Occasional Paper

Conflict in Ethiopia: A Plea for a Comprehensive Peace Plan

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Executive Summary

- At the heart of the conflicts raging in different parts of Ethiopia lie *ideological, territorial, and ethnic tensions*. This complex problem in turn calls for an integrated approach of conflict management and transformation, strategies dealing with discourses related to "ancient ethnic hatred" and other problematic narratives, and the settlement of political differences and territorial claims through genuine negotiations at a political level.

- The primary *structural causes* of the civil: the institutionalization of prejudices and a faulty constitutional design; unbridled ethnic nationalism; a mismanaged political transition; tension between status quo and reform forces the misguided peace agreement between Ethiopia and Eritrea; the long-standing animosity between the Amhara and Tigray regional governments over contested territory; and the deterioration in the security architecture that resulted from the change of regime in 2018.

- The *main actors* in the conflict range from members of the federation to neighboring states and great powers.

- The *main sticking points* to the resolution of the conflict include the status of contested territories, the ensuring of criminal accountability, the de-listing of the TPLF from a terrorist designation, the power-sharing scheme between Abiy's government and the TPLF at the federal level, the fate of the Tigray Defense Forces (TDF), the linkage between the peace process and the planned national dialogue, and the need for and possibility of national reconciliation.

- *Actionable Recommendations:* a holistic approach is needed; apply multi-pronged confidence building measures; structural causes of the crises must be addressed; the national dialogue process needs to be revamped; engage all relevant stakeholders; the framing, (de)-linking, and ordering of issues play crucial role in resolving the conflict; temporary security guarantee for hotspot areas; and guiding principles for mediators are in order: context specific interventions, priority for human security, ripeness of conflict, understand the nature of intractable conflicts, bridge information asymmetry, make use of insider-partial mediator and watch out for spoilers ("include the devils if you must, exclude them if you can").

Introduction

Ethiopia is one of Africa's oldest multicultural states, with many different ethnic groups living together in relative harmony for much of its history.[1] However, over the last few decades, Ethiopia has become a deeply divided country, characterized by ethnic divisions, cycles of violence, a pervasive culture of impunity, competing historical narratives, and polarized political discourse. Following the overthrow of the Derg regime in 1991, Ethiopia became a federal state, constituted of eleven regional states based on ethno-linguistic criteria and two metropolitan city administrations. For nearly three decades, the Tigray People´s Liberation Front (TPLF) -- a political party representing the eponymous minority ethnic group – dominated Ethiopia's political landscape until a popular protest forced the regime to commit to "deep reforms" in April 2018. Subsequently, a flawed reform process quickly began purging TPLF political elites, leading to a fallout between the central government led by Abiy Ahmed and the TPLF. This fractious relationship (as symbolized by increasingly inflammatory rhetoric), coupled with other structural issues, eventually led to the outbreak of civil war in the northern part of the country.[2]

The civil war, now almost two year old, has had devastating consequences: hundreds of thousands of people have lost their lives, all parties to the conflict have committed heinous international crimes -- including war crimes, crimes against humanity, sexual violence, and possibly the starvation of civilians as a tactic of war,[3] resulting in the worst humanitarian crisis in the history of modern Ethiopian history, if not the world[4] -- the country has lost its former

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[1] It should be noted that, throughout its long history, Ethiopia has experienced various internal conflicts. Nonetheless, almost all conflicts took the form of class struggles, local political skirmishes, tensions between the center and the periphery, especially during the imperial era, and sporadic conflicts over resources. As such, ethnic conflict was not well-pronounced before the introduction of the ethnic-based political system in 1991 and the unhinged ethnic tensions that resulted from the 2018 political reform.

[2] The war broke out on 4 November 2020 and was triggered by preemptive strike launched by TPLF soldiers on the northern command of the Ethiopian National Defense Force (ENDF). As the war changed its dynamics since July 2021, it spread to the entire northern part of Ethiopia, with Amhara and Afar regional states becoming the battlegrounds as the Tigray Defense Forces (TDF) marched towards the capital.

[3] Generally, see the recent report of the International Commission of Human Rights Experts on Ethiopia, https://www.ohchr.org/en/hr-bodies/hrc/ichre-ethiopa/index.; the reports of Amnesty International, https://www.amnesty.org/en/latest/news/2021/11/ethiopia-survivors-of-tplf-attack-in-amhara-describe-gang-rape-looting-and-physical-assaults/.; https://www.amnesty.org/en/latest/news/2021/08/ethiopia-troops-and-militia-rape-abduct-women-and-girls-in-tigray-conflict-new-report/. For the prohibition of starvation of civilians and unlawfully denying humanitarian access in the course of war, see UN Security Council Resolution 2417(2018), available at: https://press.un.org/en/2018/sc13354.doc.htm.

[4] Carolyn Guggenbuhl, "Ethiopia´s Tigray Crisis: Famine, Humanitarian Tragedy and Tribal Politics", Berkley Political Review, 16 August 2022, available here: https://bpr.berkeley.edu/2022/03/15/ethiopias-tigray-crisis-famine-humanitarian-tragedy-and-tribal-politics/.

diplomatic status in the region, and inflammatory war rhetoric is on the brink of tearing the country's social fabric apart.[5]

At the heart of the conflicts raging in different parts of Ethiopia[6] lie ideological, territorial, and ethnic tensions. This complex problem in turn calls for an integrated approach of conflict management and transformation, strategies dealing with discourses related to "ancient ethnic hatred" and other problematic narratives, and the settlement of political differences and territorial claims through genuine negotiations at a political level.

At this juncture, Ethiopian society must seek reconciliation with itself. In the event that Ethiopia fails to save itself – as appears to be the case as things stand now -- someone else will have to step in,[7] given how high the stakes are. Crucially, without effective management of the conflict, the potential disintegration of Ethiopia looms and the future of Ethiopia hangs in the balance.

Thus, a comprehensive peace strategy that aims to transform the conflicts from ethnic warfare to sustainable peace is needed. Accordingly, this policy paper aims to shed light on the structural causes and dynamics of the conflict in Ethiopia and advance some actionable recommendations.

1. Structural Causes of Conflict in Ethiopia

A multitude of factors could be cited as root causes for the ongoing conflicts in Ethiopia. However, the primary causes can be summarized as follows: the institutionalization of prejudices and a faulty constitutional design; unbridled ethnic nationalism; a mismanaged political transition; tension between status quo and reform forces[8]; the misguided peace agreement between Ethiopia and Eritrea; the long-standing animosity between the Amhara and Tigray regional governments over contested territory; and the deterioration in the security architecture that resulted from the change of regime in 2018.

A. Constitutional (dis)order and competing nationalisms

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[5] United Nations News, "Catastrophe ´Unfolding before our eyes´ in Ethiopia´s Tigray Region-UN Chief", available at: https://news.un.org/en/story/2021/08/1098582.

[6] The war in the northern part of Ethiopia (the Tigray war) is not the only active civil war in Ethiopia. Even though one leaves various communal violence and insurgent groups aside, there is an ongoing armed conflict between the federal government forces and the Oromo Liberation Army (the OLA) in the Oromia Region.

[7] Seifudein Adem, "Why Ethiopia Should Trust the West", Foreign Policy, 10 November 2021.

[8] The forces of reform represented a popular desire for a fundamental political change that included but were not limited to a change in the repressive regime, institutional reforms, greater democratisation, and the quest for justice and national reconciliation. These demands were symbolized by non-violent movements that brought about a change of regime (or rather reforms) in 2018. Meanwhile, status quo forces have been and are still mainly supported by the political elites who benefited from ethnic federalism and regional autonomy.

In multi-ethnic states, the dilemma of maintaining national unity and territorial integrity versus recognizing diversity and regional autonomy has always been a formidable challenge. This is particularly true in states that have histories of conflict among various groups, repressive regimes, or heightened ethnic tensions. As Fessha observed, most of the "political conflicts that have engulfed many countries around the world are often explained in terms of states' failure to manage the increasing assertiveness of ethnic politics."[9]

A federal system of governance is one tool to accommodate diversity and manage ethnic conflict in multi-ethnic societies and has been vigorously propounded by many experts in comparative politics and constitutional law. Nonetheless, unless the system is carefully crafted and reflects local contexts and the changing dynamics of socio-political conditions, a faulty constitutional design can lead to a politics of othering, the institutionalization of old or new prejudices, the horizontal diffusion of conflicts, and even the unmaking of the state itself.

The view that ethnic federalism is a panacea to accommodate diversity and manage ethnic conflicts in Ethiopia is deeply flawed.[10] After all, the current federal structure in Ethiopia was imposed by political elites without consulting the people at the grassroots level. Nor was it remedial in nature, given that throughout the modern political history of Ethiopia, no relationship, either vertical or horizontal, was based on a politicized ethnic identity *as such*. To some extent, this fact reflects the role of political elites in the construction of ethnic politics as well as its extreme manifestation, ethnic conflict. Furthermore, it must be noted that for federal structures to work, the existence of a conducive environment, including a democratic culture, the rule of law, resilient institutions, and human rights protections, are a *sin quo non.* In the Ethiopian context, both in the past and today, all of the aforementioned elements have been notably lacking.

As a recent history shows, in the absence of resilient institutions, a democratic culture, and visionary leaders, relationships among ethnic groups in multicultural states that are defined by animosity and intolerance may lead to atrocities and the eventual collapse of the state. Indeed, what led to the ethnic civil war and collapse of the former Yugoslavia was neither the ethnic diversity of the state nor the existence of ancient hatreds, prejudices, or resultant enmities, as some tend to argue. On the contrary, the catastrophe was primarily a result of the manipulation of ethnic intolerance among various groups by political elites in the context of a mismanaged

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[9] Yonatan Tesfaye Fessha, Ethnic Diversity and Federalism: Constitution Making in South Africa and Ethiopia, 1st Ed., (Ashgate (2010)), p.1.

[10] Yohannes Gedamu, "Explainer: why Ethiopia′s federal system is deeply flawed", The Conversation 25 June 2019, available at: https://theconversation.com/explainer-why-ethiopias-federal-system-is-deeply-flawed-119313.

political transition.[11] Thus, ethnic diversity is not a problem *per se*, as ethnic pluralism is the defining feature of modern states. Ethiopia is no exception in this regard. For one thing, it is a multi-ethnic polity, and for the other, existing fault lines (which themselves were socially constructed) are being effectively manipulated by "ethnic entrepreneurs," leading to toxic interactions among various constituent parts of the federation. By and large, we are already witnessing the danger of unhinged ethnic nationalism. Thus, unless it is managed at the earliest possible opportunity, it risks upending the Ethiopian state as we know it.

B. Mismanaged reform

With regard to why and how the much-touted reform process was hijacked, a prominent political figure, Jawar Mohammed, has argued that the conflict in the northern part of Ethiopia is a direct result of the poorly managed transition.[12] A series of liberalization initiatives that were undertaken as part of the reform process were accompanied by unbridled ethnic nationalism -- resulting in a host of ethnic conflicts -- demands for more autonomy, and the decentralization of governance. This is partly due to the lack of resilient institutions that could hedge against growing authoritarian tendencies and a credible political commitment to follow through on the proposed reforms.

In essence, the incumbent regime aggressively engaged in a consolidation of power rather than bringing about structural changes, such as building strong institutions, implementing transitional justice to break with the past, ending a pervasive culture of impunity, or laying the foundations for democratisation. Among other things, the untimely demise of the ruling party, the Ethiopian People's Revolutionary Democratic Party (EPRDF), and the unilateral attempt to replace it with the newly minted Prosperity Party were together the greatest political miscalculation. At a practical level, the only thread that used to connect the Tigray Region with the federal government disappeared too soon and, even then, quite unwittingly. As if this was not enough of a political crisis to deal with, the federal government postponed the national elections, to which the TPLF responded by decoupling from the central government and holding a regional election in defiance of the center. Then, both parties -- the federal government and the Tigray Region -- intensively resorted to the securitization of the political crisis through

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[11] Duško Sekulić, Garth Massey and Randy Hodson, "Ethnic intolerance and ethnic conflict in the dissolution of Yugoslavia", Ethnic and Racial Studies, Vol. 29, No.5, (2006); David A. Lake and Donald Rothchild, "Containing Fear: The Origins and Management of Ethnic Conflict", *International Security*, Vol. 21, No.2 (1996), pp.41-75.

[12] For a detailed analysis and fundamental blunders made and lost opportunities during the transition, see Jawar Mohammed, "The War in Tigray is a Result of Ethiopia´s Mismanaged Transition", 1 December 2020, available at: https://www.batipost.com/the-war-in-tigray-is-a-result-of-ethiopias-mismanaged-transition/.

mobilizations and a military parade, soon reaching the point of no return. In essence, the political crisis had been boiling for a long time before the outbreak of war, and one can thus argue that the civil war was inevitable.

C. Rapprochement between Ethiopia and Eritrea: a marriage of convenience

After being stuck in a ´no peace, no war´[13] situation for more than two decades, on 8 July 2018, Ethiopia and Eritrea brought an end to their tragic conflict. The peace agreement, brokered by Saudi Arabia, had never been made public. From the outset, the conflict between the two countries was precipitated by a long-held feud between the two leading political groups, the TPLF in Ethiopia and the Eritrean People's Liberation Front (EPLF) and reinforced by the latter´s quest for hegemony in the Horn of Africa.

It is true that, given the window of opportunity provided by the diminishing role of the TPLF in Ethiopian politics and an increasing receptiveness to peace by the general public, both countries and the broader region stood to gain from the dividends of peace. But a rather complex question remained: how to translate the peace agreement into a reality on the ground. At the very least, one thing was crystal clear: without formalizing and institutionalizing the peace agreement[14] and by excluding the Tigrayan leadership and people -- who would be disproportionately affected by the outcome of peace (or its absence) -- there would be no lasting peace. Indeed, in retrospect, the peace process was initiated primarily as a means to an end, not an end in itself -- it was designed to alienate the TPLF.[15] As a result, it is no surprise that Eritrea became involved in the civil war by siding with the Ethiopian Army and engaged in a war of vengeance. Apart from the crimes committed by the Eritrean forces in the course of the civil war,[16] the involvement of Eritrea in the conflict has transformed an internal conflict into a regional problem -- internationalizing the conflict -- and contributed to more complex conflict management.

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[13] Even though the armed conflict was ended through the instrumentality of the Algiers Agreement (in December 2000), the terms and conditions of the agreement and the findings of the *Ethiopia-Eritrea Claims Commission* had never been implemented, leading to a stalemate and sporadic conflicts.

[14] Surprisingly enough (or perhaps not), the peace agreement has never been made public to-date, and no attempt has ever been made to ratify it by the respective parliaments, depriving it of institutional legitimacy.

[15] See the Conversation, "Conflict between Tigray and Eritrea-the longstanding faultline in Ethiopia Politics", 30 November 2020, available at: https://theconversation.com/conflict-between-tigray-and-eritrea-the-long-standing-faultline-in-ethiopian-politics a151042#:~:text=A%20peace%20agreement%20between%20Ethiopia%20and%20Eritrea%2C%20was,the%20marginalisation%20of%20the%20Tigray%20People%E2%80%99s%20Liberation%20Front.

[16] Human Rights Watch, "Ethiopia: Eritrea Refugees Targeted in Tigray", 16 September 2021, available at: https://www.hrw.org/news/2021/09/16/ethiopia-eritrean-refugees-targeted-tigray.

D. Forces of reform versus status quo

One of the demands that ignited the mass protests in the leadup to the 2018 reform process was for structural changes. Those expectations included -- but were not limited to -- ending the pervasive culture of impunity and massive human rights violations, ensuring accountability, changing repressive laws, dismantling systems of oppression, liberalizing the political landscape, ensuring the equal protection of all citizens, amending the constitution -- including revisiting the ethnic-based federal arrangement -- and bringing about societal reconciliation. Although Abiy's government was unwilling and/or unable to make any structural changes,[17] the TPLF and some of its allies ardently believed that -- particularly after the formation of the Prosperity Party -- the ethnic-based federal arrangement was under imminent threat. Given that perceptions matter as much as reality in political discourse, this feeling reinforced the TPLF´s move to ´defend its autonomy and the constitutional order. ´

This narrative -- a tension between *unitarist versus federalist forces* -- has gained traction to the extent that the vast majority of political commentators -- including the international community-- have taken it for granted. However, the reality is quite to the contrary, as all parties to the conflict are federalist in both name and practice. Nevertheless, this perception and the resultant narratives have remained resilient to date.

E. Weak security architecture

In the past, the repressive regime -- dominated by the TPLF -- was able to contain ethnic rivalries and ensure a negative peace through the doctrine of *democratic centralism*, a strong security architecture, and the use of sheer force. But as the center could no longer hold once the old regime started fracturing, semi-autonomous forces were mostly left unchecked. Some indicators showing the central government's growing weakness include continuing ethnic conflicts and atrocities, horizontal tensions between regional states -- especially those observed between the Amhara and Tigray regional states – the proliferation of armed groups and militias, the discourse of existential threats propagated by virtually all ethnic groups in the country, the flurry of demands for ethnic homelands,[18] and the extreme polarization of politics.

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[17] For all legal and practical purposes, the Abiy regime is as ethno-centrist as its predecessor and has been stubbornly defending the multi-national federal system more than any political force in the country.

[18] The pandora's box of regional autonomy (a separate state for each dominant ethnic group) was opened with *Sidama* joining the federation as the tenth regional state, shortly following the reform. Ever since, all the major ethnic groups, mostly in the southern part of Ethiopia, have demanded ethnic autonomy. The quest for self-determination has at times been accompanied by violence. As things stand now, there is no end in sight or a clear plan to get out of the current constitutional crisis without a complete overhaul of the constitutional system.

Ethiopia has now become a weak state on the abyss of falling into the club of failed states,[19] as it can no longer supply sufficient security – one of the most basic political goods of a functioning state. This is not to mention the crumbling economy and acute lack of good governance. Given internal conflicts in the Oromia Region, political skirmishing, ethnic tensions in other part of the country, the civil war in the north, the sorry state of the economy, and the lack of political legitimacy of the incumbent regime, there is a fear that Ethiopia may slide into state collapse in the absence of a timely intervention.

2. The Civil War in Tigray: Dynamics, Actors, and Major Sticking Points

A. *Dynamics and actors in the civil war*.

The Tigray conflict has gone through various stages and involved various actors. What started as "special law enforcement operations" quickly changed in nature and became a civil war characterized by inter-ethnic warfare -- particularly following the spread of the war to the Amhara and Afar states in the second half of 2021. Currently, the political crisis has evolved into the broader issues of the *Tigray problem* and the very future of Ethiopia.

The main actors in the conflict range from members of the federation to neighboring states and great powers. Most of the parties to the conflict have vested interests in the war, while others might be regarded as stake-holding powers or simply spoilers to peace. Domestically, the main parties to the conflict encompass the federal government, the TPLF, the Amhara Region, and the Afar Region. The Amhara Region has served as a battlefield and also has long-standing claims to the contested territories, while the Afar Region has actively participated in the conflict, especially during the second phase of the war. At the regional level, Eritrea is the main force to reckon with. It has directly and actively engaged in the war and has been accused of committing war crimes and crimes against humanity. Moreover, Eritrea is not only a spoiler to the peace process but also has a stake in the outcome of the peace agreement, precisely because Eritrea´s involvement internationalized the conflict and as mentioned before, the animosity between Tigray (as represented by the TPLF) and Eritrea has never been resolved.

Zooming out, regional actors including Turkey and the United Arab Emirates (UAE) cannot be ignored. Turkey´s expanding position in the Horn of Africa[20] is a cause for concern. In Ethiopia,

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[19] On the scientific indicators of state failure, read Robert I: Rotberg (Ed.), *When States Fail: Causes and Consequences*, (Princeton University Press, 2004.

[20] Zach Vertin, "Turkey and the new Scramble for Africa: Ottoman Designs or Unfounded Fears?", Brookings, 19 May 2019, available at: https://www.brookings.edu/research/turkey-and-the-new-scramble-for-africa-ottoman-designs-or-unfounded-fears/.

Turkey is one of the largest foreign investors, second only to China, and Turkey´s engagement with Ethiopia is ever-expanding. Similarly, the UAE has shown a renewed interest in the Horn of Africa -- where it has built a military base on the port of Assab in Eritrea -- expanded its reach to Somalia and provided massive aid and infrastructural loans to Ethiopia. All of these moves were underpinned by security concerns, including instability in Yemen and the endemic threat of piracy in the region. Moreover, there is a strong allegation[21] that Turkey, the UAE, and Iran have supplied drones to Abiy's government during the war.

The return of geopolitical competition among the emerging powers and established great powers to the Horn of Africa should be understood in light of Ethiopia´s geostrategic importance. Ethiopia is surrounded by six neighboring countries, is the second most populous country in Africa, boasted a thriving economy until very recently, and previously served as a lynchpin of regional security.[22]

For these and other related reasons, if the peace agreement is to be comprehensive and sustainable, it must consider the interests of all actors in the conflict, including Eritrea, as well as the attendant geopolitical realities.

B. *Major sticking points*

The main sticking points to the resolution of the conflict include, *inter alia*, the status of contested territories, *i.e., Wolkait, Tsegedie and Raya*,[23] the ensuring of criminal accountability, the de-listing of the TPLF from a terrorist designation, the power-sharing scheme between Abiy's government and the TPLF at the federal level, the fate of the Tigray Defense Forces (TDF), the linkage between the peace process and the planned national dialogue, and the need for and possibility of national reconciliation. The very nature of these issues and the manner in which they are handled may well define the outcome of any future peace process. Given that issues such as the resolution of territorial claims, the disarmament of the TDF, and power-sharing arrangements require structural changes, it follows that the peace process should start with less complex matters first in order to lay the foundations for the subsequent resolution of other issues.

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[21] Declan Walsh, "Foreign Drones Tip the Balance in Ethiopia´s Civil War", New York Times, 20 December 2021, available at: https://www.nytimes.com/2021/12/20/world/africa/drones-ethiopia-war-turkey-emirates.html.

[22] In the recent past, Ethiopia has served as an anchor state in the Horn of Africa and a net exporter of security.

[23] It is evident that what the TPLF wants is a restoration of the pre-war status quo, meaning the regaining of western Tigray, while the Amhara Region is adamant about keeping its hard-earned territory under its control, as they claim that the TPLF forcefully annexed what rightly belonged to the Amhara Region.

3. Actionable Recommendations

3.1. Approach to conflict management

A holistic approach is needed to deal with the complex problems currently facing Ethiopia. It must be noted that a piecemeal strategy cannot resolve the multifaceted political, security, economic, and social issues, and thus such a conflict management approach must be revisited. To this end, the tenets of a "just peace,"[24] as integrated into a transitional justice framework, can be utilised.

Within this general framework, it is essential to sequence pertinent issues, and ensuring a lasting ceasefire must be dealt with as a matter of first priority with the aim of paving the way for subsequent steps to be taken. In this regard, two broad roadmaps must be crafted: a peace roadmap and transitional roadmap.[25] These two interrelated roadmaps can be integrated into a comprehensive framework through the following steps: (1) ceasefire,[26] (2) negotiated settlement of the civil war (multi-stakeholder and multi-track diplomacy[27]), (3) national reconciliation (reconstruction plan, national dialogue, truth-seeking, justice, and political transition within the framework of transitional justice), and (4) democratization process.[28]

3.2. Confidence building measures

Various confidence building measures can be suggested, but in light of the unique features of the ongoing conflict, the following measures can be undertaken to restore broken trust and set the basis for a negotiated settlement.

First and foremost, we must get our priorities right. Unfettered access to humanitarian aid and the restoration of basic services upholds the tenets of a people-oriented approach or human

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[24]The notion of a just peace "describes a process whereby peace and justice are reached together by two or more parties recognizing each other's identities, each renouncing some central demands, and each accepting to abide by common rules jointly developed."

[25] Jawar Mohammed suggested this approach during a phone interview held on 4 August 2022.

[26] This could be done mainly through the signing of a durable ceasefire, the provision of a security guarantee for the warring parties, and the gradual implementation of a strategy of disarmament, demobilization, rehabilitation, and reintegration when it comes to the TDF and its forces.

[27] This approach is recommended because it makes use of a holistic and participatory approach and owing to its efficacy in relation to resolving deep rooted conflicts and facilitating post-conflict reconstruction efforts. For more on this, read Louise Diamond, and John McDonald, *Multi track Diplomacy,* Kumarian Press, 1996.

[28] In essence, the democratization process encompasses holding inclusive and genuine national election, initiating a constitutional amendment procedure, and, when necessary, holding referendums on sensitive issues such as the national flag, official languages, and institutional reforms.

security, and the process, if effectively managed, will lead to a better understanding between the parties by reducing mutual distrust. Above all, faith in the need for negotiation can be enhanced through guaranteed access to humanitarian aid.

Provided that the humanitarian crisis has been managed timely and adequately, there must be mutual recognition between the parties so that dialogue in good faith may take place. It should be recalled that, long before the start of the civil war, both parties engaged in mutual de-legitimization strategies. While the federal government suspended budgets to the Tigray Region, severed its relationship with the TPLF, and designated the TPLF as a terrorist organization, the latter rejected all laws, policies, and practices coming from the federal government, including holding a regional election in defiance of the constitution. The prospects for a negotiated settlement to the conflict and a subsequent peace are slim, if not impossible, when neither party recognizes the legitimacy of the other.[29] Thus, a logical legal and political first step to be taken would be to delist the TPLF as a terrorist organization as part of trust building measures. This will in turn make it easier for all stakeholders to participate in the upcoming national dialogue.

The final element in the package of confidence building measures would be the signing of a formal ceasefire. Thus far, there has been no formal ceasefire agreement that is legally binding. Even worse, the humanitarian truce that temporarily helped avert starvation was violated on 23 August 2022 following the resumption of fighting, which continues unabated.

3.3. Addressing the structural causes of the conflict

The most complex task in the peace-making process concerns addressing the structural causes of the crisis, as the very future of the country hinges upon it. Without addressing the underlying fault lines, there will be no sustainable peace and Ethiopia will be engulfed in a vicious cycle of violence. As the country is already grappling with multifaceted crises across the board, it is essential to invest significantly in addressing the structural causes of the war, no matter how long this may take. Most importantly, Ethiopia must move away from a pervasive culture

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[29] Adem Abebe argues that the first step towards peace should be silencing the guns and facilitating humanitarian services shouldn't be politicized. He then goes on to say, "the federal government and the TPLF should also mutually recognize their legitimacy, regardless of the problematic electoral processes that affirmed their respective mandates." See Adem Abebe, "A Blueprint for Peace in Ethiopia", Foreign Policy, 12 November 2021, available at: https://foreignpolicy.com/2021/11/12/ethiopia-peace-blueprint-tigray-conflict-resolution/.

impunity and ensure the rule of law. In addition to other measures to be undertaken, Ethiopia must give transitional justice a chance, as I suggested two years ago.

3.4. Revamping the national dialogue

The Ethiopian government has established a National Dialogue Commission,[30] entrusted with the lofty aim of bridging social divisions, enhancing trust, and forging a consensus on the most fundamental national issues. However, the procedure through which it came into existence and the activities it has carried out thus far indicate that the national dialogue is "dead on arrival." The process was exclusionary, lacked transparency, and suffered from a legitimacy deficit. In terms of gender composition, the Commission included relatively few women (among the 11 Commissioners, only three are women). It goes without saying that "without meaningful and significant inclusion of Women in the national dialogue, there can be no justice and sustainable peace; lasting peace is not won with the discriminatory practices."[31] And we are yet to see any tangible or substantive achievements.

The only way to salvage the national dialogue from being hijacked[32] is by rejuvenating it: ensuring its institutional autonomy, making its working procedure transparent at all levels, and including all relevant stakeholders, including those engaged in armed conflict after the ceasefire is concluded.

3.5. The role of relevant stakeholders

The active involvement of all pertinent stakeholders in the peacebuilding process is imperative, and, without it, ensuring a sustainable peace remains a mirage. The major stakeholders include the parties to the conflict, civil society organizations, political parties, women's groups, religious institutions, and regional and international actors. Each actor must be included depending on the issues under consideration and the stage of the peace process.

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[30] The Ethiopian National Dialogue Commission Establishment Proclamation, Proclamation No. 1265/2021, Federal Negarit Gazette, No. 5, 13 January 2021, see the preamble.

[31] Strategic Initiative for Women in the Horn of Africa, "The Ethiopian National Dialogue Commission: Playing to the Gallery or a Commitment to Equality, Inclusion, and Reconciliation?", 23 February 2022, available at: https://sihanet.org/the-ethiopian-national-dialogue-commission-2/#:~:text=On%20the%2029th%20of%20December%202021%2C%20the%20Federal,consensus%20and%20keep%20the%20integrity%20of%20the%20country.%E2%80%9D.

[32] If recent experience is of any help, then the now-defunct Reconciliation Commission followed the same path and dissolved without achieving any of its set objectives.

Parties to the conflict must recognize that there is no military solution to the political crisis -- as has been tried -- and continuing the war has the potential to result in the disintegration of Ethiopia and the destabilization of the region. As such, they should resume negotiations immediately and without preconditions. Peace has no alternative!

Religious institutions, which have historically provided spaces for societal coexistence and brought stability to the country, have recently -- particularly during the war -- become sources of extreme political polarization and social division. In this regard, Andrew DeCort observed that Christian nationalism, which has coincided with the civil war, is tearing Ethiopia apart.[33] It is time for religious institutions, including the Orthodox Church (both Amhara and Tigray people are predominantly adherents of Orthodox Christianity), to play constructive roles to repair the broken social fabric and contribute to the peace process.

To a significant extent, civil society organizations, political parties, and women's groups have remained silent or, at worst, lent support to the parties to the conflict. As the dividend of peace is for everyone and precisely because civil society plays a vital role in the peace-making process, it is not too late to serve as bridges of peace.[34] For instance, as experience from the Irish peace process shows, civil society organizations can and should step up in restoring peace.

When it comes to the international community, both at the regional and multilateral level, their contributions have been few and far between. The African Union (AU) – the body with primary responsibility to help with peace-making initiatives at a regional level -- largely avoided taking a position and, by the time it started speaking the language of peace, it had already compromised its institutional credibility. The AU must adhere to the principles enshrined in its Constitute Act in mediating the conflict and redouble its efforts to build peace in Ethiopia. Other international actors, including the European Union (EU), the United States, and other great powers, have indispensable roles to play in helping Ethiopia manage the multifaceted crises it faces and resolving the civil war in particular. Among other things, this includes exerting relentless diplomatic pressure, providing funding for reconstruction, and monitoring the implementation of any peace agreement, which may include, when circumstances warrant, deploying missions. In the meantime, establishing a quartet constituted of the AU, the EU, the UN, and other great powers would help in expediting the mediation process without unduly curtailing the primary mandate of the AU. The EU, with its relatively stronger normative power, can help by providing

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[33] Andrew DeCort, "Christian Nationalism is Tearing Ethiopia Apart", Foreign Policy, 18 June 2022, available at: https://foreignpolicy.com/2022/06/18/ethiopia-pentecostal-evangelical-abiy-ahmed-christian-nationalism/.
[34] On a positive note, in the recent past, various civil society organizations have taken bold initiatives in calling for an end to the civil war and ensuring peace in the country.

humanitarian aid, exerting diplomatic pressure to safeguard accountability for crimes without politicizing human rights protections, facilitating conflict mediation, and deploying peace-keeping missions -- preferably from neutral member states such as Austria -- in consultation with and securing the consent of the parties to the conflict.

3.6. On the handling of issues

The framing, (de)-linking, and ordering of issues will directly affect both the process and the outcome of any potential peace negotiations. In particular, since the nature and dynamics of the conflict involve conflicting values and competing interests, the sticking points that form a negotiation package must be framed carefully, linked to each other, or delinked from each other, as may be necessary. As in the past, the parties to the conflict have been adding roadblocks to peace by citing sensitive and complex issues that should be part of any negotiation as preconditions. This approach must be revisited before the negotiation reaches a deadlock.

From the outset, two issues -- the contested territories and the Eritrean factor -- must be dealt with separately. Because the contested areas pre-date the conflict, gave rise to "ethnic cleansing campaigns," and involve a clash over identity, a pragmatic approach would be to address them only after a breakthrough is achieved for other issues. Even then, they should be negotiated in a separate setting and format. Until the territorial issues are resolved -- preferably through a referendum -- "political control over the contested areas of Welkait-Tsegede and Raya (both the Tigray and Amhara parts) could be exercised by a joint body representing both Amhara and Tigrayan residents (not the two regional governments) of the respective areas."[35] In regard to a sustainable resolution of the dispute over the contested territories, three possible scenarios can be imagined in conjunction with holding a referendum: (a) continuing under the Tigray administration, (b) joining the Amhara regional state, or (c) forming an autonomous administrative unit accountable to the federal government. For scenario (a) or (b) to work, there should be a legal protection scheme that guarantees the special interests of the people.

The involvement of Eritrea in the conflict has added an additional strain on the peace process. Eritrea is a spoiler to the peace process as well as one of the direct stakeholders in the conflict and its resolution due to three interrelated reasons. First, it directly participated in the civil war, which makes it a party to the conflict. Second, its engagement has been driven at least in part by the pursuit of vengeance, which means that a peace process that entirely excludes Eritrea will not last for long. Third, Eritrea has a security concern on its border with Tigray, whether it

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[35] See Adem Abebe above.

is real or perceived. All these factors together imply that the peace process needs to take the Eritrea factor into consideration. However, this does not mean that Eritrea should be included in each step of the negotiations. Rather, the peace plan needs to be cognizant of Eritrea, both as a spoiler and a stakeholder.

3.7. *Temporary Security Guarantee*

In the absence of some form of security guarantee, it would be difficult if not naïve to demand the disarmament of the TDF. The TPLF has made it clear that they will not negotiate on the future of the TDF, even though, legally speaking and under normal circumstances, the TDF is unconstitutional. As things stand now, the Tigrayan authorities perceive that they are under siege from all directions, which seems to be the logic behind putting the TDF off the negotiation agenda (at least initially).

Furthermore, Eritrea is claiming security concerns with regard to its long border with Tigray. As the saying goes, one´s security is other´s insecurity when a relationship is broken. Eritrea cannot be expected to tolerate a fully armed enemy sitting next door, especially after Eritrea´s participation in the civil war and the TPLF´s public commitment to settle scores with Eritrea sooner or later. This is a typical security dilemma.

In addition to the above, the security situation in and around the contested territories is precarious, as conflict can erupt anytime. On the one hand, the Tigray and Amhara elites have made the contested territories an existential issue for which a negotiated settlement appears unlikely in the immediate future. On the other hand, there is no trusted organ, including the federal government, that could provide security and administer the contested areas in good faith.

In consequence, there must be some security arrangement to alleviate the security concerns of all parties in tandem with the negotiation process. To this end, a hybrid peace-keeping force, composed of soldiers from the Ethiopian government, the AU, and a UN mission, can be constituted and deployed to hotspot areas. For this to happen, there must be a peace to keep in the sense that the parties to the conflict must be convinced about the temporary peace-keeping operation. Essentially, here is where the leverage of the mediation quartet, including the EU, comes in.

3.8.*Some guiding principles for mediators*

The mediators may consider, *inter alia*, the following principles throughout the mediation process and as they engage with the parties:

- *Context matters*! Make every effort to know the local dynamics (the identity of the parties, competing values, sensitive issues, the nature of the conflict, etc.) before taking any step and throughout the peace process.

- *Ripeness of the conflict*. For the intervention to be effective, assess whether the conflict is ripe[36] for mediation or, if necessary, make it ripe by employing an integrative approach -- a combination of coercive and collaborative diplomacy in which both carrots and sticks are utilized under specific circumstances. The current situation in Ethiopia calls for coercive diplomacy, as the parties are not fully committed to the peace process and have violated the humanitarian truce.

- *Human Security*. Human security must be given priority at all times. As witnessed by the level of cruelty shown by all parties during the war and the intensity of the atrocities committed, coupled with the pervasive hate rhetoric, there is a high risk of full-scale ethnic civil war in the country. Thus, mediators must take this phenomenon into account as they broker peace.

- *Insider-partial mediator*. Mediators are not always required to be impartial. In fact, an insider-partial mediator – a mediator with a good knowledge of the parties and the issues at stake -- can help break the deadlock.[37] It should be noted that, especially in the context of internal conflicts, maintaining credibility is more important than striving for impartiality. In the Ethiopian context, an insider-partial mediator reinforced by an outside-neutral mediator would be an effective strategy. In this light, the proposed mediation quartet is a step in the right direction. The difficulty lies in finding a credible insider-partial mediator -- a person of high standing that can be trusted by both parties, under the auspices of the AU. Nonetheless, with the participation of all parties to the conflict and some help from the great powers, it is possible to find someone who may complement or replace the honorable Olusegun Obasanjo, who is currently in charge of shuttle diplomacy. The former President of Kenya, Uhuru Kenyatta, seems to be a candidate on the list.

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[36]For a conflict to be ripe, two cumulative conditions need to be fulfilled: (1) the parties are experiencing a mutually harmful stalemate and (2) both sides seek a way out of the conflict. See William Zartman, "Ripeness: The Hurting Stalemate and Beyond", in P.C. Stern and D. Druckman (Eds), *International conflict resolution after the Cold War* (National Academies Press, 2000), pp.225-250.

[37] See Isak Svensson and Mathilda Lindgren, "Peace from the Inside: Exploring the Role of the Insider-Partial Mediator", *International Interactions*, Vol. 39 (2013), pp. 898-722.

- *Bridging Information Asymmetry.* As one of the impediments for negotiation pertains to information flows, mediators need to work vigorously to mitigate the problem of imperfect information and credible commitments.

- *Intractable conflict.* As can be deduced from the dynamics of the civil war, emotions are high as a result of the atrocities committed, a siege mentality, and the ethnic element to the conflict, and the political discourse is extremely polarized. Moreover, the contestation over identity and territory as well as the old animosity between the TPLF and Eritrea add insult to injury. These issues, unless properly managed, will contribute to the intractability of the conflict. As a result, mediators will have to focus on helping the parties to the conflict find ways to address not only substantive issues under consideration but also emotional and relational aspects of the conflict.

- *Watch out for spoilers.* The Horn of Africa is a highly unstable region, attracting various powers from near and afar that are vying for strategic interests. Notably, Eritrea is an elephant in the room. Hence, "include the devils if you must, exclude them if you can" should be the rule of the thumb.