://borkena.com/2022/07/02/cannibalism-and-necropolitics-the-ugly-face-of-genocide-in-ethiopia-s-oromia-region-against-the-amhara-people/>>.

⁴² *ibid.*

⁴³ EHRCO, '147th special Report, October 2020,,P.15

like local RSS militant-led Hindu mobs, or decentralized, like terrorist organizations.⁴⁵ Armed and trained special army formations and militias are common. As plans are being made for a genocide, states organize secret police to spy on, arrest, torture, and murder people suspected of being opposition to a planned genocide. Organization also entails indoctrination through mass media and special training for murderous militias, death squads, and special army killing units like the Nazi Einsatzgruppen, which murdered 1.5 million Jews in Eastern Europe.⁴⁶

The Amhara slaughter is being orchestrated by Qeerro, the OLA, the OLF, and the regional administration run by the Oromo Prosperity Party. "Qeerro," like the *Interahamwe* who carried out the unspeakable genocide against the Tutsi, are a single-ethnic group of unofficially organized, unregistered, and unaccounted youth extremists. After the OLF entered politics in 2018, the OLA armed organization split off from the OLF. With the OLA acting as the military wing and the OLF acting as the political wing, they are now working together to exterminate Amharas from the Oromia Region. As a result, systematic efforts are being made by the Qeerro extremist groups, the OLA, the OLF, and the regional administration of Oromia to wipe out and eliminate the Amharas in Oromia.

Several reports from AAA and others have documented how the regional government of Oromia is working in cooperation with the OLA with a genocidal plan to exterminate Amhara from the land of Oromia. Revelations after the *Tole Kebele massacre* of June 18, 2022 in Gimbi Woreda, West Wollega, for instance, are powerful evidence of how the OLA is working with the local government of Oromia in the effort to exterminate and drive Amharas out of the Oromia Region.⁴⁷ Mr. Negatu Ummeta, the village administrator of Tole, said that Mr. Batcha, the Gimbi Woreda administrator, and the Woreda's Peace and Security office, gave him orders to cooperate with OLA's plan to massacre and displace Amhara residents of the Tole Kebele over the phone afterwards. He also said that the officials at woreda (district) informed him that the OLA would enter Tole Kebele on Thursday, June 16, 2022, and he should remove the local police and militia members from Tole village on that day. He continued by saying that the administrator of the woreda and the head of the Peace and Security office in Gimbi told him, "*Our army (i.e., the OLA) has an operation planned for Saturday, June 18, 2022, and you have to provide the army with the necessary support and cooperation.*"⁴⁸

Another account of how Qeerro extremists and their local allies are organized to kill Amharas and vandalize their property can be found in the Oromia Region incident that happened following Hachalu's assassination on June 29, 2020.⁴⁹ The "Qeerro" assailants, who are from elsewhere, had lists of Amharas to be targeted in locations like Shashemene, Dodola, and Adaba.⁵⁰ On the day of the massacre, while men were killing defenseless Amharas, women were pillaging their homes and encouraging men to do the same.⁵¹ Young people in the neighborhood became engaged by making connections between the attackers, who were new to the area, and Amharas in adjacent villages.

A survivor of one incident on May 3, 2021 in Abe Dongoro Woreda of the Horo Guduru Wollega Zone, where eight Amharas were killed and eight others were seriously harmed by knives, machetes, and swords, told AAA how a coordinated strategy is being followed by the local Oromo community, government officials, and OLA militia to destroy the Amhara. He said:

⁴⁴ Jennifer Trahan, 'Why the Killing in Darfur Is Genocide' (2007) 31 *Fordham International Law Journal* <<https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=2107&context=ilj>>.

⁴⁵ Stanton (n 16).

⁴⁶ Holocaust Museum, 'Einsatzgruppen (Mobile Killing Units) _ Holocaust Encyclopedia' <<https://encyclopedia.ushmm.org/content/en/article/einsatzgruppen>>.

⁴⁷ AAA, "It Seems Like The Whole Population is Killed" An Interim Report on the June 18th, 2022 Amhara Massacre in the Tole Kebele, Gimbi Woreda, West Wollega Zone of Ethiopia's Oromia Region by Oromo Liberation Army (OLA) Militants' (2022) <<https://www.amharaamerica.org/post/june-18th-2022-amhara-massacre-in-the-tole-kebele-west-wollega-by-ola>>.

⁴⁸ Assefa Negash, 'Account of the Recent Genocide in the Tole Locality of Wellega, Western Ethiopia' *EthioExplorer* <<https://www.ethioexplorer.com/account-of-the-recent-genocide-in-the-tole-locality-of-wellega-western-ethiopia-translation-by-assefa-negash-m-d/>>.

⁴⁹ EHRCO (n 43), see also Minority Rights Group (MRG) press release on 22 July 2020 on the violence against the Amhara in oromia region following the assassination of Hachalu at <https://minorityrights.org/2020/07/22/ethnic-cleansing-romia/>.

⁵⁰ *ibid*.

⁵¹ *ibid*.

*"The OLF (Oromo Liberation Front) militias hiding in the forest are killing and displacing us; the local Oromo farmers and their children are pillaging our properties and valuables; and the Oromo civil servants are hunting and detaining surviving Amhara victims. Everyone is working to destroy the Amhara people."*⁵²

6. Polarization

Polarization stage involves extremists driving groups apart.⁵³ This stage often involves hate groups broadcasting polarizing propaganda and laws may forbid intermarriage or social interaction. Often, extremists target moderates to intimidate and silence the center. Thus, moderates from the perpetrators' own group who may help stop genocide could be arrested and killed. Leaders in targeted groups are then arrested and murdered and targeted groups are disarmed to make them incapable of self-defense, and to ensure that the dominant group has total control.

In Oromia Region, Oromo extremists led by the OLF have been spreading hatred towards the Amharas since the early 1970s.⁵⁴ To accomplish this, false narratives have been created in which Amharas dominate this country's political history.⁵⁵ The OLF openly declared that its struggle is against "Abyssinian colonialism" in this nation.⁵⁶ The extremists' opinion was mainstreamed in 2014 when the TPLF funded the construction of the *Anole statue* in Hetosa, Arsi Zone, Oromia Region.⁵⁷ The statue, which displays a severed hand holding a dismembered female breast and purports to show a horrific atrocity perpetrated by the army of Emperor Menelik II, was utilized for indoctrinating hatred and vengeance among the Oromo people against the Amharas. The unfoundedness of this narrative can be easily detected by the claim that Emperor Menelik killed 5 million Oromo people during his expansion into the country's south. For this claim that 5 million Oromos were killed to be credible, the entire Ethiopian population must have been Oromo at the time, which is absurd. Nonetheless, false narratives including the one associated with the *Anole statue* were mobilized by the OLF (and later the Oromia Region) to radicalize Oromo youth and mobilize them to attack Amharas since the 1970s.

Another illustration of the polarized and hostile environment in the Oromia Region against the Amharas is the numerous cases where moderate Oromos who opposed the suffering of the Amharas were threatened and even killed. For example, Abdish Mume, an ethnic Oromo man living in Weter Lange (East Harerge) who objected to the Amharas' persecution was murdered by the OLF in 1992.⁵⁸ He was executed after being charged with assisting Amharas to escape in his car. This level of polarization was noted by high-level politicians who publicly raised their concerns. For instance, Taye Dendae, an Oromo and the current State Minister of Peace, described how moderate Oromos are blamed for opposing to the Amhara persecution in the Oromia Region in a Facebook post that was posted shortly after the Lemlem massacre on July 4, 2022 and has asked for an "inquiry" and "accountability."⁵⁹ *"A problem repeats itself a hundred times without accountability,"* Taye said. He added that *"telling the truth"* would lead to being labeled as a *"power seeker,"* and that *"a fiction of power seeker is created and narrated in order to repress the truth (...) solving the conundrum by demonstrating accountability is now a matter of survival!"* Hangasa Ibrahim, an Oromo member of the House of People's Representative, said that his life would be in danger because he revealed that top officials within the Oromia Regional state administration had set up an unofficial armed group called "Sabotage Shene" to carry out atrocities against the Amhara residents of Oromia Region.⁶⁰ Hangasa declared, *"We are speaking up because we know the truth."* He continued,

⁵² AAA, 'NEGLECTED MASSACRES AGAINST AMHARAS: Compendium of AAA's 2021 Reports on Human Rights Violations against Amharas' (2022) <<https://www.amharaamerica.org/post/aaa-annual-human-rights-report-may-2022>>, p.136.

⁵³ Stanton (n 16).

⁵⁴ Messay Kebede, 'Menelik and Southern Ethiopia: Colonialization, Reunification, or Expansion?' (17 April 2015) <<https://ethiopiaforums.com/menelik-and-southern-ethiopia-colonialization-reunification-or-expansion/>>.

⁵⁵ Mekuria Bulcha, 'The Politics of Linguistic Homogenization in Ethiopia and the Conflict over the Status of "Afaan Oromoo"' (1997) 96 *African Affairs* 325 <https://www.jstor.org/stable/723182#metadata_info_tab_contents>.

⁵⁶ Hassen (n 2).

⁵⁷ Atnafu (n 7).

⁵⁸ Moresh Wogene (n 7).

⁵⁹ See Taye's post at <https://www.facebook.com/tayedendae.StateMinisteratMoP/posts/pfbid02bDEan2vDCrbkfpCiUZu3ggDSmAC5Kgst4qrU5mqVqs78v3pWXZUWaR5VnYQq1sv6l>

"I should expose this truth and die tomorrow," adding, "I must disclose this truth so that I am not pursued by my conscience if I die tomorrow."

Hate media groups have also been spreading Amharaphobia, further polarizing the situation. For instance, in the aftermath of the Hachalu assassination in June 29, 2020, media outlets actively broadcast the attacks while they were happening live and gave the attackers guidance. The OMN, based in Minnesota, USA, broadcasted a number of divisive, hateful messages, including calls to block and burn Amhara people's homes.⁶¹ Furthermore, only a few hours after it was reported that Hachalu had been killed, countless social media accounts began posting genocidal incitements.⁶² And right away, OMN started spreading the usual "kill all sefari" message. During this phase of genocidal attack, hundreds of non-Oromos (primarily Amharas) and moderate Oromos (mainly Orthodox Christians) were murdered, and thousands were injured.⁶³ They also attacked anyone who opposed the persecution of the Amharas.⁶⁴

7. Preparation

During this stage, leaders of the perpetrator groups prepare for the "Final Solution."⁶⁵ They frequently refer to their objectives as "ethnic cleansing," "purification," or "counter-terrorism" in order to disguise their true motives. They train their troops and militias, purchase weapons, and assemble armies. They instill fear of the victim group in the general population. Leaders frequently justify genocide as self-defense by saying that "if we don't kill them, they will kill us."

The current media campaign by Oromo extremists in and outside of Ethiopia is proof that they are prepared to drive out and annihilate the Amhara residents of Oromia. For instance, on December 6, 2022, the OLF, whose de facto military wing, the OLA, is murdering the Amharas throughout the Oromia Region, issued a press statement urging all Oromos "to defend themselves in whatever way they can."⁶⁶ In an effort to hide the reality that the Amharas are being massacred by Oromo extremists day and night, the OLF presents the Amharas as attacking the Oromos. The OLF was justifying the killings of Amharas as an act of self-defense. The relevant part of the press release reads:

*"The OLF calls upon all Oromo from all walks of life to rise and defend their territory, children, mothers, wives and the elderly. We should not shoulder the disgrace anymore. It is the duty and responsibility of every Oromo to intensify his/her struggle ... Self-defense is a human right."*⁶⁷

The last part of the aforementioned quote that refers to "self-defense" is a divisive appeal for all Oromos to kill Amhara residents in an attempt to neutralize the purported *Fano* militias in the region. The truth is different; in the incident in which the OLF released the above statement, it was the Amharas who were massacred by the OLA in cooperation with the OSF. The AAA investigated the matter from sources on the ground and has released an investigative report on the situation in Haro Kebele and Kiremu town of the Kiremu Woreda (East Wollega), where Amharas were massacred.⁶⁸ In the report, AAA was able to verify that the OSF, the OLA, and the local Qeerro attacked Amhara civilians in Haro Kebele (ward) and Kiremu town beginning on November 29, 2022. As a result, at least 27 Amhara residents were killed during the attack, 17 others suffered massive injuries, and 64 civilians were abducted.

⁶⁰ His speech is available at <https://www.youtube.com/watch?v=ap2bBMP4nqA>

⁶¹ See Minority Rights Group's (MRG) statement on the violence following the assassination of Hachalu (no 49).

⁶² Social media post collections are available at <https://borkena.com/2020/07/03/ethiopias-social-media-captures-oromo-xenophobia-killings-live/>

⁶³ EHRCO (n 45).p.15

⁶⁴ Ibid.

⁶⁵ Stanton (n 16).

⁶⁶ See the OLF's press release at <https://www.facebook.com/OLF1973>

⁶⁷ Ibid

⁶⁸ AAA, 'Update on the Massacre of Amharas by Oromia Special Forces (OSF), Oromo Liberation Army (OLA) and Qeerro in Kiremu Woreda (East Wollega Zone, Oromia Region)' (2022) <https://www.amharaamerica.org/_files/ugd/e494ca_36c08f7b93a34b35984676282f7be7b49.pdf>.

8. Persecution

A victim's identity—national, ethnic, racial, or religious—is used to identify and categorize them.⁶⁹ The most fundamental human rights of the victim group are routinely violated through extrajudicial killings, torture, and forced relocation. There are death lists being created. Their property is frequently taken from them. Resources like food and water are purposefully withheld from them in an effort to gradually wipe out the group.

Amhara residents of the Oromia Region have been targeted since the coalition (EPRDF) led by the TPLF took power in the early 1990s. However, after Abiy Ahmed, an Oromo, came into power in 2018, the state-sponsored mass killing and displacement of Amharas worsened. In Ethiopia's Oromia Region, the Amhara people have been the target of several human rights violations. Millions of people continue to be starved, massacred, and displaced just because they are Amhara. Because the level of hatred is so extreme, they are typically murdered, their throats slashed, and their bodies torn to pieces. Amharas, including women, children, and the elderly, are being brutally killed. Often, Amharas were killed in a premeditated fashion and death lists were posted publicly in advance of a planned massacre. For instance, the following list was taken from a death list prepared in advance of a massacre showing that the listed are Amharas and are supporters of Fano (non-state Amhara militias) therefore they have to be killed.

Lakk.	Maqaa Guutuu	Teessoo Yeroo Ammaa	Qooda Hojii(?)
1	Yegoraaw Waaleliny	Magaalaa Haroo	Hidhataa
2	Aannimut	Magaalaa Haroo	Faannoo
3	Abaatee Balaay	Magaalaa Haroo	Faannoo
4	Abaatee Gurbaaw	Magaalaa Haroo	Faannoo
5	Ababaa Taaddesee	Magaalaa Haroo	Hidhataa
6	Ababaawu Wandummuu	Magaalaa Haroo	Hidhataa
7	Abbaree Kaasee	Magaalaa Haroo	Faannoo
8	Abbebee Biiraanuu	Magaalaa Haroo	Faannoo
9	Abdii Abebaa	Magaalaa Haroo	Hidhataa
10	Abdiil Gannaanoo	Magaalaa Haroo	Faannoo
11	Abebaaw Affallee	Magaalaa Haroo	Faannoo
12	Abebaaw Wandee	Magaalaa Haroo	Faannoo
13	Abraar Xigabuu	Magaalaa Haroo	Faannoo
14	Abushuu Mokonnun	Magaalaa Haroo	Faannoo
15	Abuu Ababaawu	Magaalaa Haroo	Faannoo
16	Adam Muhiyyee	Magaalaa Haroo	Faannoo
17	Adam Muhiyyee	Magaalaa Haroo	Faannoo
18	Adam Muhiyyee	Magaalaa Haroo	Faannoo
19	Addamee Gannaanee	Magaalaa Haroo	Faannoo
20	Addamee Gennenee	Magaalaa Haroo	Faannoo
21	Addee Gardee Yenesaw	Magaalaa Haroo	Faannoo
22	Addisuu Irqiyyee	Magaalaa Haroo	Hidhataa

Figure 1. An example of a list of Amharas marked to be killed ahead of a massacre in Haro Kebele Kiremu Woreda (East Wollega Zone, Oromia Region).

Residents in the Oromia Region have never experienced such displacement and massacre as they have over the last three decades. Their arduous belongings, which they acquired owing to their hard work, were turned into ashes in the span of a few days. The systemic nature of the persecution makes the problem much more complicated. It is pervasive and deeply embedded in and throughout systems, laws, written or unwritten policies, entrenched practices, and established beliefs and attitudes that produce, condone, and perpetuate widespread unfair treatment of the Amhara. According to a number of reports, Oromo extremists regard the Amharas as alien settlers, neftegnas, and chauvinists who once oppressed the Oromo people.⁷⁰ They are usually depicted as subhuman creatures with traits that make them amenable to abuse.

Besides, these repressions are the consequence of legally enshrined Amharaphobic prejudices. The FDRE Constitution already enabled discrimination of minority groups.⁷¹ The Oromia Regional Constitution recognized the Oromo people as the sole sovereign power holder of the region excluding millions of the Amharas and other non-Oromo minorities. These rules prevent Amharas from having any kind of political representation or involvement. Additionally, it is systematic in that different players are involved. The Amhara population in the Oromia Region are being murdered and driven out of their homes where they have resided for centuries by the Oromo Prosperity Party, the OLF, the OLA, and the Qeerro in a cooperative campaign.

Apart from being forcibly evicted from their land, the victims were subjects of relentless persecution and harassment. They were humiliated, demoralized and defamed due to their ethnicity. The following quote taken from an Amhara victim in Oromia Region describes how Amharas are treated in Oromia Region:

*"The Amhara evictees were prone to confinement, inhuman torture, and death; they have locally accepted derogatory names that include Goje [a pejorative derived from the name of a provincial area, Gojjam, considered part of the ancestral homeland of the Amhara people], Sar Felagie [grass seeker], Neftegna [the former remnant rulers], and Metie [the newcomer]. The local people counted 'Amharas' like material assets. Amharas are the most marginalized people. I have heard with my own ear when a Woreda official says, 'You, Amharas, are rootless trees. You will come out when we need to do so'."*⁷²

In conclusion, the situation of Amharas in the Oromia Region can be rightfully described through a headline published by Al-Jazeera *"being ethnic Amhara is becoming a death sentence"* in Oromia Region of Ethiopia.⁷³

9. Extermination

Extermination starts and swiftly develops into the collective killing known as "genocide" under the law.⁷⁴ The murderers refer to it as "extermination" since they do not perceive their victims as truly human. The military forces frequently collaborate with militias to carry out the killing when it is sanctioned by the state. Total genocide aims to exterminate every member of the targeted group. However, most genocides were "in part" genocides. The targeted group's educated members might all be killed (Burundi, 1972). Any male or male of fighting age may be killed (Srebrenica, Bosnia, 1995).

The TPLF's ascension to power sparked the start of the Amhara Genocide. Since the 1990s, Oromia has been the scene of a continuing, systematic killing of Amhara people. Following the implementation of the country's ethnic-federalism structure, countless executions and severe breaches of their human rights occurred.

Mass murders again were typically carried out in silence by members of several ethnic militant organizations, including the TPLF, OLF/OLA armed groups, and the local Qeerro (ultranationalist Oromo youth). The results of two consecutive national census analyses in the country and a report by the state revealed that over 2 million Amhara were not accounted for and could not be traced. The figure reflects the decades-long massacres and enforced disappearances of the Amhara people. Given the ongoing nature of the violence, the actual number is expected to be higher. If you are an Amhara, whether you are a child or an elderly person, able-bodied or disabled, a man or a woman, you will be killed. Weeks after the Tole massacre in the Gimbi Woreda of the West Wollega Zone, bereaved father Abdu Ahmed said he remains broken over the loss of his teenage daughters Hayat and Birtukan. *"They shot at everyone, even children and the elderly,"* he told Al Jazeera over the phone. *"What kind of madman targets defenseless girls?"*⁷⁵

⁷⁰ Tesfaye (n 27).

⁷¹ Under article 39 of the 1995 FDRE constitution, nations, nationalities and peoples are sovereign power holders. However, the constitution provides no minority protection clause.

⁷² Bekalu Atnafu Taye, 'Ethnic Federalism and Conflict in Ethiopia' (2017) 17 African Journal on Conflict Resolution 41 <<https://www.ajol.info/index.php/ajcr/article/view/167170>>.

⁷³ The full media coverage of the Amhara persecution in the oromia Region of Ethiopia is available at <https://www.aljazeera.com/news/2022/7/6/massacre-of-hundreds-fuels-protests-resentment-in-ethiopia?sf167144894=1>

⁷⁴ Stanton (n 16).

10. Denial

The final step of genocide, which invariably follows it, is denial. It is one of the surest signs of additional horrific massacres. They frequently accuse the victims of doing what happened and deny committing any crimes. If there is a continuous battle or civil war, genocide is covered up as "counter-insurgency." Until they are apprehended, and a court is set up to try them, they remain there free to do as they choose, like Pol Pot or Idi Amin.

During and after genocide, lawyers, diplomats, and others who oppose forceful action often deny that these crimes meet the definition of genocide. They call them euphemisms like "ethnic cleansing" instead. They question whether intent to destroy a group can be proven, ignoring thousands of murders. They overlook deliberate imposition of conditions that destroy part of a group.

The government did nothing significant to hold those involved accountable despite the fact that thousands of Amharas residents in the Oromia Region were killed, wounded, or forced to leave their homes. Instead, those government officials who participate in the persecution of the Amharas receive promotions. The government even remained silent when Amharas were killed and displaced, with the exception of a few instances when the incident attracted media attention. Even so, the administration downplays the killings and denies the attack's ethnic nature. At the very least, the government should have conducted a full-scale human rights investigations into the atrocities. However, the governmental organ mandated to perform human rights investigation – the *Ethiopian Human Rights Commission* (EHRC) – repeatedly described the difficulty of conducting a human rights investigation in the Oromia Region. It expresses its concerns only in paragraphs of press release statements. Even when it does so, it either fails to mention killers and the killed by their exact names and it will only report that "civilians" were killed showing its complete insensitivity towards the Amhara plight or shifts the blame to the victim Amharas as if the Amharas were killing the Oromos.⁷⁶ For instance, the EHRC's press release of December 7, 2022, described the absence of enough evidence to characterize the ongoing mass killing and displacement of the Amharas in the East Wollega and Horo Guduru Wollega Zones of the Oromia Region while medias (national and international) and human rights organizations (including the EHRCO) reported the atrocities being committed against the Amharas since November 18, 2022. Thus, the EHRC's repeated failure to conduct full investigations of incidents against the Amhara residents of the Oromia Region, and its constant failure to mention the perpetrators and the victims by their name is proof of denial on the part of the current administration.

Additionally, the OLA on various occasions denied that it is killing the Amharas. In some instances, it shifts the blame to the government forces in the area.⁷⁷ For instance, the OLA has denied being involved in any attacks on civilians in the Tole massacre of the June 18, 2022. It instead claimed that rogue former OLA members were sent by Addis Ababa to carry out the killings on June 18, while there is sufficient proof that the OLA is responsible.⁷⁸ In the other cases, it confesses that it carried out killings but claims it is neutralizing the Fano militias of the Amhara and not killing the innocent Amharas civilians. For instance, the spokesperson of the OLA on December 7, 2022, spoke to the Voice of America and said "*there is no reason that the OLA will take action against the Amhara but we are taking action against the fanatic Fano who are killing every Oromo.*"⁷⁹ The fact is, there is no credible evidence to suggest that even a single Amhara Fano crossed inter-regional boundaries to enter the Oromia Region. This style of denial is an excuse for their affinity to kill defenseless Amharas. Denial is the order of the day when it comes to the Amhara Genocide in the Oromia Region of Ethiopia.

⁷⁶ Stanton (n 16).

⁷⁵ *ibid.*

⁷⁶ For instance, in the Agamsa massacre, the commission reported that it is the Oromos who were killed and only 6 Amharas are killed while above 70 Amharas were killed despicably after the sudden and unexplained withdrawal of the OSF from the area.

⁷⁷ For instance, in its response to the Tole massacre of the July 18, the OLA shifted the blame to the government.

2 Legal Elements of the Crime of Amhara Genocide in Oromia Region

British Prime Minister Winston Churchill referred to genocide as a "crime without a name" on August 24th, 1941, on a live broadcast from London following Germany's unexpected attack on Soviet Russia about two months prior. Raphael Lemkin, a Polish-Jewish legal scholar, described the crime as "genocide" in 1944 and called for intervention and remedial action. Since he was the one who first coined the word, he also placed it in the context of world history. Genocide, according to Lemkin, is "a composite of various acts of persecution or destruction." His definition of genocide was the concerted and intentional annihilation of a national, religious, or racial group through various deeds intended to undermine the fundamentals necessary for the group's survival. Because of Lemkin's inspiration, the UN began to explore concerns related to punishing and preventing genocide in 1946, and the General Assembly adopted its first resolution on the subject. The Genocide Convention was finally adopted by the UN on December 9th, 1948. Currently, genocide is one of the core crimes under international criminal law.⁸⁰ Similar terms are used to define genocide under Article 2 of the 1949 Convention for the Prevention and Punishment of the Crime of Genocide (the Genocide Convention) and Article 6 of the 1999 Rome Statute of the International Criminal Court (the Rome Statute). While Ethiopia ratified the Genocide Convention on July 1st, 1949, it is not yet a party to the Rome Statute. However, because the crimes incorporated in the statute—genocide and other core crimes constitute customary international law, Ethiopia will be bound even though it has not ratified or accessed it.⁸¹

As per the above mentioned laws, genocide needs the fulfilment of the "special intent" requirement, which includes the intent to destroy, wholly or in part, a national, ethnic, racial, or religious group, as such, and proof of one or more of the "underlying crimes."⁸² The underlying crimes include killing members of the group, causing serious bodily or mental harm to members of the group, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, imposing measures intended to prevent births within the group, and forcefully transferring children of the group to another group.⁸³ Moreover, the statute that establishes the *International Criminal Tribunal for Rwanda* (ICTR) and that of the *International Criminal Tribunal for former Yugoslavia* (ICTY⁸⁴) contain the same provisions with respect to the substantive elements of genocide. Lastly, a type of individual responsibility, such as committing, instigating, ordering, planning, aiding and abetting, joint participation, or command responsibility, is necessary for the prosecution of a person for genocide.⁸⁵

1. The Requirement of "Special Intent"

1.1. The Intent to Destroy as an Element of Special Intent

Intent to destroy, as the first element of "special intent", requires a deliberate attack with a goal of destroying a group as a separate and distinct entity.⁸⁶ However, a policy or plan of "destruction" is not necessarily required, although it may be an important factor in helping to establish that the accused had the requisite genocidal intent.⁸⁷ It is not also a requirement to bring direct evidence of showing int-

⁸⁰ 'Elements of Crime'. https://asp.iccpi.int/sites/asp/files/asp_docs/Publications/Compendium/ElementsOfCrime-ENG.pdf

⁸¹ William A Schabas, 'Genocide in International Law: The Crime of Crimes' (2001) 38 Choice Reviews Online.

⁸² Trahan (n 44).

⁸³ See, Rome Statute of the International Criminal Court art. 6, July 1, 2002, 2187 U.N.T.S. 90

⁸⁴ See, the statute of the international tribunal for the former yugoslavia, 1993.

http://www.icls.de/dokumente/icty_statut.pdf

⁸⁵ See, Convention on the Prevention and Punishment of the Crime of Genocide.Article 5

⁸⁶ Schabas (n 81).

ent to destroy.⁸⁸ Thus, the law allows for intent to be inferred. Besides, an inference of genocidal intent may be drawn even where individuals with intent are not precisely identified.⁸⁹

From the relevant case law, grounds such as the extent of the actual destruction, the existence of a genocidal plan or policy, the perpetration and/or repetition of destructive or discriminatory acts committed as part of the same pattern of conduct, and the utterances of the accused can be taken into account to infer intent to destroy.⁹⁰ The existence of forceful displacement, destruction of religious properties and rape and other sexual violence can also be taken as an added grounds where we can infer intent to destroy in the words of article 2 of the Genocide Convention.⁹¹

1.1.1. Factual Information Suggesting the Existence of "Intent to Destroy" Amharas on the Part of the OLA and the Regional Administration of the Oromia Region

Numerous fact reports from the AAA, the EHRCO, Moresh Wogene Amhara Organization, and other international organizations⁹³ undoubtedly indicate that the TPLF, OLF, OLA, and the Oromia Regional Administration had "intent to destroy" Amharas. The following points can be employed to infer intent to destroy the Amharas:

a. The Extent of the Actual Destruction

The extent of the actual destruction, although considerable destruction is not necessary, is one of

the markers of whether there is intent to destroy a legally protected group.⁹⁴ As a result of the anti-Amhara government's policy, the Amhara ethnic group has been persecuted everywhere in Ethiopia, and millions of its people are said to have been eliminated through various means since 1991.⁹⁵ Since the early 1990s, ethnic Amhara residents in Oromia Region have been subjected to targeted massacres, rapes, mass displacements, and property destruction, with regional officials playing a direct role.⁹⁶ Between 1992 and 2015 alone, millions of ethnic Amhara residents of Oromia Region were displaced as part of this brutal campaign.⁹⁷ They have returned to the Amhara Region empty-handed because all of their possessions have been torched and pillaged. In addition, it is thought that other millions of Amharas have been systematically displaced since 2018.⁹⁸ In the year 2021 alone, hundreds of thousands of Amharas were forced to leave these areas of the Oromia Region.⁹⁹ To see a few specific instances, the Amhara people have evacuated from at least 15 of the 22 rural Kebeles in the Abe Dongoro Woreda of the Horo Guduru Wollega Zone, such as Debis, Botoro Gora Welege, Ebo Boti, Chero, Kotcha, Gorte, Tulu Moti, Arbu Senta, Garero, and Lomicha. A similar situation occurred in 22 of the 24 kebeles in Amuru Woreda and nearly all of the rural kebeles in Jardega Jarte Woreda of the same zone, where all Amhara residents were displaced.¹⁰⁰

In addition to forced displacement, the Oromia Region security forces and the OLA frequently carried out attacks based on ethnicity in the Oromia Region, particularly in the East Wollega,

⁸⁷ As stated in the *Jelisić* decision, the existence of a plan or policy is not a legal ingredient of the crime. However, in the context of proving specific intent, the existence of a plan or policy may become an important factor in most cases. The evidence may be consistent with the existence of a plan or policy, or may even show such existence, and the existence of a plan or policy may facilitate proof of the crime.

⁸⁸ *Ibid*

⁸⁹ *Ibid*

⁹⁰ Trahan (n 44).

⁹¹ *Ibid*.

⁹² The Ethiopian Human Rights Council released several reports about ethnic based attacks in the country – including against the Amharas. Several of the reports cited here are reports of the Council containing ethnically motivated attacks.

⁹³ In September 2020, the Genocide Watch media president Gregory Stanton appeared in a local media (Abay Media) and said that the Amhara massacre in the Oromia Region amounts to genocide. The Lemkin Institute of Genocide prevention on its June 20, 2022, press release recognized a violence amounting to genocide is being committed against the Amharas in the Oromia Region. The statement is available at <https://www.lemkininstitute.com/statements-new-page/statement-on-the-ongoing-violence-against-the-amhara-people>

⁹⁴ Trahan (n 44).

⁹⁵ Atnafu (n 7).

⁹⁶ EHRCO 'Parallel report submitted to the Committee on Racial Discrimination' (2009) paragraph 32 <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjV7M2ku_76AhXHEsAKHU46AwQQFnoECBIQAQ&url=https%3A%2F%2Fbinternet.ohchr.org%2Ftreaties%2FCERD%2FShared%2520Documents%2FETH%2FINT_CERD_NGO_ETH_75_8761_E.doc&usq=AOvVaw2aXZvWXjtti1heclD6-8mX> last accessed December 15, 2022.

⁹⁷ EHRCO 'Compiled report on human rights from 1992-2015' (Addis Ababa, Ethiopia: 1992-2015)

⁹⁸ This is a data obtained from officials working in the ANRS Disaster Prevention and Food Security Program Coordination Commission.

⁹⁹ AAA, 'NEGLECTED MASSACRES AGAINST AMHARAS: Compendium of AAA's 2021 Reports on Human Rights Violations against Amharas' (n 52), p.25.

¹⁰⁰ *Id*, p.25

Horo Guduru Wollega, West Wollega, Qellem Wollega and West Shewa Zones. As a result, in the year 2021 alone, at least 929 Amharas were brutally murdered and 151 people suffered severe physical injuries as a result of 133 human rights violations that took place in these areas.¹⁰¹ Besides, 61 Amharas were kidnapped and other 107 Amharas were subjected to arbitrary arrest. Additionally, it is reported that in the years between 1991-2015, more than 10,000 Amharas were killed across different areas of the West Harerge Zone of the Oromia Region.¹⁰² That means more than half of the Amharas residents in West Harerge Zone were massacred.¹⁰³ Due to these fatalities, the majority of the area's Amhara populations over the age of 25 are without older brothers, fathers, or uncles.¹⁰⁴

The level of cruelty that the assailants showed is another indication of the level of destruction. In one incident, on November 4th, 2021, in Dano Woreda of the West Shewa Zone, the OLA militias cut off the breasts of two victims, Shewaye Amtataw and Yechale Aytenfsu, while the third victim, Worku Dejene, had his genitalia chopped off.¹⁰⁵ A victim was made to eat her own flesh in Dire Dawa in 1991, while 14 women had their breasts cut and then executed.¹⁰⁶ In another incident, in West Harerege massacre of the 1992, the victims' bodies were dumped over the Tirso cliff in Habru Woreda after having their throats cut.¹⁰⁷ They were cut off at the head. 16 sacks of human skulls were found during the efforts to gather the remains of the deceased in 1992–1993. In Weter, East Harerge Zone, in 1992, Etaferaw Dejene, an Amhara crop trader, came to the attention of her killers because of her wealth.¹⁰⁸ She was subjected to untold horror and cruelty at the hands of the OLF militias. She was first chained and then stripped naked to cut off her various body parts. They cut off her breasts and made her eat her own flesh. They cut off her vagina and continued to cut of various body parts until she died.

¹⁰¹ *Ibid*

¹⁰² Moresh Wogene (n 7), p. 17.

¹⁰³ *Ibid*

¹⁰⁴ *Ibid*

¹⁰⁵ AAA, 'NEGLECTED MASSACRES AGAINST AMHARAS: Compendium of AAA's 2021 Reports on Human Rights Violations against Amharas' (n 52), p.83-84.

¹⁰⁶ Moresh Wogene (n 7),p. 17.

¹⁰⁷ *id*,p.37.

¹⁰⁸ *id*,p.25.

¹⁰⁹ See Trahan (n 44)

b. The Repetition of Destructive or Discriminatory Acts Committed as Part of the Same Pattern of Behavior

The repetition of destructive acts committed as part of the same pattern of behavior is a ground where intent to destroy a protected group can be inferred.

¹⁰⁹ Attacks against the Amhara residents of the Oromia Region have formed a distinct pattern since 1991, when the TPLF came to power and began to take vengeance against the Amharas. However, the frequency and magnitude of the atrocities increased after Abiy Ahmed took office in June 2018.

Oromo-based political parties in Ethiopia, such as the OLF and the *Oromo Federalist Congress* (OFC), Oromo-based media such as OMN and Oromo-led social media, are spreading propaganda that justifies the slaughter of Amhara residents of the Oromia Region by the OLA, OSF, and Qeerro. The OLA, extremist Qeerro, and the Oromia Regional Government (OSF) have coordinated their efforts to target the Amharas specifically. In operations that reportedly lasted for several days or were repeated numerous times until the populace was finally pushed away, villages were intentionally attacked and emptied.

Some patterns may also be established in the methods used to kill the Amhara residents in the Oromia Region. In Harerge (East Harerge and West Harerge) and Arsi (West Arsi), people have been murdered with machetes, shot, thrown over cliffs, locked just inside homes, and burnt alive. In addition, there have been stories of persons being buried alive. On the other hand, the OLA militias and local collaborators slaughtered many of the Amhara civilians in the four Wollega Zones (West Wollega, East Wollega, Horo Guduru Wollega, and Qellem Wollega Zones) using guns, machetes, axes, and knives. Men, women, the elderly, people with physical disabilities, those who were mentally ill, and children were picked up and executed by

shooting or hacking just because they were Amhara. Additionally, they robbed a significant amount of grain, cattle, and other property. They even set dozens of Amhara houses on fire. According to reports, at Wollega, people were locked inside their homes and burned to death in addition to using heavy artillery (rocket launchers and mortars) weaponry.

c. Ethnically Charged Utterances

Another element that is used to infer genocidal intent is the use of an ethnically charged slur alongside the murder.¹¹⁰ In the morning of the day that follows the killing of Hachalu on June 2020, the Qeerro were chanting *"neftegna Amhara leave our land", "Amhara chauvinist, leave Oromia."* OMN, a media serving as a hate-spreading channel of the killers, was transmitting these dangerous utterances live.¹¹¹

In the Agamsa massacre on August 29th, 2022, the OLA and its allies slaughtered at least 61 Amhara inhabitants and abducted an additional 20 Amharas. A 35-year-old mother of three and concentration camp survivor told AAA that on Monday, August 29, 2022, around 7 a.m., strangers broke into her home.¹¹² They commanded her saying, *"come out with your kids and meet the new government."* The OLA dragged the witness and her three children to a road near the Techale Welane Hotel, the witness told AAA. There, they joined around 20 other prisoners who were also Amhara. The victim describes what happened as follows:

"They were beating us and calling us names as we were sitting on the road near the Techale Welane Hotel. We were called 'you donkeys' and 'dirt' by the militiamen. With electric cords, they struck us. 'Amharas, your day is over,' the Oromo youth chanted as they paraded across the city. They were also saying 'You will return barefoot to Gojjam like the day you came.'"

In the same incident, a 30-year-old victim who had been able to escape to the adjacent town of Jebo Deben described the incident to AAA in the follow-

ing manner: *"There were 5 members of another family residing in the home where I was being held together with my wife and child. They took turns beating us with electrical cables before we were escorted to the school. They said, 'this nation belongs to the Oromos. If you refuse to return to your starting point, you will pay the price.' They spit at us, calling us other nasty names, and said, 'we will not live with dirt.'"*

In one of the woredas, Abe Dongoro, during the state-sponsored mass slaughter and displacement of Amharas in 2000 in the Oromia Region's East Wollega Zone, where well over a thousand defenseless Amharas have been horrifically massacred, the regional government authorities were saying *"Wollo is Wollo, just kill them"* (meaning Amhara is Amhara, just kill them).¹¹³

d. Existence of a Genocidal Policy

As noted above, the law suggests that a plan or policy of destruction can be a strong indicator of intent to destroy though it is not necessarily required. The AAA has a reasonable basis to believe that there exists a "plan or policy" of destruction of the Amhara residents in the Oromia Region among the TPLF, OLF, OLA, and the Oromia Regional administration led by the Prosperity Party. The following facts imply that one or more of the aforementioned parties have genocidal policies in place:

- On July 5, 2022, Hangasa Ibrahim, a member of the Federal Parliament who was elected on the system of the ruling Prosperity Party, spoke on a live Facebook broadcast about the mass killings that had taken place in the Oromia Regional State and mentioned that senior regional state officials fully participated. In the video, Hangasa reiterated his claim that the Oromia Region Presidential Office and the Oromo Prosperity Party had organized an unofficial armed group called "Sabotage Shene" to commit atrocities against the Amharas. *"Because we are aware of the truth, we are speaking up,"* said Hangasa. He said, *"I must disclose this truth*

¹¹⁰ See, *Prosecutor vs. Brđjanin, Case No.IT-99-36-T, Judgment, paragraph 985-88 (September 1, 2004)*; see also *Prosecutor vs. Stakic, Case No. IT-97-24-A, Appeals Chamber Judgment, paragraph 52 (March 22, 2006)*; the tribunal asserted that "ethnic slurs...might reasonably be understood as an implied call for the group's destruction."

¹¹¹ EHRCO (n 45).

¹¹² AAA Reports, *"They Stole Our Tears" - The Agamsa Massacre of Amharas: Victims branded Victimizers, September 16, 2022*. Available at <https://www.amharaamerica.org/post/the-agamsa-massacre-of-amharas>

¹¹³ Moresh Wogene (n 8), p.136.

so that I am not followed by my conscience if I die tomorrow," adding, "I should expose this truth and die tomorrow." This statement of the parliament's member is consistent with the OLA's statement that accuses the Oromia Regional Government backed militias of killing Amhara residents. For instance, following the deadly Tole massacre of June 18, 2022 in Gimbi Woreda of West Wollega Zone, in a press release on June 20, 2022, OLA said, "The recent massacre in Tole is committed by the regime organized militia group called 'Gachana Sirna', which means 'the guardians of the regime' that wear artificial wigs to impersonate members of the OLA." Such statements do not obliterate OLA from the crimes they committed against Amharas but they do show admission by Oromo elites that even the regional governments have a group tasked to exterminate Amharas.

- In November 2022, strong evidence emerged showing that the OLA and the Oromia Regional Government is working hand in glove to destroy and wipe out Amharas from Oromia Region. During an interview with VOA Amharic on December 7, 2022, OLA spokesman Odaa Tarbii stated, "The OSF is taking measures without the need to wait for an order from Arat Killo [the federal government] with us [the OLA]. The OSF is doing a good job in West Wollega and Horo Guduru Zones." The implication is that the ongoing massacre of Amhara residents in Wollega involves not only the regional government of Oromia but also the federal government. Beyond this high-level confession, there is no other proof that the OLA and the Oromia Regional Government are collaborating on a policy to destroy the Amhara residents of the Oromia Region. This statement of the spokesperson is consistent with the facts on the ground that the AAA was able to document since November 18, 2022. According to sources who spoke to AAA, the OSF, OLA, and Qeerro (young ultranationalists) carried out a series of identity-based massacres against Amhara people in a number of cities in the East Wollega and Horo Guduru Wollega Zones between November 18 and December 8, 2022. In the incident, 62 Amharas were arbitrarily detained by security personnel in Anger Gutin (Gida Ayana Woreda, East Wollega Zone) and the attacks caused millions of ETB in property damage and resulted in the deaths of 219 Amhara residents, 107 injuries, and 40 abductions (who are presumed dead).

- Following Amhara massacres which intensified since November 18, 2022, on December 3, 2022, Addis Ababa police personnel detained 22 Amharas who came to Addis to report to the EHRCO about the ongoing genocidal campaign in the Wollega Zones of the Oromia Region.¹¹⁴ The detainees were released on December 6, 2022 after four days in detention centers and told AAA that they were threatened not to expose the ongoing campaign in Wollega to the attention of the media and human rights organizations. The EHRCO denounced this act as unlawful in its December 8, 2022 press release.

- The sudden and unexplained withdrawal of security forces from areas where an imminent danger is impending is another evidence of coordination and genocidal policy in effect. For instance, in the Kiremu Woreda (East Wollega Zone) massacre of the August 18, 2021 where at least 150 were brutally killed by OLA and local collaborators, the massacre occurred a day after the sudden and uncommunicated withdrawal of the OSF from the nearby areas of the district.¹¹⁵ Similar unexpected withdrawal preceded the October 10 massacre against Amharas in Haro Kebele of Kiremu Woreda that resulted in the killing of at least 15 Amharas and injuring 18 others. OLA militias gathered in the vicinity of Haro Kebele for three days following the OSF's withdrawal on October 6. Frightened by the situation, the residents made numerous anxious calls to government officials and the EHRC, warning of an impending attack and stressing the need for immediate redeployment of security forces in the area. Yet requests for security forces to be sent received no response, and 33 civilian casualties have been recorded.

- Lastly, the presence of genocidal policy can be inferred from the fact that neither the regional government of Oromia nor the federal governments have taken any serious steps to prevent or punish the Amhara massacre

¹¹⁴ The Council's press release following the incident can be found here <https://www.facebook.com/100064850524642/posts/525903722914641/?app=fbl>

¹¹⁵ AAA, 'NEGLECTED MASSACRES AGAINST AMHARAS: Compendium of AAA's 2021 Reports on Human Rights Violations against Amharas' (n 52), p.50.

in the Oromia Region even if they are notified ahead of an impending attack. Contrarily, those who participated in the atrocities were given promotions. For instance, civil and security officers of the regional government who directly participated in the post-Hachalu death violence are still in governmental power. Even some cadres have been promoted to zonal and regional level administration offices though they are suspected of directly aiding the Qeerro assailants. The zonal and regional officials were notified for deployment of security, however; witnesses described that officials were not happy to do so justifying that “*they were not ordered to do so.*” In the Asebot Woreda, for instance, of the West Harerge Zone, victims have approached the mayor to call the Ethiopian National Defense Force; however, he refused and mocked the request saying “*I don't have the balance [loaded account balance] to call.*” Surprisingly, he is still in charge of power in the town.¹¹⁷ All of these coordinated actions by the government and OLA is evidence of a joint plan to attack and displace the Amharas.

e. Destruction of Religious Property as Added Evidence of Intent to Destroy

The attacks against the Amharas in the Oromia Region also show destruction of “religious property” which, while not in and of itself a form of genocide, is a relevant factor in showing intent to destroy a protected group.¹¹⁸

Since 1991 churches belonging to the *Ethiopian Orthodox Tewahedo Church* (EOTC) have been burned down at different times and places. The Oromo extremists target the EOTC because they associate it with the *neftegna*. And as provided in the first part of this report, “neftegna” is an umbrella term which at times includes followers of the EOTC irrespective of ethnicity though it is used for ethnic Amharas irrespective of religion. For example, Muslim Amharas were among the primary targets in the recent and ongoing wave of massacres particularly for incidents across the four Wollega Zones. Therefore, in the minds of the extremist Oromo, the destruction of the EOTC is part of their genocidal plan of eliminating neftegna/Amhara from the land of Oromia. That is why the target of the church is presented here as circumstantial evidence of intent to destroy.

For instance, the August 18, 2021 massacre in Silidero town (Kiremu Woreda, East Wollega Zone), where at least 150 defenseless Amharas were massacred, began with an attack on the local EOTC. The OLA militias stormed into the St. Gabriel's Church in Silidero, killing at least 15 ethnic Amhara worshippers who had gathered to observe St. Michael's Day. They executed these Amhara worshippers, including the vice-leader of the church, Priest Nibret Asnakew, by slitting their throats with machetes and knives, as well as shooting them from point-blank range, execution-style.¹¹⁹

In another incident in the Diga Woreda (East Wollega Zone) on November 11, 2021, where 20 Amharas were killed with machetes, knives and gun shots, and the OLA militias looted and set ablaze at least three churches belonging to the EOTC such as St. George's Church (Bereda Sorema Kebele), Baleegziabher Church (Melka Beti Jirma Kebele), and St. Mary's Church (Bereda Sorema Kebele).¹²⁰

Then on October 15, 2006, the local Qeerro burned down a church in the Agaro Woreda of the Jimma Zone. In the early hours of October 15, 2006, a group of Oromiffa (the language of the Oromos) speaking individuals wearing plain clothing and OSF uniforms came to the church and forced the congregation members to convert to Islam. After the refusal of the congregation, the angered group killed six people with machetes and set fire on the church and then hurled some victims into the on-fire structure.¹²¹

¹¹⁶ EHRCO (n 46), p.38.

¹¹⁷ *ibid.*

¹¹⁸ See, *Prosecutor vs. Krstic*, Case No. IT-98-33-T, Judgment, ¶ 580 (Aug. 2, 2001)

¹¹⁹ AAA, 'NEGLECTED MASSACRES AGAINST AMHARAS: Compendium of AAA's 2021 Reports on Human Rights Violations against Amharas' (n 52), p.50.

f. Displacement in Deplorable Conditions

A protected group's intentional destruction can be inferred from the way a displacement occurred and the circumstances surrounding it. Displacement in a deplorable condition is a slow moving but lethal attempt to destroy a targeted people.¹²² The forced nature of the displacement, the subsequent denial of humanitarian aid, and the attacks against IDPs in camps are proof that the Amhara people in the Oromia Region are being targeted for extinction.

Amharas have been systematically uprooted during the early 1990s from places in the Oromia Region where they had lived for decades. However, after Prime Minister Abiy Ahmed came to power in 2018, the frequency of forced displacement rapidly increased. The displacement of Amharas was state-sponsored, and it was accompanied by a killing rampage and poor IDP accommodations. According to a number of reports, the Oromia administration actively took part in the large Amhara displacement and launched a widespread attack on the IDP Amhara population.

The incident in East Wollega in 2000 is an example of how Amharas were subjected to a premeditated forced displacement and subsequently marginalized after they were displaced. The Oromia Regional government publicly ordered Amharas to leave and a conflict broke out which resulted in massacre of more than 1,000 civilian Amharas. Following their forced settlement in a wholly hostile environment, another 1,000 Amhara residents were systematically killed. The detail of the incident is provided in the following. Between June 15 and June 23, 2000, Amharas were ordered to evacuate the Oromia Region and the East Wollega Zone. In public areas, signs reading "go back home, Amharas" were posted. The strategy for who would attack whose homes and abduct whose wife was planned out in great detail. Following that, radical Oromos kidnapped and raped four married women. After that, Oromos took the belongings and homes of the Amharas. Women and children were among the many Amharas who died, and other individuals were burned to death after being imprisoned inside their homes. A mother and her one-week-old child were killed by fire in their home in the village of Garrero. More than 100 Amhara homes were set on fire deliberately. In November or December 2000, a second round of extensive displacement was under way. An attempt by Woreda officials in Gida Kiremu to arrest and confiscate the weapons of Amharas in the various Kebeles provided the prelude to the incident. The National Defense Force and several regional police units opened fire on the Amhara residents. As a result, around 1,100 Amharas were killed and 14,000 Amharas left for Bure and to West Gojjam Zone of the Amhara Region. After arriving in Bure, the displaced people were driven to the Jawi area of the Awi Zone to make their new homes. The record of malaria incidence in the area, however, meant that up to 1,000 individuals became sick and died. The government failed to stop malaria despite the fact that they were in a hostile environment.

There were occasions also, after their displacement, that the Amhara displaced population stayed in the Oromia Region with little or no humanitarian aid to support life. Attacks have also been launched on Amharas residing in temporary shelters, showing that the perpetrators' intent is not just to expel the Amharas out of the Oromia Region but also to exterminate them completely. Humanitarian assistance was regularly given to ethnic Oromo residents during the Kiremu Woreda massacre on July 18, 2021, which resulted in 151 innocents Amharas being butchered by the OLA militia and 40,000 being displaced; Amhara IDPs; however, did not receive any humanitarian aid. A woman who was an IDP in Haro Kebele (Kiremu Woreda) stated that no ethnic Amhara IDPs, including those injured in the massacre, have received or are aware of any humanitarian assistance for about a month now, since the day of the massacre. This above statement was reinforced by a 39-year-old IDP who said:

¹²⁰ *id.*, p. 76.

¹²¹ Moreshe Wogene (n 7).

¹²² The crime of "deliberately inflicting on the group conditions of life calculated to bring about its physical destruction" covers methods of destruction by which the perpetrator does not immediately kill group members but ultimately seeks their physical destruction. *Prosecutor vs. Stakic*, Case No IT-97-24-T, Judgment, 517 (July 31, 2003).

"We fled with the clothing and shoes we were wearing. We are not receiving any kind of humanitarian assistance from the government or charitable institutions. As a result, we are facing chronic food shortages and are unable to feed our children. When I see my children so hungry, I wish I was killed by the OLA. We feel neglected while Oromo IDPs receive food yet we receive nothing," the speaker continued saying "food and other support are offered to Oromo IDPs. They are getting assistance virtually every day."

Attacks were often launched in the Oromia Region against the displaced Amhara people. In Haro Kebele of Kiremu Woreda, East Wollega Zone, on December 23, 2022, the joint OSF-OLA forces, assisted by Qeerro (youth who support extreme nationalism), killed at least 32 Amhara IDPs and civilians and injured an additional 16 IDPs.¹²³ An estimated 80,000 Amhara IDPs were housed in Haro Kebele after being uprooted from 19 neighboring Kebeles in three Woredas, including Kiremu, Amuru, and Jardega Jarte. Amharas, who were persecuted in Oromia Region's surrounding districts due to their identity, were thought to live relatively safely in Haro. But on December 23, 2022, at 5:00 a.m., joint OSF-OLA militants arrived in 6 truckloads and started firing on Haro town civilians (including IDPs). Several IDPs died as a result, while more suffered injuries. Between October 10–14, 2021, in a different incident, OLA militias supported by the local collaborators launched a full-scale attack against the Amhara IDP communities in the Haro Kebele of the Kiremu Woreda. In the attack, 33 civilian casualties have been recorded, including 15 killings and 18 victims who suffered injuries of various kinds. Just days before the attack, the OSF was made to withdraw from the area on October 6, 2021, without prior notification. As soon as the OSF withdrew from the area, a military buildup of the OLA militias was seen at the outskirts of the Kebele, and the residents notified the government of the impending threat, but their cries were not met with any response from the government, and the massacre happened on October 10. Finally, on September 16, 2021, at least twelve Amhara IDPs, including seven women, were killed and five others were injured in an incident in Kiremu Woreda (East Wollega Zone). On September 16 at 8 a.m., OLA militias kidnapped the IDPs from Laften village. They were traveling from Kiremu 01 to their homes, hoping for an improved security situation in their original place of displacement.

1.2. The Requirement of "in Whole or in Part"

The intent to destroy a group or groups "in whole or in part" is the next prerequisite for genocide's "special intent." Regarding this requirement, case law clarifies that there must be an intention to destroy a certain portion of the group, not isolated individuals within it.¹²⁴

*"Although the perpetrators of genocide need not seek to destroy the entire group protected by the Convention, they must view the part of the group they wish to destroy as a distinct entity which must be eliminated as such. The killing of all members of the part of a group located within a small geographical area, although resulting in a lesser number of victims, would qualify as genocide if carried out with the intent to destroy the part of the group as such located in this small geographical area."*¹²⁵

However, where the entire group is not targeted for destruction, but only a "part" of the group, case law specifies that the part of the group targeted must be a "substantial" part of the whole group.¹²⁶ The Appeals Chamber in Krstić explained that "it is well established that where a conviction for genocide relies on the intent to destroy a protected group 'in part,' the part must be a substantial part of that group." The Appeals Chamber in Krstić further opined on when the targeted part of the group satisfies the "substantial part" requirement:

"The determination of when the targeted part is substantial enough to meet this requirement may involve a number of considerations. The numeric size of the targeted part of the group is the necessary and important

¹²³ See the full report at https://www.amharaamerica.org/_files/ugd/e494ca_f78d980661574c9abaffba6c8204c153.pdf

¹²⁴ The trial Chamber in Krstić and Stakić explained that "the intent to destroy a group, even if only in part, means seeking to destroy a distinct part of the group as opposed to an accumulation of isolated individuals' within it."

¹²⁵ Krstić, Case No. IT-98-33-T, Judgment, 590

starting point, though not in all cases the ending point of the inquiry. The number of individuals targeted should be evaluated not only in absolute terms, but also in relation to the overall size of the entire group. In addition to the numeric size of the targeted portion, its prominence within the group can be a useful consideration. If a specific part of the group is emblematic of the overall group, or is essential to its survival, that may support a finding that the part qualifies as substantial within the meaning of Article 4."¹²⁷

1.2.1. Factual Information Suggesting the “in Whole or in Part” Requirement is Satisfied.

Here, the factual information suggests that the part of the Amhara that was targeted in the Oromia Region of Ethiopia satisfies the “in part” requirement of genocide’s special intent (*dolus specialis*). Initially, it is clear that Amharas were targeted due to their group membership, not as isolated individuals. This is evidenced by the attackers’ ethnically inflammatory statements, which make it quite evident that it was the Amhara ethnic group in the Oromia Region that was targeted, rather than particular individuals. Various victims and survivors made clear on various occasions that they were targeted not because they are particular individuals but for their Amhara identity. CC’s Element of Crime provides that the killing of one or more persons establishes genocide so long as other elements of the crime exist. Following this line of interpretation, the Amhara massacre which involves the killing of thousands of Amharas fulfills the legal element of the crime of genocide under article 6 of the Rome Statute. Therefore, the ‘in part’ requirement under Article 2 of the Genocide Convention is fulfilled.

The requirement that the part of the group targeted be “substantial,” can be met by showing, among other things, the prominence of the group targeted. Around two million Amharas were registered in the Oromia Region in the last national census, which was performed 15 years ago. However, Amhara Regional government leaders and others who follow census data put the estimate between 5-20 million Amharas reside in Oromia. Currently, a sizable portion of the Oromia Region has been ethnically cleansed of Amharas, particularly in the four zones of the Wollega area (East Wollega, West Wollega, Qellem Wollega and Horo Guduru Wollega), where millions of Amhara had lived for generations. The Amhara people were forcefully removed by the millions. The displacement is usually accompanied by heinous crimes against the lives and physical integrities of the defenseless Amharas. The survival of Amharas is therefore distinctly threatened because of the appalling conditions of their displacement, which led to atrocious atrocities being committed against the men, women, children, and PWDs. Because there were a sizeable number of the targeted (both killed and displaced in a horrific manner) Amharas in the Oromia Region, the “in part” criteria under Article 2 of the convention is satisfied.

1.3. The Requirement of “A National, Ethnical, Racial or Religious Group”

The other requirement of the special intent is that the intent to destroy must target one of four protected groups—a national, ethnic, racial, or religious group.¹²⁸ Case law states that the group should be evaluated on a “case-by-case” basis using a combination of objective or subjective criteria.¹²⁹

The current approach, however, prioritizes the subjective method of determining a group’s protected status.¹³⁰ The subjective method focuses on how the group is perceived to have been stigmatized, either by the perpetrator or the victim itself, based on “perceived national, ethnical, racial, or religious features.”¹³¹ It is about

¹²⁶ See for instance, *Simba*, Case No. ICTR-01-76-T, Judgment, paragraph 412. It is explained that although there is no numeric threshold, the perpetrator must act with the intent to destroy at least a substantial part of the group. In the *Prosecutor Vs. Muvunyi*, Case No. ICTR-2000-55A-T, Judgment, paragraph 479 (Sept. 12, 2006), it is further provided that “While there is no upper or lower limit to the number of victims from the protected group, the prosecution must prove beyond reasonable doubt that the perpetrator acted with the intent to destroy at least a substantial part of the group.”

¹²⁷ *Krstic*, Case No. IT-98-33-A, Appeals Chamber Judgment, 12, 14

¹²⁸ Therefore, destruction of political groups is not covered. Similarly, targeting of the cultural or sociological characteristics of the group would not suffice, although, as explained above, “attacks on cultural and religious property” “may legitimately be considered as evidence of intent to physically destroy the group. This requirement is laid down under article 2 of the Genocide Convention and article 6 of the Statute of the International Criminal Court (Rome Statute).”

¹²⁹ For instance, in the *Stakic* case the Appeals Chamber under paragraph 25 suggested the application of both subjective and objective criteria. Besides, in the *Prosecutor vs. Muvunyi* case, the ICTR judgment under paragraph 484 provides that “Trial Chambers have tended to decide the matter on a case-by-case basis, taking into consideration both the objective and subjective particulars.”

¹³⁰ With respect to the current emphasis towards a subjective approach of determining the protected status of a group, see *International Crimes Database Brief 18*, defining the protected groups of genocide through the case Law of International Courts, December 2015, p.1-2

the group's perceived differentness as opposed to the objective approach, which relies on dubious parameters such as skin color, culture, and so forth. The ICTY Trial Chamber in *Brdjanin* explained:

"The relevant protected group may be identified by means of the subjective criterion of the stigmatization of the group, notably by the perpetrators of the crime, on the basis of its perceived national, ethnical, racial or religious characteristics. In some instances, the victim may perceive himself or herself to belong to the aforesaid group."

As mentioned above, though the emphasis is on the subjective approach, it does not mean that some objective parameters cannot be employed altogether. Thus, those criteria such as common culture and language can be employed to determine the protected status of a group. Accordingly, an ethnic group, for instance, is "a group whose members share a common language or culture"¹³², although those criteria are not always applied strictly.¹³³

1.3.1. Factual Information Suggesting the Targeting of Ethnic Groups

The facts show that the Amharas, who are a distinct "ethnic" group from the attackers, who belong to the Oromo ethnic group, are selected out for abuse in Ethiopia's Oromia Region. The Amharas primarily speak the Amharic language and have their own culture.¹³⁴ The OLF/OLA, and TPLF, who massacred Amharas, persecuted them due to their belief that they belonged to the Amhara ethnic group. On August 29, 2022, a 68-year-old survivor of the Agamsa massacre recalled an OLA member saying, "Oromia is now free, and the fate of the Amhara people will be determined by the Oromo people."¹³⁵ This statement implies that Amharas are not allowed to live in the Oromia Region because they are thought to be a distinct group and they have to be destroyed if the Oromos decide so. Another survivor who had managed to escape to the nearby town of Jebo Deben described his experience, "until we were taken to the school, they (OLA) took turns beating us with electrical cables and telling us 'this country belongs to Oromos.'" If you refuse to go back to where you came from, you will pay your price. We will not live with dirt."¹³⁶ A survivor of the Jarte massacre between September 23-25, 2022, also recounted his experience of how Amharas were selectively targeted:

*"When they approached Jarte town, we Amharas were stressed because we knew they would not spare us. Then 15 of us hid in a house (in Jarte town). Before they could come inside the house, I locked the door from the outside. Then I jumped over the window and closed it from the inside. While inside, we heard screaming and cries for help in homes beside us, followed by repeated gunshots and silence. We heard the Shene (OLA) speak to the local Qeerro, saying, 'Which houses belong to Amharas? Show us who is Amhara'. The Qeerro replied, 'This one.' Then, they began hitting the door of the house, and we were there to break it. We remained quiet. After failing to break it and seemingly guessing no one seems to be inside because it is locked from the outside, one of the OLA militiamen said, 'We will check it again tomorrow,' and they left."*¹³⁷

The perpetrators of the Kiremu incident on August 18, 2021, looted and burned down Amhara homes and other properties that had been methodically identified beforehand. Oromo residents were reportedly ordered to mark the front of their homes with the words "Mana Oromo" (an Oromo term that refers to "Oromo's house") before the attack. As a result, the attackers targeted their attack on homes without this sign in order to massacre the Amharas inside as well as rob and destroy their belongings. "When they noticed a house without a 'Mana Oromo'

¹³¹ Schabas (n 81), p.125

¹³² Prosecutor vs. Akayesu, Case No ICTR-96-4-T, Judgment, paragraph 513 (Sept. 2, 1998)

¹³³ Schabas (n 81), p.1713

¹³⁴ Anyone who wishes to briefly know about the language and Folklore of the Amhara ethnic group in Ethiopia can visit 'Countries and their Cultures' website at <https://www.everyculture.com/wc/Costa-Rica-to-Georgia/Amhara.html>. See also, Simon Messing, "Amhara," Encyclopedia of World Cultures, 1996, <http://www.encyclopedia.com/topic/Amhara.aspx>

¹³⁵ AAA, "they stole our tears" - The Agamsa Massacre of Amharas : Victims Branded Victimizers [English Version] Major Findings of the Investigation, p.7. Available at <https://www.amharaamerica.org/post/the-agamsa-massacre-of-amharas>

¹³⁶ id., p. 17

¹³⁷ AAA, 'Ethnic-Based Massacre of Amhara Civilians by Oromo Liberation Army (OLA) Militants in Jarte (Jardega JarteWoreda) and Amuru (Amuru Woreda) Towns in Horo Guduru Wollega Zone, Oromia Region, Ethiopia' (2022), pp.7-8 <<https://www.amharaamerica.org/post/ethnic-based-massacre-of-amhara-civilians-by-oromo-liberation-army-militants>>.

label, they entered the building, killing everybody they found first, looting property next, and setting it on fire last," one of the IDPs who managed to flee the massacres told AAA.¹³⁸

There is proof that the targeted individuals self-identify as Amhara, which is additional reason to believe that they belonged to a protected group. A survivor of the aforementioned Jarte massacre said:

*"They [OLA] are coming against us. We are hoping the government will come for us. But our hope is naive. No one has come here to assist us. I wonder why we Amharas lack a government that at least allows us to bury our dead. The Oromo Special Forces belong to the Oromos, will die for them, and will not kill the Oromo Shene (OLA). Where is Amharas' protection? No one cares for us Amharas here."*¹³⁹

1.4. The Requirement of "as Such"

The final legal requirement regarding the special intent (*dolus specialis*) of the crime of genocide is that the national, ethnical, racial or religious group be targeted "as such." That is, "the victims of the crime must be targeted because of their membership in the protected group."¹⁴⁰ As the Appeals Chamber in *Stakić* explained: "the words 'as such' focus on the destruction of groups, not individuals;¹⁴¹ the words show "that the offence requires intent to destroy a collection of people who have a particular group identity." Thus, for example, the Trial Chamber in *Krstić* explained:

*"The victims of genocide must be targeted by reason of their membership in a group ... the intent to destroy a group as such, in whole or in part, presupposes that the victims were chosen by reason of their membership in the group whose destruction was sought. Mere knowledge of the victims' membership in a distinct group on the part of the perpetrators is not sufficient to establish an intention to destroy the group as such."*¹⁴²

Thus, the group per se must be targeted, not specific individuals.¹⁴³ As the Trial Chamber in *Jelisić* explained:

*"The intention must be to destroy the group 'as such,' meaning as a separate and distinct entity, and not merely some individuals because of their membership in a particular group. By killing an individual member of the targeted group, the perpetrator does not thereby only manifest his hatred of the group to which his victim belongs but also knowingly commits this act as part of a wider-ranging intention to destroy the national, ethnical, racial or religious group of which the victim is a member."*¹⁴⁴

1.4.1. Factual Information Suggesting "As Such" is Satisfied

Here, it is obvious that the group members—Amhara—are being targeted simply because they are Amhara and not because they are specific individuals. From various victim and survivor accounts, and from statements and pronouncements released by Oromo Prosperity Party, OFC, OLF/OLA, and documented massacres, AAA has reasonable grounds to conclude that what has occurred in Oromia Region against Amharas meets the definition of a genocide. Sheikh Syed Ali, a 56-year-old man who lost five members of his family in the March 9, 2021 Amhara massacre in the Jardega Jarte Woreda of the Horo Guduru Wollega Zone, stated, *"they target us because we are Amharas. For instance, my three-month-old baby girl did not do anything wrong. She was shot just because of her identity. My family members, including my three children, were killed based simply on their ethnic identity."*¹⁴⁵ A three-month-old baby girl would not be murdered for any reason whatsoever if it weren't for the Amhara as a group being targeted. Children as young as two years old, as well as people with physical and mental disabilities,

¹³⁸ AAA, 'NEGLECTED MASSACRES AGAINST AMHARAS: Compendium of AAA's 2021 Reports on Human Rights Violations against Amharas' (n 52), p.55.

¹³⁹ *ibid.*

¹⁴⁰ *Prosecutor vs. Blagojević & Jokić*, Case No. IT-02-60-T, Judgment, paragraph 669, Jan. 17, 2005

¹⁴¹ *Prosecutor vs. Stakić*, Case No. IT-97-24-A, Appeals Chamber Judgment, paragraph 24, March 22, 2006.

¹⁴² *Prosecutor vs. Krstić*, Case No. IT-98-33-T, Judgment, paragraph 561, Aug. 2, 2001

¹⁴³ The trial chamber in *Sikjirica* explained that the evidence must establish that it is the group that has been targeted and not merely specific individuals within that group. That is the significance of the phrase "as such" in the chapeau. Whereas it is the individuals that constitute the victims of most crimes, the ultimate victim of genocide is the group, although its destruction necessarily requires the commission of crimes against its members, that is, against individuals belonging to that group.

¹⁴⁴ *Jelisić*, Case No. IT-95-10-T, Judgment, paragraph 79

were killed in the Kiremu Massacre on July 18, 2021. Recounting the massacre, Kebede Ayalew (not his real name), a resident of Kiremu Woreda, told AAA: *"Men, women, the elderly, persons with physical disabilities, the mentally impaired, and children were rounded up, then shot or hacked to death simply for being Amhara."*¹⁴⁵ What justifies the murder of a mentally-ill person? Oromo extremists murdered PWD because they do not wish to see any Amhara as an entire group. It is a deep hatred of the Amhara as a whole, not of any individual Amhara. A mass execution survivor from the Lemlem massacre of July 4, 2022 described how Amharas were targeted because of their Amhara identity.

"They detained hundreds of people. Some of us were made to drive and look for hundreds of livestock that had been stolen as well as transport looted goods. We passed several dead bodies as we made our way from Mender 20 to Mender 21. Both homes and warehouses were on fire. 'Are you Oromo?' One of the militants yelled out in the Oromiffa language as we were traveling. One of the prisoners replied in the same language, 'Yes.' Then the militant responded, 'You aren't an Oromo. You're just cardboard, or rubbish.' We completely gave up on being spared at that point. When we arrived at Mender 21, one of the prisoners asked to be released from the militant's commander on the grounds that he is an Oromo who came from Kemise (Oromia Special Zone, Amhara Region). They investigated him to see if his allegations were true. They released him and his family of seven when they were convinced. While we were traveling to Village 21, some of the captives were slain. For a while, they gathered and confined us at Tuloma School. Then they led us to a distant forest. We were divided up into a number of groups of five and six persons. The commander then divided each group of soldiers into three. Then, each group was divided. The commander then fired into the air. The command to shoot was given by that fire. Each group would soon automatically fire once. When I heard the order to fire, I collapsed to the ground and pretended to be shot. This is how another woman also managed to save herself. A third woman was hurt but survived. With the exception of three people, including myself, all 41 people passed away instantly. Children and expectant mothers were among those who murdered. I witnessed a pregnant woman being dragged along with us, barely able to move. They attacked us just because we were Amhara."

In conclusion, it is evident that the Amharas in Ethiopia's Oromia Region have experienced all four manifestations of the special intent (*dolus specialis*) of genocide. The next section will demonstrate whether one or more of the underlying crimes under Article 2 of the Genocide Convention were committed against the Amhara people in the Oromia Region.

2. The Underlying Crimes

To conclude that genocide has been committed against a protected group, one or more of the following underlying crimes must always be established in addition to the special intent requirement:

- 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.

Here, the facts clearly show that at least the first two crimes of killing and causing serious physical and mental harm against members of the group have been committed.

¹⁴⁵ In the Jardega Jarte massacre of March 9, 2021, 25 Amharas were killed and four other were wounded by the OLA, including three months old child. For the details of the incident, see *Neglected massacres against Amharas: Compendium of AAA's 2021 Reports on Human Rights Violations on Amharas* (n 52), p. 30.

¹⁴⁶ *Id.* p.50

2.1. Killing Members of the Group

For “killing” to suffice as an underlying crime, it must be killing of members of the protected group.¹⁴⁷ Whereas the focus of the *dolus specialis* (special intent) is the intention to commit genocide, regarding the underlying crimes, “proof of a result” is required.¹⁴⁸ Amharas have been killed frequently in Ethiopia's Oromia Region since the early 1990s. The following are only a few instances:

- Several dozen Amhara residents were massacred by the OLA in collaboration with local ultranationalist Oromo youths on September 23–25, 2022, in one of the bloodiest ethnically motivated attacks in Horo Guduru Wollega Zone. The identities of 170 of those murdered were confirmed by AAA.¹⁴⁹
- On August 29, 2022, the OLA massacred Amhara residents on the grounds of their ethnicity in the town of Agamsa, which is located in Amuru Woreda, Horo Guduru Wollega Zone.¹⁵⁰ The OLA was in control of the town on August 29, 2022. The OLA supported by the local Qeerro and some Oromo militiamen went door-to-door looking for ethnic Amhara people and conducted a campaign of systematic massacre using a variety of methods and weapons. At least 50 Amhara civilians perished as a result of this round of killing spree carried out by OLA and its allies. 61 Amharas were killed in total, including 20 more Amharas who were kidnapped, as well as 11 more Amharas who were killed in nearby communities. The attack took place after the OSF, who was stationed in Agamsa town, suddenly withdrew from the town on August 28, 2022, at about 7 p.m. The residents started hearing gunshots from the OLA less than an hour after the OSF trucks left, according to all AAA sources. On Monday, August 29, 2022, when they found themselves surrounded, the locals confirmed their suspicions that the OLA had entered the town.
- At least 308 defenseless Amharas were massacred by the OLA on July 4, 2022, in the villages of Mender 20 and Mender 21 in the Lemlem Kebele, Hawa Galan Woreda of the Qellem Wollega Zone.¹⁵¹ A large number of the victims died from gunshot wounds, while a few others—mostly kids—died through drowning and a few others were blown up by explosives. Around 9 a.m., the attack started, and it continued until 3 p.m. The perpetrators employed machetes and knives to kill some of the victims while shooting others. Some of the others died from burns
- On June 18, 2022, in Tole Kebele, Gimbi Woreda, West Wollega Zone of Oromia Region, alleged OLA militias, assisted by a group of local Oromo ultranationalists, murdered hundreds of ethnic Amharas, looted and destroyed Amhara property, including cattle, cash, and cereals, and set fire to Amhara homes.¹⁵² Several reports place the death toll from the incident between 400 and over 500, while the exact figure is still unknown. Amnesty International spoke with a local administrative officer who claimed that the attack claimed the lives of at least 450 people.
- In the year 2000, the Oromia Regional security forces in the East Wollega Zone killed over a thousand Amharas in two waves of massacres.¹⁵³ Thousands were also relocated, and another 1,000 Amharas were forced to perish from malaria after being forced to settle in an uninhabitable environment.
- In West Harerge, more nearly half of the Amharas were massacred between 1992 and 1993.¹⁵⁴ Many of them were murdered with a weapon called a “Mencha” by the locals. More than 10,000 people have been killed in the

¹⁴⁷ See, *Prosecutor vs Brđjanin, Case No. IT-99-36-T, Judgment, paragraph 689 (Sept. 1, 2004)*; It is provided that “the killing must be of members of the targeted national, ethnical, racial or religious group.”

¹⁴⁸ Under Brđjanin, Case No. IT-99-36-T, Judgment, and paragraph 688 it is provided that “the acts in subparagraphs (a) and (b) of Article 2 require proof of a result.”

¹⁴⁹ AAA, ‘Ethnic-Based Massacre of Amhara Civilians by Oromo Liberation Army (OLA) Militants in Jarje (Jarjega Jarje Woreda) and Amuru (Amuru Woreda) Towns in Horo Guduru Wollega Zone, Oromia Region, Ethiopia’ (n 140).

¹⁵⁰ AAA, “‘They Stole Our Tears’ - The Agamsa Massacre of Amharas : Victims Branded Victimizers [English Version] Major Findings of the Investigation’ (n 138).

¹⁵¹ Addis Standard ‘News analysis: More than 150 reported killed in new massacre in west Oromia; PM Abiy vows to pursue and eliminate’ Oromo armed group’ (5 July 2022). Available at <https://addisstandard.com/news-analysis-more-than-150-reported-killed-in-new-massacre-in-west-oromia-pm-abiy-vows-to-pursue-eliminate-oromo-armed-group/>; VOA ‘Ethiopian PM vows to defeat insurgents blamed for killings’ (7 July 2022) <https://www.voanews.com/a/ethiopian-pm-vows-to-defeat-insurgents-blamed-for-killings/6649340.html>. Associated Free Press (AP) ‘Ethiopia leader reports new massacre in Oromia Region’ (4 July 2022) <<https://apnews.com/article/africa-kenya-ethiopia-abiyahmed-massacres-a4c91dec-f560a7756ea30d7e90324c92>>; See also AAA Reports, “They attacked us for the simple reason of being Amhara”, July 10, 2022. Available at <https://www.amharaamerica.org/post/they-attacked-us-for-the-simple-reason-of-being-amhara>

West Harerge Zone as a whole. Due to these murders, the majority of residents over the age of 25 in the area have no older brothers, fathers, or uncles.

2.2. Causing Serious Bodily or Mental Harm to Members of the Group

Causing severe bodily or mental harm to members of the protected is one of the underlying crimes under the chapeau of article 2 of the Genocide Convention. The ICTY Trial Chamber in Krstic explained that the "*actus reus*" with regard to the underlying crime of causing serious bodily or mental harm to group members is an intentional act or omission inflicting serious bodily or mental suffering.¹⁵⁵ The ICTR Trial Chamber found that "bodily harm" refers to harm that gravely impairs health, causes in deformity, or seriously injures the external, internal, or sensory organs.¹⁵⁶

Case law further provides that the harm need not be permanent or irreparable, but it must be harm that result in serious and long-term detriment to a person's ability to lead a normal and constructive life.¹⁵⁷ Considering the specific facts of each scenario is important in determining whether an act constitutes serious bodily or mental harm.¹⁵⁸ However, torture, inhuman or degrading treatment, sexual violence including rape, interrogations combined with beatings, threats of death, deportation,¹⁵⁹ and harm that damages health or causes disfigurement or serious injury were recognized to constitute serious mental or bodily harm.¹⁶⁰ The ICTR has also acknowledged that denying IDPs access to food results in "severe bodily or mental suffering."¹⁶¹

Here are certain crimes that would qualify as "serious bodily or mental harm" against the Amharas in Ethiopia's Oromia Region:

- **Torture:** Countless Amharas in the Oromia Region have at various points been tortured and subjected to other inhumane and degrading treatment. Etaferaw Dejene's 1992 ordeal in Weter (East Harerge Zone) is a tale of how Oromo extremists detested the Amharas.¹⁶² Etaferaw was an agricultural dealer who was taken prisoner by OLF fighters because of her wealth. She endured unspeakable anguish and cruelty. She was first chained. Then her various body parts were severed from her while she was completely naked. Her breasts were severed, and they forced her to eat her own flesh. They continued to cut off various body parts after removing her vagina.

Rape: Amhara women and girls were gang raped at different times and places in the Oromia Region. For instance, in 1992, in Arba Gugu (Arsi), 56 virgins were detained, raped, and forced to live with their rapists.¹⁶³ Other 76 married women whose husbands were killed were gang raped and forced into slavery.¹⁶⁴

- **Mental suffering:** The infliction of all of the above and additional crimes has caused a great deal of mental suffering to the people of Amhara. Individuals were attacked, houses were burned down, foodstuffs were looted, cattle were stolen, and individuals were subjected to physical assault, torture, sexual violence, detention, being buried alive, denial of humanitarian assistance, and forced displacement. In a place called Gelemso of the West Harerge Zone, an individual by the name Tessema Kassa whose father was invited to a meeting and murdered by having his body cut up using a *mencha* suffered mental illness after he was forced to see his father being slaughtered.¹⁶⁵ He was a child at the time of the murder. He no longer speaks and has gone mute.

In conclusion, it is indisputable that there have been major physical and mental injuries, and that the injuries have been intentionally inflicted. There is no question that there was "severe" bodily injury. Torture, rape, and displacement—crimes that have all been committed against the Amharas—have all been recognized by case

¹⁵² Amnesty International Report 'Ethiopia: Authorities must investigate massacre of ethnic Amhara in Tole' (21 July 2022) (Amnesty report on Tole) <<https://www.amnesty.org/en/latest/news/2022/07/ethiopia-authorities-must-investigate-massacre-of-ethnic-amhara-in-tole/>>. BBC 'Ethiopia violence in Oromia: 'Villages full of dead bodies' (20 June 2022) <https://www.bbc.com/news/worldafrica61864392?fbclid=IwAR0WcfE2rxPPuJNd28sR8XeK8kE7d_t_h6wnooyQJpJ6wC9fn7SoT6w_k>. Associated Press 'Witnesses say more than 200 killed in Ethiopia ethnic attack' (19 June 2022) <<https://apnews.com/article/ethiopia-africa-kenya-government-and-politics-race-ethnicity-8313964aace-8621130ecdf75917818cc>>; AAA 'It seems like the whole population is killed: Amhara massacre in the Tole Kebele, West Wollega by OLA' (3 July 2022) <https://www.amharaamerica.org/_files/ugd/e494ca_a4fb7b2180774e8c9d4370cf1dfec88b.pdf>.

¹⁵³ Moresh Wogene (n 7), pp.135-139.

law as constituting "severe bodily injury." Furthermore, if the forced displacement of women, children, and the elderly from *Srebrenica* was found to have caused "severe mental suffering," then it stands to reason that the forced removal of the Amhara people, coupled with a host of other crimes, has also caused "serious mental harm" to the Amhara people.

Conclusion and Recommendation

In conclusion, the factual information gathered as to the crimes committed in the Oromia Region of Ethiopia clearly shows the special intent (*dolus specialis*) of genocide: (1) intent to destroy, (2) in whole or in part, (3) the Amhara ethnic group, and (4) as such. The facts also clearly show that genocide's underlying crimes have been committed (any one of which would suffice for a legal case) particularly killing and serious bodily or mental harm. Thus, the law and facts strongly indicate that the ongoing killing and displacement of Amharas in Oromia fulfils the criteria for a genocide designation. In this regard, the Lemkin Institute for Genocide Prevention was correct when it characterized the Amhara persecution in Oromia as amounting to genocidal crimes. In its June 20, 2022, press release, the institute declared that "(...) *the Amhara have been targeted by all sides with violence that amounts to genocide.*"

In light of these conclusions, AAA recommends:

- The culprits of the genocide face justice and the Ethiopian Federal Government and Oromia Region officials to be hold accountable for the ongoing genocide of Amharas in the Oromia Region. Given that Ethiopia is not a state party to the Rome Statute, we call upon the UN Security Council to refer the Amhara genocide to the ICC prosecutor's notice pursuant to Article 13 of the Statute.
- An extensive human rights investigation on the Amhara Genocide should be carried out independently. Since the EHRC has proved to be engaged in covering Amhara genocide in the Oromia Region, such independent investigation must be conducted by an international organization.
- Victims are compensated and restitution is made for physical harm as well as loss of life and property.
- The ethnic apartheid system -that effectively has made Amharas in Oromia Region stateless- to be revised. Ethiopia should introduce an administrative system that protects diversity and ensure all Ethiopians are equal citizens.
- Human rights organizations to recognize the nature and scale of Amhara genocide in Oromia and scale up their advocacy effort to help stop it.

¹⁵⁴ *id.*, p.17

¹⁵⁵ *Prosecutor vs. Krstic, Case No IT-98-33-T, Judgment, paragraph 513, August 2, 2001*

¹⁵⁶ *Prosecutor vs. Blagojevic & Jokic, IT-02-60-T, Judgment, paragraph 645, Jan. 7, 2005*

¹⁵⁷ *ibid*

¹⁵⁸ *Blagojevic, Case No. IT-02-60-T, Judgment, paragraph 646*

¹⁵⁹ *In Krstic under paragraph 513 it is listed that "inhuman treatment, torture, rape, sexual abuse and deportation are among the acts which may cause serious or mental injury."*

¹⁶⁰ *See Brdjanin, Case No. IT-99-36-T, Judgment, paragraph 690 listing "torture, inhumane or degrading treatment, sexual violence including rape, interrogations combined with beatings, threats of death, and harm that damages health or causes disfigurement or serious injury to members of the targeted national, ethnical, racial or religious group" as constituting serious mental or physical harm.*

¹⁶¹ *See, Prosecutor v. Seromba, Case No. ICTR-2001-66-I, Judgment, paragraph 330, Dec.13, 2006*

¹⁶² *Moreshe Wogene (n 7),p.25.*

¹⁶³ *id.*, p. 56

¹⁶⁴ *ibid*

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