

Reform in Ethiopia: Turning Promise into Progress

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Introduction

Chairman Smith, Ranking Member Bass, and members of the subcommittee, it is an honor to testify before you today. I ask that my full written testimony be admitted into the record.

We are witnessing a pivotal moment in Ethiopia's history. If reform efforts continue on their current trajectory, Ethiopia could become one of the few victories for democratic governance at a time when many countries are moving in the wrong direction. Much remains to be done, and support from the international community will be needed.

Recent Events in Context

But before I get into specific recommendations on what needs to be done to maintain positive momentum, I will first provide some context for the changes we are witnessing.

In January 2018, the Ethiopian Peoples Revolutionary Democratic Front (EPRDF) announced that in order to respond to intensifying antigovernment protests, it would take comprehensive reform measures, including revising and repealing laws that narrowed the political space, facilitating free and fair elections, releasing political prisoners and promoting national reconciliation. In the months that followed, thousands of prisoners were freed and the notorious federal crimes investigations unit in Addis Ababa, commonly known as Maekelawi, was closed.

The resignation of Hailemariam Desalegn as prime minister in February 2018 was one of the most consequential political developments that revealed that differences among supporters of profound changes and those fighting to ensure the continuation of the status quo with minimal overtures to change and reform have reached a tipping point. While the resignation of Hailemariam was greeted with joy by the public and considered a key step that help push reforms forward, the declaration of a state of emergency the next day was a reminder that the power struggle within the EPRDF was far from over.

However, the selection of Abiy Ahmed by the EPRDF to become the new prime minister in April after six weeks of painstaking deliberation within the leadership of the ruling party ushered

in a new chapter in Ethiopia's political history, one that seems to put the country on an unprecedented trajectory of political change and opening.

It is not yet certain this reform effort will be sustained, but if it is, Ethiopians can chart a path to a viable democracy and economic prosperity that will have significant implications for the Horn of Africa region and the entire continent.

A Promising Start

Days after his election as prime minister, Abiy Ahmed took his overarching vision of national reconciliation and forgiveness to the public as part of his tour of the country, conducting town hall meetings, speaking with community leaders and local politicians. This bolstered the image of Abiy as a messenger of hope and change who can lead the country on a democratic path ending decades of authoritarian rule that created so much division and polarization among the different ethnic communities in the country.

In many ways, Abiy's election signaled a dramatic shift in EPRDF's style of governance. While structural changes to the institutions and the legal framework that served as an instrument of repression have yet to be made, the new prime minister and his team have so far taken several bold measures that earned them strong popular support.

Abiy's new government released thousands of political prisoners, including some high profile figures, lifted the draconian state of emergency in June, publicly announced plans to amend the constitution to institute term limits on the tenure of the prime minister, invited exiled opposition politicians to return home and participate in politics and moved to lift the terrorist designation of three major opposition political parties. As a result, many opposition parties including those engaged in armed struggle, have returned home pledging to participate in peaceful political activities.

In the economic sphere, the government is taking steps to end the government monopoly on key economic sectors including telecom, energy and air transport. While the practical implementation of this is going to be complex and is likely to face strong opposition from different sectors of the public, Abiy seems intent on moving forward. In addition to appointing reform-minded executives to key economic positions, including the governor of the National Bank, the Chief Executive of Ethio Telecom and the Head of National Planning Commission, Abiy set up an advisory council on the privatization of state owned enterprises in August.

In another dramatic move with potential implications for the wider Horn of Africa region, Abiy took the initiative to end 20 years of hostility with Eritrea by declaring EPRDF's unconditional acceptance of the 2000 Algiers Agreement and the 2002 decision of the Ethiopia-Eritrea Boundary Commission (EEBC). In the weeks that followed, leaders of the two countries met several times in Addis Ababa and Asmara. They restored diplomatic relations, re-opened their embassies and signed a number of trade and investment agreements. Last week's symbolic anchoring of one of Ethiopia's commercial vessels at the port of Massawa for the first time in 20 years indicated the consolidation of the rapprochement between the two countries. This peace

dividend seems to be expanding to the region, as Djibouti and Somalia have also engaged in peace talks with Eritrea.

In June, the government set up a law and justice Advisory Council under the auspices of the office of the Attorney General. The Council, composed of 13 independent legal professionals, is entrusted with examining restrictive laws, including the Charities and Societies Proclamation and the Antiterrorism Proclamation, and flaws in the justice system, and developing recommendations for comprehensive revisions including amendments to the laws and restructuring of institutions. The Advisory Council and the different working groups within it have so far done a remarkable job of holding several public forums to solicit feedback from stakeholders on proposed changes to these laws.

Challenges

Despite the many positive developments, enormous challenges persist.

Internal power struggles within the EPRDF: While popular support for Abiy and the reformist elements within the ruling party appears to be strong, internal power struggles within and between the four constituent parties of EPRDF have not yet been resolved definitively. Powerful members of the establishment are not completely convinced of the reform measures that the new leadership is taking. These elements continue to lament that EPRDF is abandoning its ideological foundations of revolutionary democracy and a developmental state in favor of neoliberal and populist tendencies. One reason the party keeps postponing the planned party Congress seems to be this disunity among the leadership on the breadth of the reform measures and the future direction of the party. As the supreme organ of the party, the Congress is being considered as a referendum on Abiy's reform agenda and decisive indicator of the party's direction as a coalition.

As there is minimal distinction between the state and the ruling party, the crisis within the ruling party has a direct bearing on the way the business of government is conducted. Party and government officials who are not on board with Abiy's reform agenda are in a position to derail the momentum of change and cause frustration among the public. The new government has accused these establishment elements of conspiracy to sabotage the wave of change in the party and in the country. For instance, the government blamed disgruntled elements in the security services for many acts of subversion, including the grenade attack at the pro-Abiy rally in Addis Ababa in June.

Reviving independent media and the human rights community: The intense crackdown on dissent that began in 2009 with the enactment of an array of draconian legislation decimated the country's once vibrant human rights community and its independent media, and the damaging effects are likely to persist for some time.

Ethnic tensions: Ethnic-based clashes also threaten the pace and sustainability of reforms, as fear of protracted violence and political instability persist. In the past few months, ethnic and identity-based clashes that flared in Oromia, SNNPR, Amhara, Benishangul Gumuz and Somali regions caused the death of hundreds of civilians and the displacement of more than one million people.

The government's efforts to address these incidents are largely reactive and have so far not done much to bring lasting solutions. There have not been coordinated efforts to bring to justice local government officials who in many cases are instigators and perpetrators of these crimes.

In August, the prime minister ordered the army to enter into parts of the Oromia-Somali border areas in response to recurring clashes between members of the two ethnic communities. This raised concerns, as the move could signal a return to martial law, a scenario witnessed during the state of emergency earlier this year.

Liberalization in the political environment and tolerance for free speech brought longstanding grievances between different ethnic groups into public political discourse. The past few months also witnessed heightened nationalistic and identity-based rhetoric targeting minority communities in different parts of the country. These sentiments are putting enormous strain on the long tradition of co-existence among the various communities. *Managing expectation of the youth:* The antigovernment protests that led to the current changes Ethiopia is witnessing were primarily organized and led by youth. Reform measures are generating high expectations among the youth and could lead to resentment and unrest if left unmet.

Reintegration of armed militia: Armed members of former insurgent groups are returning home to communities in Oromia, Amhara Somali and South regions following the government's declaration of amnesty and invitation to participate in peaceful political activities. It is not clear whether these former fighters have gone through proper demobilization, rehabilitation and reintegration processes. The injection of such forces into an already tense ethnic and political dynamics in these parts of the country could easily fuel violent clashes. Violent confrontations between these rebel forces and federal and regional government security forces have already been witnessed in parts of the Oromia region.

Electoral reforms: Other than promising to make the next elections free and fair, the government has not yet rolled out its roadmap for electoral reforms, nor has it conducted the census that was postponed in November 2017 for security reasons.

Ethiopia's constitution requires a census to be conducted every 10 years, typically ahead of the election cycle. Timely and up-to-date census data is crucial for elections. Census findings in the past had been bitterly contested and led to violence in several parts of the country.

Lack of public trust in security services: While there have been encouraging signs of restraint on using excessive force by security forces dealing with crowds in recent months, public trust in law enforcement remains very low, and numerous instances of abuse and mistreatment remain unaddressed. Widespread skepticism about the government's handling of investigations into two recent high profile matters, namely the bombing incident in June of the pro Abiy rally in Addis Ababa and the death of the chief engineer of the Grand Ethiopian Renaissance Dam (GERD), is largely a reflection of that trust deficit. This poses a serious problem going forward, impeding legitimate law enforcement activities and resorting to extra-legal measures, as observed in several parts of the country in recent months.

Recommendations

As the internal power struggle within the EPRDF continues to simmer, it will take time for the effects of Abiy's sweeping reform measures to take root legally and institutionally and be felt at all levels of society.

In order to harness the optimism and hope of the people of Ethiopia and ensure the viability of these reform measures, the United States should:

- **Press the government of Ethiopia to move quickly to:**
 - **Mend ethnic grievances:** Abiy's vision of unity and inclusion should be transformed into concrete strategies aimed at fostering social cohesion by responding to longstanding grievances of ethnic communities. The government should seek to prevent and resolve violent ethnic clashes in all parts of the country in a manner that involves the affected communities by establishing an effective early warning system and investigating and punishing perpetrators of human rights abuses, including members of regional paramilitary forces.
 - **Address youth expectations:** It is critical that the government undertake economic reforms to generate job creation and provide education opportunities that allow youth an outlet for their ambitions and opportunities for their future.
 - **Undertake meaningful reforms to ensure free and fair elections:** With national elections coming in less than two years, the importance of undertaking thorough reforms to the electoral laws and institutions that are agreeable to all political forces cannot be overstated. Eliminating the draconian barriers to participation in the electoral process including political party registration rules, the structure and composition of the National Electoral Board of Ethiopia (NEBE), and the number of seats in *wereda* and *kebele* councils are some of the longstanding questions from opposition political parties that need to be addressed before any credible election is conducted. Conducting the overdue census should also be an integral part of the preparations for elections.
 - **Guarantee the independence of democratic institutions:** Pursue reforms that guarantee the independence of key democratic institutions including the judiciary, the National Electoral Board of Ethiopia (NEBE) and the security services, ahead of scheduled elections in 2019 and 2020.
 - **Reform the criminal justice system and implement robust changes to the security sector:** Accelerate the process of reforming the criminal justice system and revise and repeal repressive laws that impede freedoms of expression, association and assembly. Also, ensure that the process for

revising laws is transparent, includes all stakeholders, and occurs in a timely fashion. Security sector reform should aim to address impunity for abuses committed by security officials and should aim to improve public trust in the security services.

- **Ensure accountability for rights abuses:** Establish a system of accountability for serious human rights abuses over the past 27 years of the EPRDF's rule. This may not necessarily mean aggressive prosecutions, but could entail a truth commission or another form of inquiry that gives Ethiopians the opportunity to air their grievances, question officials, obtain documents, and seek closure. Such an approach can forestall extralegal acts of vengeance against former ruling party officials.
- **Reform the judiciary and law enforcement agencies:** Undertake a comprehensive reform of these sectors to make them independent of political control and influence. The police and courts have routinely been used to level spurious and politically motivated charges against critics of the ruling party. Revision of restrictive laws such as the Antiterrorism Proclamation will have little impact in the absence of reforms to the criminal justice system itself.
- **Help deepen political reforms in Ethiopia by considering increased US financial and technical support for elections that are free, fair, transparent, and inclusive.** This includes capacity-building programs for institutions such as the National Electoral Board and the judiciary. The 2019 local elections will be a key test of Abiy's ability to advance his reform agenda, and could build positive momentum and experience leading up to the national elections in 2020.
- **Provide robust US support designed to strengthen civil society and independent media.** Such efforts would both take advantage of the new political space and test its breadth in practice. To the extent allowed by domestic laws, the US should also support capacity-building for political parties. After years of repression, opposition parties are underdeveloped and in need of assistance if they are to offer meaningful competition and address a broad range of interests beyond ethnic bases.
- **Encourage substantive engagement in the reform process by the U.S.-based Ethiopian diaspora.** This may include supporting exchange programs that help Ethiopian-born experts to return and advise, mentor, and train professionals in key government and nongovernmental sectors associated with reform efforts.
- Finally, if reforms continue to advance, **strengthen economic ties between the U.S. and Ethiopia and expand U.S. economic support** to assist Abiy and his government in providing tangible democratic dividends to a broad swath of the population, enabling political reform to become clearly associated with an improved standard of living in what remains a largely impoverished country where growth has been unevenly distributed.

Conclusion

Ethiopia is a key partner and ally for the United States, and Ethiopia is at a key moment in its history. The U.S. government would be wise to strengthen its partnership with reformers in Ethiopia to ensure that recent gains are transformed into actual improvements in democratic governance and the protection of fundamental rights – the crucial foundations of sustainable peace and prosperity.