

Briefing on the agreement for lasting peace through permanent cessation of hostilities in Ethiopia

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Tomorrow (9 November), the African Union (AU) Peace and Security Council (PSC) will convene its 1120th session to receive a briefing on the Agreement for Lasting Peace Through Permanent Cessation of Hostilities Between the Government of the Federal Democratic Republic of Ethiopia and the Tigray People's Liberation Front (TPLF). This will be the second agenda item that Council will consider during its 1120th session.

Opening remarks is expected from the Permanent Representative of Namibia to the AU and Chairperson of the PSC for the month of November, Emilia Ndinealo Mkusa, followed by a statement from AU Commissioner for Political Affairs, Peace and Security (PAPS), Bankole Adeoye. Former President of Nigeria and AU High Representative for the Horn of Africa, Olusegun Obasanjo, will brief the Council on the recently signed agreement between government and TPLF. The representatives of Ethiopia, the Secretariat of the Inter-Governmental Authority on Development (IGAD) are also expected to deliver statements as concerned state and relevant regional mechanism, respectively.

The last time that Council convened a session on Ethiopia was during its 1115th session that took place on 21 October, just few days before the start of the AU-led peace talks to end the conflict in the Tigray region of Ethiopia in Pretoria,

Republic of South Africa. In that session, while welcoming the initiation of the AU-led peace talks slated for 24 October, Council laid down its expectation for 'an immediate, comprehensive and unconditional ceasefire and the resumption of humanitarian services'. It also welcomed the newly constituted High-Level Panel of eminent Africans by the Chairperson of the AU Commission, composed of Olusegun Obasanjo, AU High Representative for the Horn of Africa, Uhuru Kenyatta, former President of Kenya, and Phumzile Mlambo-Ngcuka, former Deputy President of the Republic of South Africa and Panel of the Wise Member.

Tomorrow's session, which comes in the context of Council's request from its last session for the AU Commission to provide regular updates on the situation in Ethiopia, presents members of the Council the opportunity to receive updates on the peace process. In this respect, a key development to be highlighted in the session will be the cessation of hostilities agreement (COHA) signed between the parties. The two parties were able to strike the deal after 10 days of intensive negotiation, which started on 25 October under the auspice of the AU and with the participation of IGAD, UN, and US in observer capacity.

The PSC is expected to welcome the signing of the agreement with a sigh of relief. It constitutes an embodiment of the hope that the talks would lead to a cessation of hostilities agreement and the concomitant expectation for it to bring the two-year conflict to an end. In so many ways, this agreement also represents marked improvements from the truce that only lasted for less than half a year. As such, main aspect of tomorrow's briefing is expected to be on the main elements of the COHA, progress made thus far in its implementation, and issues that may require the attention of the Council. The first important element of the COHA is the agreement to an 'immediate and permanent Cessation of Hostilities', which include the cessation of 'overt and covert acts of violence'

and all forms of hostile propaganda, rhetoric, and hate speech. The cessation of hostilities constitutes the first critical step that clears the deck for taking actions on the rest of the commitments entered by the two parties in the agreement. Indications over the last five days after the agreement are that it is largely holding.

The second important element is the agreement to a comprehensive disarmament, demobilisation, and reintegration (DDR) program for TPLF combatants pursuant to article 6 of the COHA. The agreement further outlines steps that need to be followed by the two parties to translate the DDR program into action. Accordingly, they have agreed to establish an 'open channel of communication between senior commanders of both sides' within 24 hours, and then to convene a follow-up meeting of senior commanders within 5 days from the signing of the agreement to 'discuss and work out detailed modalities for disarmament for the TPLF combatants, taking into account the security situation on the ground'. The implementation of this part of the agreement is again fully on course with the establishment of hotline by the parties within 24 hours of the signing of the agreement. This was followed by the convening of the 'Senior Commanders' Meeting' on 7 November in Nairobi, Kenya under AU's Panel facilitation. On the Nairobi meeting, the expected outcome is to agree on the 'modalities for silencing the guns, humanitarian access, and the restoration of services in the Tigray region', according to AU's 7 November press release. Once modalities are agreed, the two sides are therefore expected to start embarking on the delicate matter of the disarmament process.

Once the two sides agreed on the modalities for disarmament, the disarmament activities are envisaged to commence prioritizing the heavy armaments of TPLF combatants. The disarmament of heavy weapons is set to happen within a 10-days timeframe (with a possibility of extension) after the conclusion of the meetings of senior commanders while the

overall disarmament of the TPLF combatants will be completed within 30 days from the signing of the COHA, which means before 3 December. It is worth noting that, the demobilization and reintegration part of the program is to take place taking into account the framework of the FDRE constitution and considering 'Tigray region's law-and-order needs'.

The third element of COHA is what may be considered to be the item with immediate dividends for people caught up in the crossfire. This is the agreement to expedite humanitarian aid and restore essential services in Tigray that has been under blockade since withdrawal of Ethiopian National Defence Force (ENDF) in June 2021. While the signing of the agreement on its own brings a respite for affected people, the immediate implementation of this commitment would be even more important for millions of civilians in a desperate condition due to the blockade and the disruption of services.

The COHA also provides for detailed terms on restoration of constitutional order and federal authority in Tigray. The specifics of how this would happen are stipulated in articles 3, 7, 9, and 10 of the agreement, covering the entry into and seizure by federal forces of Mekelle and other parts of Tigray and establishment of inclusive interim administration until elections are held in the region. Additionally, it also envisages the launch of a comprehensive national transitional justice system to ensure accountability for widespread human rights and humanitarian law violations and heal wounds through the ascertainment of truth, reconciliation, and redress of victims. Of course, it remains to be seen how this would be pursued in relation to pre-existing processes such as the dialogue process.

Unlike the failed truce, apart from the stipulation of negotiated terms, the COHA has a monitoring, verification, and compliance mechanism. As stipulated under article 11, the parties agreed to establish a Joint Committee comprising a representative from each party, a representative from IGAD and

chaired by the high-level panel. The Joint Commission will be assisted by a team of African Experts with the mandate to monitor the implementation of the permanent cessation of hostilities as agreed under article 3 of the COHA. AU, through the high-level panel, will appoint the team comprising not more than 10 for a duration of six months after their deployment with a possibility of extension upon agreement with the parties to the agreement. In case of instances of violation of cessation of hostilities, the team of experts will inform the concerned party to immediately rectify violations. If no rectification measure is taken within 24 hours, the AU, through the high-level panel, will convene the Joint Committee to resolve the problem. However, the agreement does not inform next steps if the Joint Committee could not resolve the issue. The other concern is whether the Joint Committee would be able to effectively discharge its mandate with this small size of team of experts.

It has been only few days since the signing of the COHA. If the early signs are anything to go by, the implementation of the agreement is off to a good start. While the COHA is not without challenges on the ground, encouraging signs include the fact that the TPLF negotiation team stayed in Addis Ababa after the conclusion of the talks for the COHA in Pretoria. The convening of the military leaders of the two parties in Kenya in accordance with the terms in COHA is a further encouraging sign that the COHA is holding. Indeed, both of these are also indicative of the commitment that the parties are demonstrating to implement the agreement. Sustaining the momentum requires speedy follow up of the delivery of humanitarian assistance and the resumption of services. It is also important to guard against what the leader of the Ethiopian Federal Government's negotiation team, Redwan Hussein, called disgruntled actors from either side of the two parties or third parties who don't have interest in peace. Obviously, the future of the COHA and the peace it promises also depend on how various issues such as withdrawal of

Eritrean forces and delicate aspects of the COHA are dealt with during implementation and in subsequent talks.

The expected outcome of tomorrow's session is either press statement or a communique. Council is expected to warmly welcome the signing of the COHA and commend the AU high-level panel for the successful effort in facilitating the Peace talks. It may also commend both the federal government of Ethiopia and TPLF for the commitment to the peace talks and the conclusion of the agreement. It is expected that the PSC may call on the parties to show the same resolve for the implementation of the agreement as they did for negotiating the terms of the agreement during the talks. It may also call on all AU member states and partners to extend their full support for the peace process and help the parties in their efforts to follow up to the COHA. The Council may express its gratitude to the government and people of South Africa and Kenya for hosting the AU-led peace talks and the Senior Commanders' Meeting, respectively. Council may also commend other partners particularly IGAD, UN, and the US for their support towards the peace process and may encourage them to continue supporting the implementation phase of the agreement. It may also request the Commission to accompany the implementation of the agreement.