

Aide-Mémoire: Clarifying the Necessity of Enforcement of Rule of Law and Constitutional Order in Tigray.

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From: Tigray People's Liberation Front (TPLF)

To: Diplomatic Missions and International Partners

I) Context

This aide-mémoire seeks to clarify the recent largely peaceful enforcement of rule of law and restoration of constitutional order in Tigray, undertaken in response to unconstitutional governance activities. It aims to counter the misleading narratives circulating in the media and ensure the diplomatic community is properly informed. These actions were necessary to uphold peace, stability, and the full implementation of the Pretoria Agreement, which is critical to achieving lasting peace in the region.

Misinformation has distorted these peaceful and lawful measures as contraventions of the Cessation of Hostilities Agreement (CoHA). This misrepresentation diverts attention from key issues surrounding the agreement. Despite the Pretoria Agreement, non-ENDF forces continue to occupy large areas of Tigray, denying millions of displaced Tigrayans their right to return home. These forces, responsible for past atrocities, remain in control, with no accountability for their actions. Tigray's reintegration into the federal system remains stalled, essential reconstruction efforts have not begun, TPLF's legal personality has not been restored, and no meaningful political dialogue has occurred—impeding the peace process.

The Tigray Security Forces (TSF), formed to protect the people of Tigray from existential threats, played a vital role in achieving the CoHA. Efforts to undermine the TSF threaten the security and stability of Tigray. However, the TSF remains dedicated to constitutional governance, peace, and the full implementation of the CoHA.

II) Misleading Allegations and Media Narratives

The following allegations are false and detract from the true obstacles to peace and the full implementation of the Pretoria Agreement:

- The TPLF is obstructing the CoHA's implementation.
- The TPLF is forcefully seizing control of towns and dismantling the Tigray Interim Regional Administration (TIRA).
- The TPLF is colluding with Eritrea to initiate war against the Federal Government.
- Internally displaced persons (IDPs) have not returned to their homes due to Tigrayan leadership's failure to act.

These claims distort the reality of efforts to enforce the rule of law and restore constitutional governance, which are focused and localized. The allegations of TPLF's collusion with Eritrea are baseless, and the suggestion that the return of Internally displaced people (IDPs) is being deliberately obstructed is both misleading and deceptive.

III) The Need to Restore Democratic Governance and Rule of Law

The crux of the restoration of constitutional order and rule of law stems from unconstitutional appointments made by the TIRA leadership, particularly its president, violating constitutional prerogatives at the district and neighbourhood levels.

- The Tigray Constitution (Proclamation 45/2001) delineates the powers of district and local councils (Articles 71-75), which were ignored, causing confusion and administrative paralysis. In direct violation of the Tigray Constitution, the TIRA leadership unilaterally appointed local administrators, despite the Constitution mandating that local councils are responsible for appointing their respective administrators and mayors. The TPLF is not forcefully seizing power of districts and towns, nor is it dismantling TIRA.
- Although council terms have been extended nationwide due to broader national circumstances, which are not unique to Tigray, any changes in council membership must adhere to constitutional procedures through local elections. The TIRA leadership attempted to dissolve the elected local councils under the guise of term expiration and reform. The TPLF opposed these efforts, resisting the direct dismantling of the councils and appointment of individual administrators.

IV) Limited and Peaceful Enforcement of the Constitutional Order and Rule of Law

The public was mobilised to demand that local administrators and mayors duly appointed by their respective councils commence their official duties according to the Tigray Constitution. These demands were peaceful, localized to a very few towns and districts (6 districts and towns out of 93), and undertaken to safeguard constitutional governance. Contrary to media reports, these measures were minimal in scope and focused on ensuring legal and effective administrations.

- We fully support the TIRA but have called for the replacement of a few incompetent members, including the president, to better represent the interests of the Tigrayan people and facilitate the full implementation of the Pretoria Agreement.
- This is not an effort to dismantle the TIRA but to strengthen it, and ensure it operates in line with the people's aspirations for stability and good governance.

V) Refuting Accusations of Collusion with Eritrea

The claim that the TPLF is colluding with Eritrea to wage war against the Federal Government is baseless. Our sole focus remains on advocating for the full implementation of the CoHA. Such accusations are intended to deflect attention from the Federal Government's own non-compliance with the agreement.

The few individuals who have split from the TPLF are trying to carry favour with the Federal Government in an attempt to conceal their political shortcomings. Their actions do not reflect the values, objectives, or aspirations of our organization.

We urge the international community to intervene in de-escalating tensions between Eritrean and Ethiopian governments and prevent the outbreak of war between the two countries.

VI) Tigray's Commitment to Peace

Tigray's leadership, security forces, and citizens are fully committed to peace and stability. The full implementation of the Pretoria Agreement is the only path forward, including:

- Constitutional restoration of occupied territories.
- Safe return of IDPs.
- Withdrawal of non-ENDF forces and the removal of illegal settlers from displaced persons' homes and farmlands.

Tigray remains peaceful and stable, and we therefore urge countries that have issued travel and security advisories to reconsider their decisions.

VII) Legal Reinstatement of the TPLF

The Federal Government's demand that the TPLF, which just celebrated its 50th year anniversary, register as a new party contradicts the Pretoria Agreement and is completely irrational. The TPLF is recognized under the agreement, and such demands risk undermining the peace process and could trigger unnecessary conflict.

VIII) Federal Government Obligations and the Role of the International Community

The international community must hold the Federal Government accountable to its commitments under the Pretoria Agreement. We call on the international community to:

- Press for full compliance with the agreement.
- Support mechanisms for the safe return of IDPs.
- Ensure the withdrawal of non-ENDF forces from occupied territories.
- Support the rehabilitation and reconstruction of Tigray.
- Facilitate inclusive political dialogue to prevent further tensions.

IX) Conclusion

The recent enforcement of rule of law measures in Tigray were constitutional, limited in scope, and essential for preserving peace and stability. Despite media distortions, these actions were taken in the interest of ensuring good governance and preventing the rise of dictatorial local administrations.

We reaffirm our commitment to the CoHA and call on the international community to support its full implementation. Misinformation should not obscure the pressing issues facing Tigray. Only through adherence to the Pretoria Agreement can justice, stability, and lasting peace be achieved.

The TPLF, TSF, and the people of Tigray remain steadfast in their dedication to peace, constitutional governance, and self-determination. We call on the international

community to reject attempts to destabilize the region and support the people of Tigray in their pursuit of peace and security, in line with the CoHA and the Tigray and Ethiopian constitutions.