

REPORT



Assessment of the Critical Success Factors
from Implementing Successful Transitional
Justice Mechanisms in Ethiopia



American
Friends
Service
Committee

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For any questions about this assessment report, please call +251913974010 to speak with Assistant Professor Moti Mosisa.

<http://www.eastAfricanconsulting.com>
estafriconsulting@gmail.com/mosi.moti@gmail.com

Addis Ketema Sub-City, Woreda 05

Martha Building, 1st Floor House Number 301, Addis Ababa, Ethiopia

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ACRONYMS

AFSC	American Friends Service Committee
AUTJP	African Union Transitional Justice Policy
CSOs	Civil Society Organizations
ECSOC	Ethiopian Civil Society Organization Council
EDRMC	Ethiopian Disaster and Risk Management Commission
EHRC	Ethiopian Human Right Commission
EPPJC	Ethiopian Political Parties Joint Council
EPRDF	Ethiopian People’s Revolutionary Democratic Front
EWDNA	Ethiopian Women With Disabilities Network
EWLA	Ethiopian Women Lawyers Association
FGDs	Focus Group Discussions
IDPs	Internally Displaced Persons
KIIs	Key Informant Interviews
NAMA	National Movement of Amhara
NGO	Non-Governmental Organization
OFC	Oromo Federalist Congress
OHCHR	Office of United Nations Higher Commission for Human Right
OLF	Oromo Liberation Front
PMGE	Provisional Military Government of Ethiopia
SPO	Special Prosecutor Office
TGE	Transitional Government of Ethiopia
TJ	Transitional Justice
TJPE	Transitional Justice Policy of Ethiopia
TJWGE	Transitional Justice Working Group of Experts
TPLF	Tigray People Liberation Front

EXECUTIVE SUMMARY

The main objective of this assessment is to identify the critical success factors for implementing effective Transitional Justice(TJ)mechanisms in Ethiopia. The study has examined the historical and current TJ and reconciliation initiatives in the country, focusing on key factors that influence the legitimacy, effectiveness, and sustainability of these mechanisms. Employing a qualitative, participatory, and context-sensitive methodology, the study has aimed to capture the complex nature of TJ in Ethiopia. Both primary and secondary data sources were consulted.

Primary data were collected from Ministry of Peace, Ministry of Justice, National Dialogue Commissions, Ethiopian Human Rights Commissions, regional peace and security officers, regional justice bureaus, youth and women associations, community leaders, victims and IDPs, community leaders, and civil society organizations. Geographically, the assessment has focused on conflict-affected regions, particularly Oromia, Benishangul Gumuz, Tigray, and Amhara, while also incorporating insights from other areas through desk reviews. Finally, the study has found five major factors that determined the success and effectiveness of transitional justice mechanisms in Ethiopia.

Primarily, the study has identified several preliminary factors that must be addressed before initiating and implementing Transitional Justice (TJ) in Ethiopia. These are like the need to shift from discord to cooperation, establish a ceasefire, and expand democratic space. Second, institutional factors like the independence and neutrality of the TJ system, the capacity of relevant institutions, the presence of an international advisory group, and the level of community trust and legitimacy play a critical role in determining the success of TJ. These are meant to present at least at minimal level, where their absence matters existential for TJ Mechanisms. Thirdly, the success of Transitional Justice (TJ) mechanisms in Ethiopia would significantly be determined by process factors.

These factors include the inclusivity and participatory nature of the process,which necessitates the involvement of various political structures and actors,interest groups, key community segments such as women, youth, victims, and perpetrators, and the level of awareness among stakeholders regarding TJ, the scope and duration of TJ, and the pattern of learning and development–such as research and experience sharing–are crucial component and play a vital role.

Fourthly, political and legal factors were found critical for the success of TJ mechanisms. It is essential for Ethiopia's TJ efforts to demonstrate political will and commitment, while adhering the provisions of the law of the land/constitution/. Furthermore, adhering to the original objectives of transitional justice, than manipulating the very purpose serves TJ to be successful. Wise management of the competing and conflicting major narratives and balancing the historical contests in the country contributes a lot.

Fifthly, the effectiveness of TJ Mechanisms in Ethiopia depends on the level of its comprehensiveness. If success is required, the TJ package should be extended beyond truth-finding and prosecutions, and accommodate psychosocial and economic considerations. These include incorporation of psychosocial healing packages, economic packages like managing economic instabilities like unemployment and inflation, effective management of TJ funds; and the integration of indigenous systems. Hence, therefore, the serious consideration of these five critical elements would positively constitute to the success and effectiveness of TJ mechanisms in Ethiopia.



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1. INTRODUCTION

1.1. Context of the Assessment

In Africa, since the end of colonial rule, a number of countries have struggled with intra-State conflicts, ranging from electoral violence to civil war rooted in social inequalities established under colonialism, fierce contestation and the absence of consensus among rival elites, bad governance, as well as abusive and extractive practices by dictatorships, military juntas and the elites of post-independence. In the aftermath of conflicts and authoritarian regimes, transitioning states in Africa sought ways to address their violent pasts. They aimed to ensure accountability and establish standards for transforming war-torn and repressive societies into peaceful democracies through Transitional Justice (African Commission on Human and Peoples' Rights, 2019).

As a result, over the past three decades, Transitional Justice (TJ) has become a vital component of peace-building in Africa. As an increasing number of member states faced the significant challenges of rebuilding societies and fostering an inclusive future after prolonged violence, the African Union (AU) emphasized the importance of addressing both justice and reconciliation in a mutually supportive manner, primarily through TJ. Additionally, the AU has maintained a strong focus on peace, justice, and reconciliation, developing a continental TJ policy designed to assist African member states emerging from conflict or authoritarian rule in their transition to peace and democratic governance. (AU, 2019; African Commission on Human and Peoples' Rights, 2019).

For instance, South Africa's Truth and Reconciliation Commission served as a model for public truth-seeking and conditional amnesty, aiding the peaceful transition from apartheid to democracy (Gibson & Gouws, 1999). In Rwanda, the Gacaca courts—a community-based justice system—played a crucial role in promoting accountability and reintegration following the 1994 genocide, thereby fostering national reconciliation (Clark, 2010). Similarly, Sierra Leone's Special Court and Truth and Reconciliation Commission addressed crimes from its civil war by integrating both international and local justice approaches (Ainley et al, 2015).

In the same way, Ethiopia stands at a critical juncture in its state-building trajectory, attempting to confront decades of political violence, impunity, and systemic marginalization. From the Red Terror of the Derg regime to recent conflicts, notably the devastating war in Tigray (2020–2022), the country has endured recurrent cycles of violence marked by grave human rights violations, including mass killings, sexual violence, and forced displacement. Recently, the Pretoria Peace Agreement signed in November 2022 between the Government of Ethiopia and the Tigray People's Liberation Front aimed to end a two-year civil war in the northern region has included the commitment of initiating Transitional Justice (TJ) process as one component. In the aftermath of the agreement, the Ministry of Justice established the Transitional Justice Working Group of Experts (TJWGE), marking the start of Ethiopia's first-ever TJ initiative. In 2023, the TJWGE conducted 80 public consultations to gather input on TJ policy options from various stakeholders, including civil society organizations. The Council of Ministers approved Ethiopia's National TJ Policy in April 2024 (TJPE, 2024).

The policy aims to confront past injustices through a comprehensive approach that encompasses criminal accountability, truth-seeking, conditional amnesty, reparations, and institutional reforms, while also integrating traditional justice mechanisms (Tadese, 2024). To support stakeholders in the sector and enhance the success of this initiative, American Friends Committee Service (AFSC) took the initiative of identifying and documenting the key factors that determine the legitimacy, effectiveness, and sustainability of transitional justice mechanisms in Ethiopia.

1.2. Objective of the Assessment

The main objective of assignment is to assess the critical success factors for implementing successful Transitional Justice mechanisms in Ethiopia. The assessment includes examining Ethiopia's historical and current transitional justice and reconciliation initiatives; identifying the key factors determining the legitimacy, effectiveness, and sustainability of transitional justice mechanisms in Ethiopia; investigating how political will, civil society organizations, traditional justice, and psychosocial support contribute to the success of transitional justice efforts; identify key elements that foster community healing and reconciliation including psychological recovery and social reintegration, and develop policy recommendations for a sustainable transitional justice framework.

1.3. Methodology of the Assessment

The assessment has both conceptual and geographical scope. Geographically, the assessment has focused on conflict affected regions mainly Oromia, Benishangul Gumuz, Tigray and Amhara regional states. It has also zoomed into other regions of Ethiopia through desk reviews and understanding of current trends. This study has adopted a qualitative, participatory, and context-sensitive methodological approach, suitable for exploring the complex, multi-dimensional, and context-specific nature of transitional justice in Ethiopia. A qualitative design is particularly appropriate given the need to generate in-depth, nuanced insights into how legitimacy, effectiveness, and sustainability of transitional justice (TJ) mechanisms, and how TJ mechanisms are perceived, experienced, and shaped by diverse actors across different regions and communities.

The participatory element of the methodology ensured the meaningful involvement of key stakeholders—such as victims and survivors, community elders, community leaders, women’s associations, youth groups, civil society organizations, and government actors—whose lived experiences and perspectives are critical for understanding the socio-political realities surrounding TJ. Furthermore, the approach has been context-sensitive, recognizing Ethiopia’s ethnic diversity, federal structure, traditional justice practices, and recent history of conflict. This allowed the assessment to be grounded in localized norms, narratives, and power dynamics, while also remaining aligned with international standards and best practices in transitional justice.

1.4. Methods of Data Collection and Analysis

Regarding data collection methods, the assessment utilized focus group discussions, key informant interviews, and desk reviews. Secondary data were gathered from research articles, institutional reports, and relevant international, continental, national, and regional policy and legal frameworks, as well as experiences from various countries. Primary data were collected from youth associations, women’s groups, religious leaders, indigenous governance leaders, internally displaced persons (IDPs), and victims through focus group discussions. Additionally, data were obtained from the Ministry of Justice, the Ministry of Peace, the National Dialogue Commission, political parties, experts involved in green paper development, and academics. Finally, the qualitative data was analyzed by using a thematic approach which involved identifying common themes, reviewing and defining the themes, and finally organizing the data into major categories.

1.5. Target Groups of the Assessment

The assessment engaged a variety of stakeholders from both federal and regional levels. Community leaders, youth associations, women's groups, internally displaced persons (IDPs), and victims were consulted from Oromia (specifically Guji land, West Wollega), Amhara (Woldia, Bahirdar, and Gondar), and Benishangul-Gumuz(Asosa). Additionally, representatives from the Ministry of Peace, the Ministry of Justice, the National Dialogue Commission, and the Ethiopian Human Rights Commission were consulted at the federal level. Political parties, including the National Movement of Amhara, the Oromo Federalist Congress, the Oromo Liberation Front, and the Ethiopian Political Parties Joint Council, were also involved. From civil society organizations, TIMRAN, the Ethiopian Women Lawyers Association, and the Ethiopian Women Disability National Association were consulted. Lastly, two experts from academia provided their insights.

2. TRANSITIONAL JUSTICE: *Concepts & Practices*

Since the end of the Cold War, democratic governance has gradually expanded in many African countries, marked by the decline of one-party systems, the organization of multiparty elections, and a broader political opening. Although crises persist in the Central African Republic, the Democratic Republic of Congo, Somalia, South Sudan, and Sudan, violent conflicts across Africa have decreased by half in the 2000s compared to the mid-1990s (Scott, 2012). These positive developments were supported by the adoption of comprehensive continental and sub-regional frameworks for peace, security, and governance. As part of these initiatives, transitional justice processes demonstrate how African nations are addressing past human rights violations while progressing toward more peaceful and democratic societies (Mireilla, 2015).

The concept of transitional justice emerged in the late 1980s and early 1990s, primarily in response to political changes in Latin America and Eastern Europe, alongside demands for justice in these regions. It was developed to address the atrocities committed during authoritarian regimes, armed conflicts, and widespread human rights violations. At its core, transitional justice.

recognizes victims' rights and the importance of confronting human rights abuses. This framework encompasses various approaches, including retributive justice, who seeks to punish offenders, and restorative justice, which aims to heal affected communities. Over recent decades, TJ has evolved into a comprehensive framework that not only addresses past injustices but also aims to prevent future violations. This involves tackling structural inequalities, ensuring victims' participation in the justice process, and fostering inclusive and sustainable peace. As countries worldwide navigate the challenges of transitioning from conflict or repression, the significance of transitional justice remains vital. It provides a pathway to rectify past wrongs and establish a foundation for a just and equitable future (Suman et al 2024).

The United Nations defines transitional justice as “the full range of processes and mechanisms associated with a society’s attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation (UN, 2004). Similarly, in its Transitional Justice Policy AU has defined transitional justice(TJ)as“the various(formal and traditional or non-formal) policy measures and institutional mechanisms that societies, through an inclusive consultative process, adopt in order to overcome past violations, divisions and inequalities and to create conditions for both security and democratic and socio-economic transformation(AU, 2019).

Transitional Justice aims to help societies dealing with the legacies of violent conflicts and systemic or gross violations of human and peoples' rights as they strive for a future rooted in justice, equality, and dignity. At its core, Transitional Justice focuses on the need for healing, reconciliation, and guarantees against future violations. In the wake of conflict or authoritarian rule, societies often find themselves divided, grappling with deep grievances and mistrust among communities, as well as dysfunctional institutions unable to fulfill their roles. Transitional Justice Mechanisms provide a means for societies to confront their past through truth-telling, acknowledgment of wrongs, redress for victims, and accountability for perpetrators, and necessary institutional reforms (Lars, 2009). The concept of transitional justice has influenced the legal, social and political discourse of societies undergoing fundamental social change, and that of the international community (Clara, 2011).

The African Union's Transitional Justice Policy outlines eleven fundamental elements that serve as building blocks for member states to adapt in designing and developing their transitional justice policies and strategies. These elements include, Peace Processes, Establishment of Transitional Justice Commissions, Traditional Justice Mechanisms, Reconciliation and Social Cohesion, Reparations, Redistributive (Socio-Economic) Justice, Memorialization, Diversity Management, Justice and Accountability, Political and Institutional Reforms, Promotion and Institutionalization of Human and Peoples' Rights (CSVR, 2025)

3. THE STATE OF TRANSITIONAL JUSTICE IN ETHIOPIA:

Past Trends & Challenges

Ethiopia has experienced three significant transitions over the past fifty years. Despite the complexities involved, there have been attempts towards realizing transitional justice during each post-transition period. From the outset of the transition from monarchical rule to a military dictatorship; from military dictatorship to the Transitional Government of Ethiopia that was followed by the transition to the establishment of the Ethiopian People's Revolutionary Democratic Front (EPRDF), and from EPRDF to the prosperity party, marked three transitions that opened the door for a new phases of transitional justice in Ethiopia (Henok, 2024). The following section ascertains the three major transitional justice initiatives across three distinct transitions, focusing on the major initiatives, success and its factors, and limitations.

3.1. The Derg's Aborted Transitional Justice in Ethiopia

In 1994 the Derg overthrew the monarchical system and ascended to power re-branding itself as a Provisional Military Government of Ethiopia (PMGE, 1974). In reaction to the human rights abuses and other atrocities committed by the imperial regime, the regime detained prominent figures, feudal lords, ministers, and officials suspected of injustice and corruption. Furthermore, as part of its approach to transitional justice, the regime swiftly established a Commission of Inquiry to investigate these allegations (Ministry of Justice, 2023). The commission was established to investigate and report on the atrocities committed by the imperial regime, and supporting the transition by examining alleged crimes of former government officials. Additionally, the Derg set up a military court to address cases of "administrative and judicial misfeasance and unlawful enrichment" involving these former officials (PMGE, 1974). In response to the initiative, at first, it seemed that the Derg would conduct lawful investigations and prosecutions. It was followed by many officials even voluntarily submitted themselves, expecting that they would be acquitted following a fair trial (Abera, 1999).

However, contrary to the hoped-for transition toward transitional justice, while the Inquiry Commission was still conducting its investigations, Mengistu Hailemariam ordered the execution sixty officials without adhering to legal or judicial procedures, effectively aborting both the trial and the envisioned transitional justice. This completely aborted the process and led the abandonment of the commission in 1977 and undermined the very idea of transitional justice (Ibid). Thus, the transition from imperial autocracy to military rule in 1974 occurred without any meaningful effort toward a transitional justice process (Ministry of Justice, 2023).

Lessons to be learned from Derg's Transitional Justice

The initiative was halted because of the government's excessive interference. It can be concluded that there was an attempt at transitional justice during the transition from the Imperial Regime to the Derg, but this effort was ultimately aborted due to two major reasons. Firstly, the government has focus on executing former officials and searching for victor's justice than facilitating smooth transition. Second, the process was not managed by an independent and neutral system. Thirdly, the government has aborted the process without waiting for the findings from the established commission or court. Hence, the whole process was halted without any significant result.

3.2. The EPRDF's Failed Transitional Justice in Ethiopia

The second transitional justice effort was made by transitional government of Ethiopia, right in the aftermath of the fall of Derg Regime. The transitional government that was established to manage the transition has adopted various elements of transitional justice (Tadese, 2023). One of its trials was establishing Special Prosecutor Office (SPO) by Proclamation 22/1992, to be closely supervised by the Prime Minister, mandated with investigating crimes committed by Derg officials and prosecutes the wrongdoers by using national courts and procedures (Ministry of Justice, 2023). The proclamation reads as:

"In view of the fact that the historical mission of the Ethiopian People's Revolutionary Democratic Front (EPRDF) has been accomplished, it is essential that higher officials of the WPE (Workers Party of Ethiopia) and members of the security and armed forces who have been detained at the time of the EPRDF assumed control of the country and thereafter and who are suspected of having committed offenses, as well as representatives of urban dwellers associations and peasant associations, and other persons who have associated with the commission of said offenses, must be brought to trial."

The trials mainly focused on high-ranking officials of the Workers' Party of Ethiopia, members of the security and armed forces suspected of misconduct, and representatives from urban and peasant associations accused of planning and orchestrating acts of genocide between 1974 and 1983 (TGE, 1992). As a result, the office convicted and sentenced former civilian and military officials (Tadese, 2023). After two years of investigation, the Special Public Prosecutor's Office charged 73 Derg officials in 1994. By 1997, charges had been filed against 5,198 civil and military officials of the Derg, including former President Colonel Mengistu Hailemariam. These individuals were categorized into three groups: policymakers (who devised and designed plans), field commanders (who executed plans by issuing orders), and material offenders (who directly participated in the acts) The SPO's prosecution of Derg-era crimes took almost two decades, from 1992 to 2010 (NIHR, 2000: Tadese, 2023). The process ended with the files and profiles of Derg officials and their affiliates, no more and no less.

Conversely, alongside carrying out investigations and prosecutions, the Special Prosecutor's Office was responsible for documenting and informing the public about the severe crimes and embezzlement committed against the Ethiopian people, with the goal of preventing a repeat of such governance (TGE, 1992). Consequently, based on the recommendations of the SPO and the requests from families of the victims of the Red Terror, the EPRDF government established or/and facilitated memorizations like museums, memorial centers, and monuments throughout the country to commemorate the victims of violence targeted by the Derg regime (Ministry of Justice, 2025).

Lessons to be learned from EPRDF's Transitional Justices

The transitional justice initiative launched by the EPRDF was recognized as the second significant effort. Initiated by the Transitional Government of Ethiopia, the Special Prosecutor's Office was tasked with two major tasks i.e. documenting and educating the public about the brutal offenses and embezzlement perpetrated against the Ethiopian people, aiming to prevent a recurrence of such governance, and filing, charging and prosecuting officials of the Derg regime for engaging into human right violations. As a result, in recommendation of the SPO, criminals were prosecuted and profiled, and the EPRDF government and victims' family also erected museums, memorial centers and monuments in different parts of the country to honor victims of violence persecuted by the Derg regime (Ministry of Justice, 2023). Valuable lessons can be drawn from this initiative, as its timing was well-suited to the transitional context and the planning and efforts to achieve transitional justice were commendable (TGE, 1992). However, despite its successes, several limitations have been identified that offer important insights for future initiatives.

- **Abused Concept and Purpose of transitional Justice:** The theoretical and conceptual framework of transitional justice aims to facilitate a transition from conflict to peace. It is designed to hold accountable all perpetrators, including both incoming and outgoing officials and actors involved in crimes and human rights violations. However, the transitional justice framework established during this period was selective and partial, targeting only Derg officials and their affiliates. This confirms the argument of the scholars in the area that argue most transitional justice are taken by governments to gain legitimacy in the shift from a state of conflict to a state of peace, than bringing sustainable peace.

- **Partiality of the SPO:** In fact, transitional justice and its related institutions should operate independently and impartially to fulfill the full packages of TJ. However, the transitional justice initiated during the transition was fully led by the Transitional Government of Ethiopia (TGE), which was controlled by the TPLF-EPRDF. The dominance by a the incoming government has forced to make the primary aim of the TJ to hold Derg officials accountable for crimes and human rights violations, including those associated with the Red Terror. Consequently, the focus remained on prosecuting Derg officials, rather than implementing a comprehensive package of transitional justice measures such as truth inquiries, reconciliation efforts, special benches, institutional reforms, and reparations. The need to establish a commission of inquiry was brought to the attention of the TGE in September 1991 by African Watch and Amnesty International, an alert which the TGE ignored.
- **Incompleteness of the Initiatives/Transitional Justice:** Basic elements of transitional justice like prosecution and trial of persecutors, institutional reforms, truth-seeking, reconciliation, and reparation are ought to be considered while initiating transitional justice. However, the incomprehensibility of the TJ initiated by EPRDF was reflected by the fact that the SPO's mandate was to prosecute Derg's officials and document the crimes carried out by the same. Thus, the issue of establishing or restructuring supporting institutions and taking supplementary measures was overlooked. In confirming this, Ryle (1996) noted that Meles Zenawi, the leader of the Transitional Government of Ethiopia at the time, stated that the government had no plans to establish the proposed truth and reconciliation commission -the process chose prosecution over reconciliation (Ryle, 1996).

It has overlooked the necessity of reparation schemes for reparation of victims or families and relatives of persons persecuted by Derg. Furthermore, no special court or chamber was established, and the proclamation did not specify the particular crimes to be investigated and prosecuted. Overall, the transitional justice process was heavily centered on trials, overlooking other critical components such as truth-finding, amnesty, reconciliation, institutional reform, and reparations.

Moreover, contrary to its fundamental purpose of TJ, the initiative by TGE have failed to promote any reconciliation or dialogue among victims and perpetrators, victims and victors, or even between victors and the vanquished (Tadese, 2023). It has also dismissed the option of amnesty, as the TGE believed it would send the wrong message to the public and future politicians (Tronvoll, 2013; Tiba, 2013). This shows that the process was not comprehensive enough to inculcate the basic elements of TJ.

- **Application of Victors' Justice Model:** The trials were criticized for focusing exclusively on Derg's officials, neglecting other opposition members, violating defendants' rights, and lacking public engagement. It engaged in selective prosecutions, often referred to as victors' justice, as it targeted only Derg officials while overlooking crimes committed by civilians and other armed groups. Additionally, the trials faced criticism for not ensuring fair trial procedures. This

has happened due to two main factors. First, the total defeat of Derg. Second, missing the very essence of TJ, and focusing on securing legitimacy of initiating TJ.

- **Non-Inclusivity of the Process**– The transitional Justice initiated was not inclusive of the stakeholders. It was led by prim –minister of the then, and its accountability was for the government. The then stakeholders like political parties or interest groups were not the part of the process. Moreover,there was limited victims’ participation, which on the other hand failed to deliver redress to victims. Despite these efforts, the transitional periods failed to establish a successful transitional justice mechanism that held human rights violators accountable and transformed society.

3.3. The Post 2018’s Transitional Justice Initiative In Ethiopia

3.3.1. *The First Phase Trial of Formal Reconciliation: Reconciliation Commission*

Since his first oath of office, Prime Minister Abiy Ahmed has consistently promised national reconciliation and sustainable peace in Ethiopia. His speeches instilled hope for many, emphasizing the need for peace, reconciliation, and a governmental apology for past atrocities and human rights violations, particularly those occurring after 1991. He vowed to end eras of conflict through peaceful means. Beyond promises, his administration undertook institutional reforms, accountability measures, and initiated political dialogues, fostering democratic space by allowing armed groups and legitimate political actors to participate freely in Ethiopia’s political landscape, at least in his first two years. Following these commitments,as a part of the deliberate effort to pacify inter party, inter-communal, and inter-elite antagonism in the post-2018 period, the Ethiopian Government established the Reconciliation Commission with Proclamation d enacted a proclamation establishing a National Reconciliation Commission aimed at promoting peace, justice, national unity, and consensus among the Ethiopian people.

The preamble of Proclamation No. 1102/2018 states:

“It is necessary to reconcile based on truth and justice the disagreement that developed among peoples of Ethiopia for years because of different societal and political conflict.

WHEREAS, it is necessary to identify and ascertain the nature, Cause and dimension of the repeated gross violation of human rights so as to fully respect and Implement basic human rights recognized under the Constitution of the Federal Democratic Republic of Ethiopia and international and continental agreements which Ethiopian ratified and since it is important for the reconciliation;

WHEREAS, it is believed that providing victims of gross human rights abuses in different time and historical event with a forum to be heard and perpetrators to disclose and confess their actions as a way of reconciliation and to achieve lasting peace”

The proclamation outlines the responsibilities of the reconciliation commission, which is tasked with uncovering the truth, ensuring justice, maintaining accountability, and facilitating reconciliation. Established as the primary institutional mechanism for addressing past injustices through a restorative approach.

Three years later, the commission has requested the HoP to extend its term. The commission was dissolved by the government after three years, without a detailed account of its successes or failures. Despite the commission's requests for an extension, the parliament has directed it to transfer its resources and progress to the newly formed national dialogue commission. Despite the hope that the Reconciliation Commission would dispose of such responsibilities and obligations as outlined by the proclamation to help bring peace to Ethiopia, its term ended without any significant or visible achievement so far (Getahun, 2022). In support of the national reconciliation, the government has also initiated the establishment of Administrative Boundary and Identity Issues Commission with Proclamation No. 1101 /2019. The proclamation puts the purpose of the commission as:

“WHEREAS, It is found necessary, by strengthening the Federal System to reinforce the underway diversity of Nations, Nationalities and Peoples;

WHEREAS, it is become necessary to solve issues of Administrative Boundary, Self-government and Identity questions that repeatedly occur in regions nationally and for lasting; WHEREAS, it is realized that controversy relating Administrative Boundary is source of conflicts between various Nations, Nationalities and Peoples;

WHEREAS, it is becomes necessary the need for a neutral, highly professional and peaceful solution to these problems since conflicts with Administrative Boundary are a cause of great instability”

The bill and the commission were established to investigate the causes of identity and border disputes in the country and to propose solutions to Parliament, thereby contributing to sustainable peace-building efforts. However, both reconciliation commission and Administrative Boundary and Identity Issues Commission were dissolved without any documented outcomes. The contestations and controversies surrounding the emergence, legitimacy, and performance of the commission were mentioned as the cause for failures (Kinkino, 2023).

Lessons Learned from the Ethiopian Government's Pre-Transitional Justice Policy Efforts

When the commission was initiated, Ethiopia stood at a crossroads. The country was grappling with numerous competing narratives stemming from religious, ethnic, and political conflicts, which contradicted the transitions promoted by the new governance. Therefore, establishing a framework for reconciliation was crucial to address these challenges. Additionally, there are significant lessons to be learned from both the initiation and dissolution of the reconciliation commission.

- **Lack of Participation:** Similar to its dissolution, the commission's establishment was not process-oriented or participatory. Studies indicate that the commissioners were appointed directly by the Prime Minister without consultation with civil society organizations (CSOs) or political parties, undermining its legitimacy and operational capacity. This fueled doubts about independence and neutrality.
- **Lack of Clear Scope:** The commission lacked clearly defined boundaries regarding its geographical focus, agenda, and duration of engagement, which limited its effectiveness.
- **Lack of Policy Framework:** Although the commissions were tasked with promoting peace, justice, national unity, and consensus among the Ethiopian people, the proclamation did not sufficiently detail the roles and responsibilities of stakeholders, nor did it outline the scope and strategies for achieving its three pillars: truth, justice, and reconciliation.

Overall, while there is no explicit framework addressing transitional justice, various efforts and initiatives aim to guide the nation from a state of conflict to one of peaceful coexistence, focusing on truth, justice, and reconciliation.

3.3.2. The Second Trial of Formal Reconciliation–National Dialogue Commission

In the aftermath of the dissolution of the two commissions (reconciliation commission and Administrative Boundary and identity issue commission), the government has endorsed the establishment of National Dialogue Commission by Proclamation No.1265/2021. The commission is meant with the purpose of reconciling the different and conflicts on the bases of serious dialogues among different segments of the community. As stated with the establishment proclamation, the purpose is referred as:

“WHEREAS, there are difference of opinions and disagreements among various political and opinion leaders and also segments of society in Ethiopia on the most fundamental national issues and it is a necessity to resolve the differences and disagreements through broad based inclusive public dialogue that engenders national consensus;

WHEREAS, enormously conducting inclusive National Dialogues is important to bolster national consensus along the way a culture of trust and of working together as well as mend degraded to restore social values; the National Dialogue process societal values and since it has become necessary to legally institute a system that facilitates the National Dialogue process”

The establishment of the national dialogue commission has been scrutinized regarding its independence, legitimacy, and inclusivity across various community sectors. For example, women-led organizations have questioned its fairness regarding women participation, while political parties and interest groups including CSOs have raised concerns about the commission’s neutrality and independence from the ruling party’s influence. Despite these observations, the commission is currently gathering national agendas from different community sectors across various regional states. While it is too early to assess its performance and effectiveness, its success will depend on its independence, participatory approach, and legitimacy.

3.3.3. The Third Trial of Formal Reconciliation–Transitional Justice Policy

“Many contend that the idea of transitional justice began only after the CoHA was signed between the TPLF and the federal government. This perspective is misleading. We had already been researching and advocating for transitional justice well before the agreement. However, the agreement created an opportunity for the Ministry of Justice to commit to this agenda and allocate funding for its implementation.”

Asfaw, Ministry of Justice, June 2025, Addis Ababa

There are varying perspectives on the evolution of transitional policy in Ethiopia. Some believe that the signing of the Cessation of Hostilities Agreement (CoHA) on November 3, 2022, marks the inception of transitional justice (TJ) policy in the country. This viewpoint holds that the key articles of the agreement commit to the development and implementation of TJ in Ethiopia. Notably, Article 2(f) states that TJ should be executed in alignment with the AUTJP and the Ethiopian Constitution. Furthermore, Article 10(3) of the agreement stipulates:

“The Government of Ethiopia shall implement a comprehensive national transitional justice policy aimed at accountability, ascertaining the truth, redress for victims, reconciliation, and healing, consistent with the Constitution of FDRE and the African Union Transitional Justice Policy Framework. The transitional justice policy shall be developed with inputs from all stakeholders, and civil society groups through public consultations and formal national policy-making processes.”

Contrary to the above argument, the expert from Ministry of Justice argued that the concept of Transitional justice was initiated and researched far before Pretoria’s Agreement. The expert has put the fact that the agreement has enabled the ministry to set transitional justice as primal agenda. It is with that agreement that the ministry has instituted a team of experts to research and present options of transitional justice that suits Ethiopian context. Accordingly, the experts have development a green paper that presented various options to be selected by concerned bodies. According the expert, who collaborated with a team tasked with developing the green paper, on the bases of the green paper developed, various stakeholders were consulted to determine options suitable for Ethiopia’s context.

Following these consultations, a draft policy was developed and presented to stakeholders for feedback. In April 2024, Ethiopia officially adopted a national transitional justice (TJ) policy after extensive public and expert consultations across the country. This policy aims to address past injustices through criminal accountability, truth-seeking, conditional amnesty, reparations, and institutional reforms, while also integrating traditional justice mechanisms.

The expert also provided an update on the status of transitional justice in Ethiopia. He explained that after the policy’s approval, in July 2024, the ministry has developed a roadmap framework for implementing and cascading the transitional justice policy. This roadmap is designed to guide the overall implementation process, including the establishment of coordinating institutions and units. It outlines the legislation and framework that will govern the TJ policy, including a bill to incorporate international crimes into Ethiopia’s legal system, the creation of new TJ institutions such as the Truth, Amnesty, and Reparations Commission, the Special Prosecutor’s Office, the Special Bench, and the Institutional Reform Commission. Additionally, it emphasizes the use of traditional justice mechanisms, context specificity, and the sequencing and balancing of TJ elements.

Based on this roadmap, various stakeholders, primarily civil society organizations (CSOs) and Ethiopian Human Rights Commission have been engaging and reacting on the process. Activities such as research and capacity-building efforts have been underway for the past seven months, in order to move out the implementation of TJ. However, the expert concluded that the TJ initiative is currently suspended for unknown reasons and for an undetermined period. Consulted stakeholders have confirmed that the process is currently suspended. They attribute this suspension to two primary reasons. First, there is a desire to wait for the outcomes of the national

dialogue commissions, as the findings could significantly aid the transitional justice efforts. Second, ongoing conflicts in northern Ethiopia are in conflict with the Pretoria Agreement as well as its promise of initiating the transitional justice. Nonetheless, the AFSC remains hopeful that the process will resume, enabling the continuation and realization of the initiated transitional justice (TJ) efforts. Thus, the main objective of this assessment is to identify key factors essential for the successful implementation of the TJ initiative, ensuring it fulfills its intended goals.

4. EXPERIMENTS OF TRANSITIONAL JUSTICE IN AFRICA

More than half of African countries have engaged in the transitional justice process, with nearly all still implementing some or all of its elements. As part of this ongoing experiment, the following five cases offer valuable lessons:

- **South Africa:** In the post-apartheid era, the transitional government adopted a transitional justice policy. South Africa's experience is often viewed as one of the most successful in Africa, facilitating a transition from instability to peaceful coexistence. Key factors contributing to this success include the establishment of political trust, a strong commitment to the process, and the inclusion of reparations, truth-seeking, and reconciliation, all of which incorporated indigenous knowledge. However, challenges such as local patronage systems that limit accountability, corruption, a culture of oppression, persistent inequality, and political resistance from vested interests have hindered the effectiveness of transitional justice.
- **Rwanda:** To address the political tensions following the 1994 genocide, the Rwandan government implemented a transitional justice system aimed at fostering reconciliation and sustainable peace. This process has yielded mixed results. Positive elements include a robust indigenous court system (Gacaca courts), a commitment to combat ethnic polarization, moderate community participation, and significant international support, particularly from the U.S. Conversely, challenges such as insufficient funding for reparations, high corruption levels in tribunal management, poor case handling, low community awareness of the transitional justice process, and misunderstandings with the International Criminal Court have been major shortcomings.
- **Democratic Republic of Congo:** The DRC's transitional justice system has made strides through the establishment of a reparations fund (FONAREV) and the increased involvement of academia and civil society organizations (CSOs). However, its initiatives have been criticized for being incomplete and overly focused on reparations rather than truth-seeking. Additional challenges include a lack of strong transitional justice policies, the integration of warlords into government, excessive interference from external actors like the ICC, ongoing political instability, and insufficient financial resources.

- **Libya:** Following the fall of Gadhafi, Libya sought to manage political instability through transitional justice. This effort has been bolstered by the involvement of tribal leaders in reconciliation, increased engagement from CSOs, and efforts to raise community awareness. However, the process has been hampered by a lack of commitment to truth-seeking, the use of victor's justice against Gadhafi's officials rather than promoting reconciliation, a biased accountability system, judicial politicization, the exclusion of women and survivors, an inconsistent reparations framework, and a general lack of communal trust amid ongoing political instability.
- **South Sudan:** The civil war in South Sudan has prompted efforts to implement transitional justice initiatives. Progress has been noted in the increased role of CSOs in public consultations, awareness-raising, documenting human rights violations, and lobbying for inclusion. Community consultations in conflict-affected areas and the establishment of military courts to address conflict-related gender-based violence have also been positive developments. However, insufficient academic involvement, delays in constitutional and security reforms, postponed elections, political instability, limited integration of traditional conflict resolution mechanisms, and bureaucratic challenges have contributed to the process's difficulties.

5. KEY FACTORS FOR SUCCESSFUL TRANSITIONAL JUSTICE MECHANISMS IN ETHIOPIA

5.1. Preliminary Factors

TJ serves as a crucial mechanism for shifting from a state of conflict and volatility to a state of peace. The stakeholders consulted have pointed that the success of transitional justice is highly determined by the following preconditions and preliminary factors, and a moderate level of progress must occur across several priority dimensions:

- **Evolving from Discord to Cooperation:** Transitional Justice is a self-healing journey where participants willingly collaborate to support the transition. If the involved parties do not agree to move forward, progress is impossible. Thus, the community, along with key actors, must shift from discord and contradictions to cooperation and collaboration. Initiating the TJ process demands a collective mindset geared toward collaboration, which is essential for reaching terms of agreement. In support to support this argument, the ECSO's policy brief also outlines that there must be a shared agreement that conflict, human rights violations, and injustices must cease, paving the way for reconciliation. In essence, key stakeholders need to express a unified stance of "Enough is enough" in the face of conflict and injustice, promise to bring issues to a discussion table and not provoking new and never-ending conflicts.



- **A shift from State of Conflict to Ceasefire Agreement:** Transitioning from a state of conflict to at least a ceasefire is essential for any transitional justice process. Almost all stakeholders consulted agree that a ceasefire agreement is crucial for the success of such a process. Without it, individuals are unlikely to engage in reconciliation while still grappling with the wounds of ongoing conflict and instability.

One of the Youth Leaders at Amhara regional state has said:

“The aim of the transitional justice (TJ) process is to address past injustices and prioritize victims; however, we are currently witnessing severe injustices and human rights violations in the Amhara region. The ongoing violence—such as clashes between armed groups and federal forces—makes it seem like peace is still a distant goal. Without stability as a prerequisite, it feels like we are being asked to heal wounds while they are still bleeding. We need a safe environment to share our stories without fear of retaliation, especially given that the conflicts are still ongoing.”

KII-2 June/2025, Bahirdar

Community leaders also stressed the importance of achieving a minimum level of stability for the effective implementation of transitional justice. Similarly, the scholars in the area have also echoed the fact that the instability in the country is limiting the performance of the TJ initiated. One of the experts noted that *“TJ’s successful implementation is heavily constrained by the country’s fragile security situation. Ongoing violent conflicts in regions such as Amhara, Oromia, and Tigray have either persisted or only partially subsided. While there is an argument that TJ can be implemented during wartime, the reality is that lasting peace greatly facilitates its effectiveness.”* KII-3 June / 2025, Addis Ababa

In addition, one of the IDPs’ representatives said *“If people continue to be displaced or attacked, how can we expect any initiative of justice process”*. In supporting this argument, a key informant from the Ministry of Justice emphasized the necessity of stability and security for the implementation of the transitional justice policy. He further stated, *“For the pillars of transitional justice to be established and sustained, there must be some degree of stability, at least to facilitate dialogues and discussions.”* A similar trend has been observed in Libya, South Sudan, and the Democratic Republic of Congo, where conflicts among armed groups have hindered the success of transitional justice efforts. These all arguments show that there is a minimum level of requirement of peaceful environment to realize the main objective of TJ.

- **Willingness to Widen the Room of Democracy:** Transition involves the existence of power vacuum and the expectations and interests from diverse groups, necessitating strong commitment from the government. A clear sense of openness to democracy must be demonstrated by those managing the transition, mainly the government. In contexts like Ethiopia, where armed groups and political violence are prevalent, this openness is critical for advancing towards realizing the goals of

transitional justice. The political parties and civil society organizations consulted during the assessment emphasized that transitional justice requires a sense of ownership, particularly from political communities.

This ownership can be fostered by enhancing willingness to open the room of democracy, allowing all actors to feel involved in the process and outcomes of the transition. In this context, the government bears the primary responsibility for facilitating and smoothing the process while being open to the reactions of political actors. One respondent from a political party noted, *“When the mentality of ‘we’ diminishes, support wanes, and the blame game persists, planning and implementing transitional justice becomes more challenging”*. Hence, the culture of openness, accommodation, and tolerance shall be cultivated in advance of TJ.

5.2. Institutional Factors

Institutional factors are factors pertaining to the structure, governance, and resources of the institutions established for managing transitional justice. These are:

- **Independence and Neutrality of TJ System** – The independence and impartiality of the transitional justice (TJ) process are widely recognized as essential for its success. Experts in the field argue that while the government typically plays a significant role in facilitating and initiating TJ—especially during transitions—the initiative must not compromise the system’s independence and neutrality. While it is impossible to entirely remove the government’s influence—given its critical role in shaping TJ policy and providing necessary resources—there must be limits, particularly regarding the processes and modalities for prosecution, truth-finding, reparations, and reconciliation. Without such limits, the legitimacy of the stakeholders can be undermined, which is crucial for the success of TJ.

Consulted stakeholders, including women’s and youth associations from the Oromia region, have consistently highlighted the need for independence and neutrality to ensure effective TJ. They emphasized that achieving justice is not solely about the outcomes; the identity of those delivering justice is equally important. As one stakeholder remarked, *“Even if the right justice is delivered, without maintaining the neutrality of the TJ process, the decisions and outcomes will not be sustainable.”*

One key factor determining the legitimacy of transitional justice (TJ) in Ethiopia—and indeed in any context—is the acceptance, belief, and trust in the process by all conflicting parties involved in the war. Stakeholders consulted emphasized that, given the ethnic polarization, competition, contradictions, and the historical favoritism of certain groups by previous governments, the establishment of a truly independent commission is vital for the entire TJ process. Any human

rights violations, atrocities, or war crimes committed by any party during the conflict must be investigated by an independent body free from political pressure and undue interference.

Options for implementation can vary, including the establishment of a new, independent TJ-oriented system or the utilization of existing structures. For instance, African Countries like South Africa, Kenya, Rwanda, Serra Leone and other African countries have established an independent system for implementing the TJ process. Ethiopia has adopted a hybrid approach, incorporating both new and existing systems. Regardless of the model chosen, maintaining independence and impartiality is essential. This can be achieved through an open and transparent process that invites public scrutiny, ensuring careful selection of actors involved in the TJ process. While establishing institutions for TJ can be economically burdensome and complex, if existing commissions and tribunals are utilized for any TJ actions, it is crucial to ensure they are adequately resourced, independent, and staffed by individuals of integrity, competence, and independence. Stakeholders have echoed the sentiment that the process should be led by politically neutral individuals rather than government appointees to mitigate fears that powerful perpetrators might evade justice.

Stakeholders highlighted the importance of neutrality in the following dimensions:

- **Political Neutrality:** The TJ process must cultivate political impartiality, ensuring that all political actors view the process and its participants as neutral.
- **Profile Neutrality:** Neutrality should extend to the profiles of those involved. Key decision-makers in the TJ system must be carefully vetted to ensure they do not have histories of human rights violations or ethnic extremism. This scrutiny is essential to foster trust among diverse ethnic groups. For example, Kenya's transitional justice process faced significant criticism due to the perceived lack of neutrality of the crime investigation chair, Bethuel Kiplaget. Similarly, the post-2018 trials in Ethiopia experienced similar scrutiny, as the commissioners were appointed directly by the prime minister, leading to allegations of bias.
- **Fund-Based Neutrality:** Stakeholders must not feel constrained by external funding influences. Supporters, partners, and funders of the TJ should not dictate compromise its neutrality. It is crucial to demonstrate that decision-makers operate independently of any external financial pressures.
- **The Capacity of Transitional Justice System/Institutions:** The effectiveness and sustainability of the TJ system depend on the capacity of the institutions and structures managing the process. Stakeholders have highlighted the importance of establishing and strengthening institutions, and installing a robust institutional setup towards realizing the goals of TJ. Institutions should be equipped with necessary structural setup and all the resources required including financial, human and materials resources. Capacity-building initiatives, such as training and experience-sharing, are essential to maintain the system's independence and competence. Given the complexity of conflicts and atrocities, a strong and independent institutional framework is necessary

to carry out truth-seeking, prosecution, repatriation, and institutional reforms. One of the main reasons for Rwanda's TJ process is poor institutional capacity, which is attributed to inefficiency and incompetency of the administrative system.

For example, the experience from Côte d'Ivoire and Kenya demonstrates that weak institutional leadership can contribute to significant failures and shortcomings to transition justice process in various aspects. Ultimately, a robust independent institution, continuously monitored by civil society, international organizations, and clear reporting mechanisms, is essential. One of the political parties consulted remarked *"TJ requires a strong institution with competence and independence. I doubt we have the capable institutions to address the crisis at its roots; the issue seems beyond repair."* Therefore, for any TJ effort to succeed, establishing and strengthening a capable institutional system is imperative.

Moreover, there needs to be synergy among the key players involved in Transitional Justice (TJ) in Ethiopia. One of the scholars interviewed pointed out that TJ is currently primarily managed by the Ministry of Justice (MoJ), which has convened various experts to advance the process. However, relying solely on one ministry is insufficient. Effective TJ requires a whole-of-government approach that involves multiple ministries and state institutions. The absence of such coordination is a significant shortcoming. For instance, it has been found that there is a missed opportunity in the lack of alignment between TJ and the work of the National Dialogue Commission.

Currently, transitional justice is on hold as it awaits the findings of the National Dialogue Commission. If there had been better alignment and connection, both entities could have consulted one another and prioritized their efforts together. While transitional justice remains essential—whether implemented before, alongside, or after the National Dialogue—the Commission's role is to produce findings and recommendations rather than to execute transitional justice itself. Therefore, it is crucial for the institutions involved in transitional justice to communicate effectively with one another.

- **The Necessity of Setting up International Advisory Group:** Not to orient and take a leading role, but the support of international advisory and oversight group contributes to the success of the TJ process in many ways. On one hand, it aligns transitional justice practices with international human rights standards and enhances credibility. Second, as TJ operates within the context of national power dynamics necessitating accountability, the existence of international advisory groups reduces the blame games and local tensions that complicate truth-finding efforts. Given past experiences, local actors often lack trust in one another, making long-term agreements is challenging. One key informant noted,

“We don’t have much trust in the ongoing transitional justice mechanisms. We doubt the process, as our past experiences are not good. It would be better if a neutral international body oversaw these mechanisms, at least as a strong observer and advisor.”

KII-2, June, Addis Ababa

Another informant from Bahirdar Dar emphasized the importance of involving international bodies to support and overlook the processes, providing external validation and promoting global standards of transparency. This approach not only strengthens legitimacy and public confidence but also contributes to sustainable peace. To effectively incorporate diverse local customs and ensure transparency, the TJ process should under the auspices of a neutral international body, such as the UN or a hybrid of UN and regional organizations like the AU. This must be seen from the fact that the support from international organizations must be with a limit. One of the experts interviewed stated as:

“No state has ever begun implementing Transitional Justice without facing capacity constraints. Over time, however, many have strengthened their efforts through the support of international organizations and other states. The challenge lies in balancing this external assistance with the preservation of national sovereignty. If the process appears dominated by foreign actors, the public may perceive TJ as “alien justice” rather than their own, risking a loss of legitimacy. To prevent this, external support must be integrated carefully, ensuring that the process remains nationally owned while still benefiting from the expertise and resources of international partners.”

KII-4 June/2025, Addis Ababa

- **Communal Trust and Confidence/Legitimacy** – TJ become successful only if it is granted with legitimacy, trust and sense of ownership from the community as well as political actors. As it is the types of political solution that emerges from and ends to the community, social trust and legitimacy matters most. In the words of ECSO, in the absence of trust and legitimacy, collection of evidence and finding of the truth, mass dialogue, inter-communal forgiveness, and accountability are unlikely to occur. If the TJ initiative wins communal trust, whatever the result is obtained, it neutralized the contradictions and serves better. Legitimacy granting and trust building works include keeping neutrality and independence, maintaining transparency, and enhancing inclusivity and communal participation through engaging local leaders and grassroots organizations. In doing so and other works, communal trust and legitimacy should be bought from the general public and political actors.

5.3. Process Factors

The process of implementing TJ also determines its effectiveness. These process factors are:

Inclusivity and Participatory Nature of the Process

The inclusivity and participatory nature of planning and implementing transitional justice (TJ) are crucial for its success and outcomes. TJ serves as a self-healing mechanism for post-conflict or authoritarian communities like Ethiopia, starting and ending at the grassroots level. All segments of the community affected by conflict and human rights violations must participate, either directly or through their representatives. This requires a bottom-up, participatory approach where all actors, including the public and victims, take ownership of the process. For instance, youth, women, IDPs, and persons with disability-focused associations consulted have emphasized that TJ is a sensitive agenda, and the inclusivity of all stakeholders is vital for its effectiveness and sustainability. They argue that participation should not be merely symbolic or quota-based but should be both procedural and substantive.

On one hand, TJ should not be limited to top-level actors; it must engage victims and perpetrators to ensure a comprehensive process. Contrary to prevailing trends in Africa, the ECOSO's policy brief states that forgiveness and amnesty should come from communities rather than politicians. Reconciliation requires genuine people-to-people engagement, not merely political gestures. The more inclusive the TJ process, the greater its legitimacy and the more effectively community voices are represented. This bottom-up approach promotes local solutions to local problems. The African Union's TJ policy underscores the need for a consultative and inclusive process that guarantees the participation of national stakeholders from all sectors, with particular attention to victims' voices and freedom of expression.

This inclusivity includes:

- **Inclusive of Political Structures:** Since TJ addresses both the past and future, it should involve political actors who participated in past interactions as well as those who may engage in the future. Political bargaining plays a critical role in the TJ process; productive negotiations can significantly enhance its success. This includes engaging armed groups from various community sectors, such as OLF and Fano. It is not enough to establish a ceasefire; these groups must be included in the process. Hence, it is very imperative to engage political parties and armed groups in the process of implementing TJ.
- **Inclusive of Actors and Interest Groups:** Stakeholders consulted have argued that actors from civil society organizations (CSOs), religious institutions, and indigenous governance structures should also participate. Stakeholders emphasized the importance of raising awareness tailored to local populations in accessible formats. CSOs, particularly those working with women with

disabilities and the Ethiopian Women Lawyers Association, have been active in this regard and will continue to do so. Partnerships with CSOs, Interest Groups, NGOs, and faith-based organizations are essential for sustaining TJ mechanisms, as these actors bring diverse capacities and resources that the government may lack.

- **Women Inclusion:** Addressing gender dynamics is critical, as the absence of women in TJ processes is a significant oversight. Women must be involved both as participants and beneficiaries. Their unique needs must be addressed to enhance the effectiveness of the process. Women can play a key role in truth-seeking, as they often have social networks that facilitate the identification of victims and perpetrators. One participant from a women's association stated, *"Women's voices have always been neglected in political processes. We fear this trend could repeat in the TJ process. Lessons from past dialogues should ensure women's inclusion."*
- **Youth Inclusion:** Youth are pivotal actors in both conflict and peace. Their inclusion is essential for the sustainability of TJ. One youth representative remarked, "Youth must be recognized not just as participants but as key stakeholders shaping the future. We are not only the future—we are the present. We must be trusted to help lead the way toward justice, reconciliation, and peace." A key informant from Tigray noted. Any justice and reconciliation initiatives will only succeed if they embrace the voices of youth, who are both victims of conflict and potential agents of peace.
- **Inclusive of Ethnic Groups:** Given Ethiopia's ethnic federalism, the TJ process must be sensitive to the realities of different ethnicities. The voices and concerns of all ethnic groups must be heard, especially in reconciliation and truth-finding efforts. Experts argue that the polarized agendas in Ethiopia necessitate consideration of ethnic dynamics in the TJ process.
- **Inclusive of Victims and Perpetrators:** Victims should be allowed to influence the TJ options for crimes committed against them, and their rehabilitation must be prioritized. Perpetrators must also engage in the process. One victim stated, "Let victims speak. That's where justice should start." Another added, "If TJ is to be successful, it must listen to our voices and testimonies."
- **Inclusion of Internally Displaced Persons:** Including internally displaced persons (IDPs) in the TJ process is also vital. Given that many IDPs are conflict-driven, returning them to their original homes should be a priority. If return is not feasible, their voices must still be represented. An IDP representative in Mekele expressed, *"Our condition is dire. We are not against reconciliation, but returning to our original homes is our priority."*
- **Inclusive of Rural Communities:** Often, transitional justice initiatives overlook rural populations, allowing urban elites to dominate the process. In Ethiopia, where over of the population lives in rural areas, it is crucial to gather voices from these communities rather than focusing solely on elite perspectives.

The Level of Transparency:

The TJ process should be transparent to the public beginning from the ratification of directives of the TJ policy, identification of the real victims, the prosecution of the perpetrators, etc. Such processes are vital to ensure trust in the TJ, to teach the public about the atrocities and stop occurrence of atrocities in the future. Many stakeholders emphasize that the success of transitional justice (TJ) hinges on the level of transparency in the process.

It is crucial for all involved parties to be informed about the planning and implementation stages of TJ. When stakeholders have clear visibility into these processes, the likelihood of success increases, as it fosters a greater trusting over n mental and judicial institutions. One of the community leaders expressed frustration over a history of impunity stating, *“From Haile Selassie to the Derg to the current system, we have suffered a lot. We hear that initiatives begin, but no one updates us on their progress or outcomes. We fear that the current initiative will follow the same path.”*

A key informant from the Peace and Security Bureau also highlighted the importance of transparency in building trust, accountability, and legitimacy within the TJ process. The stakeholders have echoed that transparency helps the TJ process to succeed in many ways like:

- **Accessibility of Information:** Ensure that all documents, decisions, and proceedings related to transitional justice—including reports, legal frameworks, and investigation findings—are made publicly accessible.
- **Consistent Communication:** Utilize various channels, such as traditional media, social media, and community meetings, to regularly update stakeholders on progress, challenges, and upcoming activities.
- **Independent Oversight:** Establish independent commissions or watchdog organizations to oversee the TJ processes, investigate misconduct, and report on relevant issues.
- **Clear Criteria:** Set clear and publicly accessible criteria for selecting truth commissions, reparations programs, and other mechanisms, along with avenues for reporting corruption or misconduct within transitional justice institutions, ensuring prompt and transparent investigations.

The Level of Learning and Development Environment:

Transitional justice (TJ) becomes essential when formal justice and peace and security systems fail to achieve sustainable peace. It is designed to address situations that exceed normal scenarios, necessitating a dynamic approach to understanding complex issues and adapting to evolving circumstances. This can be achieved through various approaches:

- **Evidence-Based Intervention:** The TJ process involves sensitive and complex issues that require timely evidence, emphasizing the need for emergency research and assessments. To ensure the success of any TJ initiative and to avoid barriers stemming from ignorance of the facts and realities on the ground, it is crucial to adopt an evidence-based approach. For instance, one of the experts has noted that there is much confusion among stakeholders of the TJ in Ethiopia. For instance, there is insufficient research on how TJ relates to the national dialogue process, as a result there is pertaining confusion exists among both politicians and professionals. This calls for both knowledge production and dissemination, that diminishes the confusion persisting.
- **Learning from International Experience:** Countries like Rwanda, Kenya, Serra Léone, Libya, South Sudan, South Africa, Democratic Republic of Congo, and South Africa have undergone transitional justice processes, offering valuable insights into both successes and failures. Ethiopia is not new to the concept of transitional justice, and learning from the experiences of other nations can help avoid common pitfalls and identify effective strategies. According to the Ministry of Peace, efforts to learn from international experiences have already begun the experience sharing practices.
- **Compiling Lessons from Past Experiences:** While TJ is relatively new to Ethiopia, it is essential to consider lessons from Ethiopia's historical journey towards achieving TJ. Learning from previous initiatives, such as those by the Derg and EPRDF, is vital for informing the upcoming TJ implementation process.

Stakeholders' Level of Awareness about TJ:

Transitional Justice (TJ) is not just a legal or judicial process; it is a vital tool for healing, reconciliation, and sustainable peace building. When transition tries to erase past contradictions and requires the absence of past trauma, TJ becomes indispensable. However, in many post-conflict or authoritarian societies like re are often politicized and polarized perspectives on the transition, including the concept of TJ. This polarization occurs in two main ways. First, many local communities and stakeholders lack a clear understanding of the essence and significance of TJ. Second, some opportunists intentionally spread misleading information about the process and intentions of TJ.

As a result, this leads to resistance against TJ or at least a lack of support for it, creating confusion and contradictions around the process. This undermines public engagements and supports for TJ initiatives. Hence, the level of awareness and clarity about TJ is very critical factor for the successful implementation of TJ. In the areas consulted, stakeholders including youth associations, regional justice bureaus, and political parties, highlighted the need for community awareness regarding the fundamental concepts, processes, and expected outcomes of TJ. A successful TJ process must leverage media as a tool, and there needs to be widespread education for all stakeholders involved. Unless TJ education and

awareness initiatives are prioritized, the polarization and politicization by various interest groups will prevail, leading to the usual failures of TJ in Ethiopia.

The Scope and Duration of the TJ:

In many cases, transitional justice (TJ) initiatives are overly broad and burdened with extensive agendas that lack defined timelines. While TJ cannot address every issue, it should focus on the major and complex problems during the transitional period. For TJ to be successful it needs to be structured with clear agendas and time frames, making it SMART (Specific, Measurable, Achievable, Relevant, and Time-bound). This includes defining when the process will start and finish, as well as specifying which issues will be addressed. Although the AUTJP recognizes the challenges of establishing a fixed timeline for TJ, it is crucial to limit its scope. This does not imply that flexibility is impossible within the key pillars of TJ, such as truth-seeking, reparations, reconciliation, and prosecution.

5.4. Political and Legal Factors

The political and legal factors also determine the effectiveness of the TJ initiative. These factors are:

Political Will and Commitment:

Political will is essential for the government to effectively facilitate and coordinate the transitional justice (TJ) process. Stakeholders consistently emphasize that the government's role should extend beyond mere promises or policy formulation to active implementation. A key aspect is the ruling party's commitment to allowing the TJ process to operate independently. The ECSO's brief highlights that normative commitments related to peace, accountability, reparations, and reconciliation should be reflected in governmental policy instruments. Genuine political commitment requires action and practice, not just rhetoric. Stakeholders express concern that certain governmental actions and inactions could undermine peace and democracy. They suggest that the government's political will and commitment should be evident in several areas:

- **Coordination Role:** The government must coordinate multiple actors to align stakeholders toward common goals. This includes collaborating with international organizations and embracing international human rights norms.
- **Funding Role:** The government is responsible for allocating financial and human resources to the TJ process. While various stakeholders may contribute, the government must ensure adequate funding to achieve TJ objectives.
- **Granting Confidence Role:** It is the government's duty to foster an environment where the rule of law prevails and security is maintained, thereby facilitating the TJ process. This includes demonstrating commitment to the TJ mission and

advocating for constitutional and legislative provisions that affirm Ethiopia's dedication to transitional justice.

- **Policy and Institutional Framework:** Only the government has the authority to formulate relevant policies and establish independent, politically neutral national transitional justice institutions. Strengthening institutions dedicated to transitional justice, such as independent commissions or specialized courts, is critical.
- **Sustainability Role:** Stakeholders argue that political will is crucial for the success or failure of the TJ initiative. One political party emphasized, "Political will and commitment are vital for the survival of TJ. Without it, nothing will work. Resource and security issues lie in the government's hands." Similarly, justice bureaus echoed this sentiment, with the bureau in West Oromia stating, "Political will at all levels is crucial for sustainability."

Focusing on the Original Purpose of Transitional Justice:

Transitional justice aims to achieve sustainable peace by addressing a broader and more complex human rights crisis that cannot be effectively managed through the country's conventional justice system. However, past experiences with transitional governments indicate that TJ has often been misused or abused. Some governments have leveraged TJ to gain legitimacy rather than resolve local issues, while others have used it to punish former officials instead of fostering sustainable peace.

In some cases, TJ initiatives have been employed to divert attention from pressing agendas. For example, the EPRDF's approach to TJ was aimed at leveraging international pressure, which ultimately led to failure. The Derg's effort has used TJ as a means of attacking and punishing the officials and actors of the past regimes, which we call it victor's justice than facilitating the transition. The respondent's mainly political parties and CSOs addressed via the assessment have echoed that there is a tendency of victor's justice approach in Ethiopia and they are cautioned against the risk of dominant or victorious groups in conflict usurping the TJ process in order to serve their own interests and undermine its legitimacy and public trust. This approach has also led the Libya's TJ to fail, and the concerns underscore the need for a neutral, balanced, and inclusive approach to transitional justice, than abusing the very concept of TJ.

Hence, the government's commitment must transcend from focusing on mere legitimacy or victor's justice to focusing on achieving justice, fostering sustainable peace, and facilitating the country's transition. Civil society organizations and political parties assert that Ethiopia's TJ efforts should solely aim for sustainable peace, not serve as a means to delay justice or take revenge on former officials. However there is a general fear that incumbents often use TJ to gain more legitimacy instead of ensuring accountability. Likewise, the incumbent in Ethiopia is alleged to be responsible for some crimes, and there might be fear that it might not honor its obligations and enforce accountability of its individual members directly or indirectly took part in the past atrocities.

Furthermore, it is very important to depoliticize the TJ initiatives and make it an independent. The officials consulted have stressed the need to depoliticize the transitional justice process saying *“Bring justice into politics, not spoil justice through political chaos.”* The current politicization of transitional justice threatens its legitimacy and effectiveness, said political parties. Transitional Justice must be anchored in political will that respects its autonomy rather than being manipulated as a tool for political gain or division.

The Level of Contextual Arrangement:

Ethiopia’s approach to transitional justice (TJ) differs significantly from that of other African countries. As one political leader stated, *“We can learn from Rwanda, South Africa, and Sierra Leone—but we must chart our own course.”* This highlights the need to adapt lessons from other contexts to fit Ethiopia’s unique realities, languages, and traditions. It emphasizes the importance of contextualizing continental frameworks, such as the African Union’s Transitional Justice Policy, within Ethiopia’s socio-cultural landscape.

Civil society organizations (CSOs) have pointed out that even within Ethiopia; regional contexts vary based on factors like ethnicity, culture, religion, and demographics. Therefore, while national frameworks serve as guiding instruments, local agendas and contexts must be prioritized. The effectiveness of transitional justice in Ethiopia hinges on its capacity to align high-level policies with grassroots realities. The need for contextualization extends to individual cases. It is crucial to define what type of justice is sought and by whom. For example, victims have expressed their need for justice in various ways: some seek justice to ensure their families’ safety, others wish to return to their gardens and live in peace, some aim to reclaim their land, while others want to hold perpetrators accountable and see them face justice.

This underscores the necessity of tailoring justice to the needs of those who seek it. Additionally, there is concern about aligning transitional justice with the country’s laws. TJ should aim to rectify breaches of law caused by conflict rather than further violate existing legal frameworks. Many nations implement principles and proclamations during transitions that can contradict national laws, potentially rekindling conflict and grievances.

These considerations are:

- **Constitutional Commitment:** Initiatives such as reforms, amnesty, and institutional setups must align with the laws of the land and consider the country's structural frameworks, including its ethnic federalism and regional configurations.
- **Level of Competing Narratives:** In Ethiopia, where diverse religious, ethnic, and political groups coexist, these narratives play a crucial role in determining TJ's effectiveness. Participants agree that Ethiopia's history is the most contentious and the principal cause for conflicts. These prevailing historical trends and competing narratives determines the success of TJ.
- **Historical Factors:** Historical grievances significantly impact the success of TJ in two major ways. Firstly, stakeholders have noted that conflicting historical narratives among different ethnic groups hinder reconciliation efforts. Secondly, the past failures of TJ initiatives have fostered skepticism, complicating future efforts.

In summary, there is a pressing need for a tailored approach to transitional justice in Ethiopia, one that respects local contexts and historical realities while aiming to foster genuine reconciliation and accountability.

5.5. Comprehensiveness of TJ's Package

The comprehensive nature of transitional justice (TJ) is crucial to its success. In addition to prosecution, truth-seeking, and reparations, the TJ framework should incorporate the following key components to enhance its effectiveness.

Psychosocial Healing Package:

Victims of atrocities—including gender-based violence and economic violence—along with other vulnerable groups, including those with disabilities, need programs that extend beyond mere truth-finding and prosecution. A primary focus should be on psychosocial and trauma healing initiatives. Community leaders have stressed the necessity of incorporating a trauma healing component into TJ. They advocate for approaches that avoid re-traumatization and recommend healing forums that acknowledge suffering, provide reparations, and facilitate community reintegration. One elder noted, *“We have families who lost their loved ones fighting in the forests. They are still living with pain, and no one has come to ask how they are.”*

A civil society representative echoed this sentiment, stating that TJ should address the scars of the past through trauma and psychosocial healing. Another informant remarked, *“Transitional justice is a long-term process. It must be integrated into how we govern, reflect on our past, and shape our future.”* Thus, prioritizing the psychosocial aspect is crucial for the success of the TJ initiative in Ethiopia.

Economic Package/Strategies:

The success of transitional justice is also hindered by various economic factors. Consultations with youth, women’s associations, and civil society organizations have identified several important economic considerations that must be addressed to ensure the success of TJ:

- **Existence of Resources/Funding:** Achieving TJ objectives requires adequate human and financial resources. Without these, TJ initiatives are unlikely to succeed. This includes necessary infrastructure and reparation costs. A representative from Tigray emphasized, *“We need funding for safely facilitating TJ. This includes digital platforms, transportation, and facilitation costs. It is crucial to plan for both financial and non-financial resources.”* Stakeholders from the Peace and Security and Justice Bureaus have also highlighted the importance of material and financial resources for effective TJ implementation.
- **Minimized Economic Factors:** High unemployment and inflation—significant challenges in Ethiopia—can undermine public interest and deprioritize justice initiatives for citizens focused on survival. Economic stress limits participation and fosters mistrust, especially if the transitional justice process is perceived as elite-driven or disconnected from daily struggles. Youth have identified structural issues like unemployment as root causes that TJ must address to foster social stability and trust. They view economic justice and reconciliation as interconnected.

Economic instability impacts the success of TJ in two major ways. On one hand, inflation and unemployment exacerbate communal stress and fuel political crises, leading to a mentality of violence rather than peace. On the other hand, rising unemployment fosters hopelessness among youth, pushing them to oppose the government rather than support transitional justice and sustainable peace. A youth association leader from Gondar stated,

“Many youth in our area face a lack of job opportunities, especially since conflicts have disrupted local economies, schools, and businesses. This economic hardship fuels frustration. When you’re jobless, you feel excluded, and that can lead some youth toward unrest or joining armed groups—not out of desire, but as a means of survival.”

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One youth association member remarked, “*You cannot talk about justice when people are hungry and frustrated,*” highlighting the need to integrate social and economic justice alongside formal TJ measures. Therefore, stakeholders, particularly the government, should focus on reducing unemployment and inflation to support the transitional process.

- **Strengthening TJ Fund Management:** Mismanagement of funds allocated for TJ has also been raised as a concern that limits its success. Stakeholders have noted frequent issues with resource management in transitional justice initiatives. Unless these resources are effectively managed and monitored, conflicts of interest can lead to failure.

Utilization of Indigenous Systems:

The primary goal of adopting TJ is to resolve complex problems that cannot be managed through formal justice systems. These challenges call for local indigenous solutions that focus on restoring community relations. Integrating indigenous knowledge and practices is essential for effective TJ efforts. For example, amnesty and apology mechanisms are more sustainable when grounded in local customs.

While some critique indigenous governance systems for overlooking women’s engagement and human rights, scholars argue that indigenous practices are often more legitimate within local communities than top-down approaches. Successful implementation of TJ requires local ownership to fully leverage indigenous wisdom on justice and reconciliation. Community-based structures must actively participate in this process, ensuring localization principles are upheld.

Various conflict resolution and reconciliation mechanisms can be employed during TJ implementation. For instance, “Shimglina” and “Abo Gereb” are widely used reconciliation systems in the Amhara and Tigray regions, respectively. One community leader in Amhara stated, “*With facilitation from stakeholders, we can aid the TJ process by addressing local inter-ethnic conflicts. We can foster repentance, repatriation, and justice between the Amhara and Qimant communities.*”

Elders from Gujiin Oromia also emphasized the importance of integrating traditional reconciliation mechanisms into the TJ process. They highlighted two notable practices: Gondoro a ritual and sacred peace-building and reconciliation method, and the Gadaa system, which includes components like reconciliation, compensation, truth-telling, and oath rituals. These indigenous practices are viewed as more effective and legitimate than externally imposed models. Participants noted, “*We have systems that have maintained peace for generations. If TJ respects these systems, it will succeed; if not, it will fail.*”

Youth in the area also recognized the positive impact of customary courts, in reducing reliance on formal legal systems and enabling communities to resolve disputes locally and affordably. One informant stated that addressing complex issues without indigenous governance is like stirring muddy water—appearing to act without effecting real change. These systems amplify marginalized voices, foster intergenerational dialogue, and promote survivor-centered approaches, especially concerning gender-based violence. Stakeholders such as OLF, EPPJC, and OFC suggest that the TJ framework must incorporate local values and customs.

Elders indicated that their understanding of transitional justice diverges from conventional court-administered justice, focusing instead on social integrity and reconciliation. This restorative approach prioritizes mending relationships over punitive measures. FGD participants noted that for a woman who lost her children due to conflict, no court-imposed punishment can heal her wounds; healing comes through forgiveness and a focus on future peace and reintegration. Justice and peace and security bureaus also acknowledge the importance of integrating traditional justice mechanisms to ensure the success of TJ.

5.6. The Role of Civil Society Organizations in Supporting Transitional Justice

The study has engaged with Civil Society Organizations (CSOs) and interest groups to explore their potential contributions to achieving transitional justice. Many stakeholders agree that TJ can succeed only if it remains independent and neutral, free from the influence of vested interests, including the government. One way to ensure this neutrality is by involving CSOs in both the formulation and implementation of TJ. Experiences from various countries demonstrate that Civil Society Organizations (CSOs) are pivotal in realizing transitional justice, particularly in post-conflict and post-authoritarian contexts. Research indicates that the involvement of CSOs in the TJ process leads to increased public engagement, heightened community awareness, and the amplification of minority voices.

The stakeholders consulted highlighted several key roles that CSOs could play in Ethiopia, including:

Knowledge Productions:

The stakeholders mainly the CSOs addressed through the assessment have argued that Transitional Justice (TJ) relies on accurate facts and evidence-based engagement. However, in Ethiopia, there are significant gaps in knowledge and input related to TJ, which Civil Society Organizations (CSOs) can address these gaps

by supporting the production of knowledge on the processes, practices, challenges, and opportunities of implementing TJ, thus providing essential evidence and insights.

Advocacy and Awareness-Raising:

Consulted stakeholders emphasize that community awareness of Transitional Justice (TJ) is vital for its success, with Civil Society Organizations (CSOs) playing a crucial role in promoting this awareness. CSOs engage in advocacy and capacity-building through formal training, media outreach, community forums, workshops, and seminars, educating the public about human rights violations and TJ principles. They also advocate for the inclusion of marginalized groups, such as women, youth, and ethnic minorities.

CSOs enhance the capacity of local actors, including community leaders, legal professionals, and government officials, through training programs and resource provision. This effort equips stakeholders with the skills and knowledge needed for effective TJ implementation, fostering a sense of ownership and commitment. Empowerment is a key focus, particularly for vulnerable groups. By aiding victims and marginalized individuals in understanding their rights and navigating the justice system, CSOs enable them to actively participate in the TJ process, ensuring that the needs and perspectives of all community members are taken into account.

Monitoring and Documentation:

Implementing Transitional Justice (TJ) necessitates oversight to ensure effective monitoring and assessment of its comprehensive packages, a role primarily fulfilled by Civil Society Organizations (CSOs). Often viewed as independent and impartial, CSOs enjoy public trust and play a vital role in monitoring human rights violations and documenting evidence of atrocities. Their efforts typically involve gathering testimonies from victims, conducting research, and compiling reports that shed light on the extent of abuses. This documentation is crucial for informing TJ processes, as it provides the necessary evidence for investigations and supports the establishment of accountability mechanisms.

Facilitating Dialogue and Reconciliation:

Dialogues and communal reconciliations mostly require independent actors, serving the conflicting parties impartially. CSOs are instrumental in facilitating dialogue among conflicting parties and promoting reconciliation within communities. They often organize forums and discussions that bring together victims, perpetrators, and community leaders to foster understanding and healing. This dialogue is crucial for rebuilding trust, addressing grievances, and laying the groundwork for a peaceful coexistence. By promoting restorative justice approaches, they encourage communities to find solutions that prioritize healing over retribution, which can be essential for long-term stability.

Advocacy for Legal Reforms:

Experiences from different countries show that CSOs also engage in advocating for necessary legal reforms to support transitional justice initiatives. They work to influence legislation and policies that promote accountability, reparations, and the protection of human rights. By collaborating with legal experts and policymakers, CSOs can help shape a legal framework conducive to justice and reconciliation. These advocacy efforts may include lobbying for the establishment of independent commissions, the ratification of international treaties, or the reform of laws that hinder access to justice. Through their persistent efforts, CSOs can drive meaningful changes that enhance the overall effectiveness of transitional justice processes.

6. CONCLUSION & RECOMMENDATIONS

6.1. Conclusions

The assessment has aimed to identify key critical success factors for effectively implementing Transitional Justice (TJ) mechanisms in Ethiopia.

The following factors were identified as essential:

- **Preliminary Factors:** These are conditions that facilitate the initiation of transitional justice. They include the development of a common understanding, a shift from discord to cooperation, a transition from conflict to a ceasefire agreement, and a willingness to expand democratic space.
- **Institutional Factors:** These relate to the capacity and nature of the institutions managing transitional justice. Key aspects include the structure and governance of these institutions, their independence and neutrality, fund-based impartiality, the capacity of the transitional justice system, the presence of an international advisory group, and the level of community trust and legitimacy.
- **Process Factors:** These factors influence the implementation of transitional justice. They encompass the inclusivity and participatory nature of the process, engaging various stakeholders such as political actors, women, youth, ethnic groups, victims, perpetrators, and internally displaced persons. Additionally, they involve transparency, a learning and development environment through evidence-based interventions, lessons from international experiences, stakeholder awareness of TJ, and the scope and duration of the TJ process.
- **Political and Legal Factors:** These factors are crucial for the effectiveness of the TJ initiative. They include political will and commitment, the policy and institutional frameworks, adherence to the original objectives of transitional justice, and contextual and historical considerations.

- **Comprehensiveness of the TJ Package:** This factor pertains to the inclusion of essential elements, including the four pillars of transitional justice. It involves psychosocial healing, economic strategies, resource availability, economic triggers, effective management of TJ funds, and the utilization of indigenous systems.

6.2. Recommendations

Based on the findings of the assessment on the critical success factors for implementing Transitional Justice (TJ) mechanisms in Ethiopia, the following recommendations are proposed:

Fostering Preliminary Conditions:

The TJ process should work on paving the way for further implementation through:

1. **Establish an Independent Commission:** Create an independent commission to oversee the transitional justice process, ensuring impartiality and independence from government influence. This structure should be modeled after successful examples from other countries.
2. **Manage Relationships Between Institutions:** Clearly define the roles and responsibilities of the National Dialogue Commission and transitional justice institutions to prevent confusion and ensure they work towards common goals.
3. **Create Common Understanding:** Facilitate dialogue among conflicting parties to foster a common understanding of the need to end violence and conflict. Engage communities and stakeholders in reaching consensus on transitional justice objectives.
4. **Encourage Ceasefire Agreements:** Support and mediate efforts to transition from conflict to ceasefire, bringing all parties to a commitment for peace through local and international peace building initiatives.
5. **Expand Democratic Space:** Advocate for policies that enhance democratic participation, ensuring that all political voices especially marginalized ones, are included in decision-making processes regarding the future of the country.

Strengthening Institutional Capacity:

The government should work on enhancing the governance structure of TJ through developing clear governance frameworks for institutions involved in transitional justice, ensuring their independence and neutrality; investing in building the capacity of actors within the transitional justice framework, leveraging international support where possible, and improving the operational effectiveness and credibility, creating bodies of international experts to provide guidance and best practices, fostering legitimacy and community trust, fulfilling human, material, financial, logistical and infrastructural resources, and implementing evidence-based interventions and facilitate learning from both national and international experiences to continuously improve the transitional justice process.

Ensuring Bottom-up and Broad-based Process:

The ministry of justice should broaden the inclusivity of the transitional justice process by engaging a diverse range of stakeholders, including political actors, women, youth, ethnic groups, victims, perpetrators, and internally displaced persons. Moreover, transparency should be enhanced through developing mechanisms for transparent communication about the TJ process to build trust within communities, and also creating learning environment through implement evidence-based interventions and facilitating learning from national and international experiences to continuously improve the TJ process.

Strengthening the Comprehensives of TJ:

TJ is beyond the normal elements, and should work on emerging issues like developing programs that provide psychosocial support for victims and communities affected by conflict, creating initiatives that support recovery and development in affected areas, ensuring adequate funding and resources for transitional justice efforts, and incorporating local customs and practices into the TJ framework to enhance cultural relevance and community buy-in. It also includes, expanding transitional justice to address socioeconomic inequalities and systemic marginalization, promoting economic, social, and cultural rights.

Promoting Outreach and Community Awareness:

Innovative strategies should be devised to foster broad engagement with local populations and enhance collaboration with national and regional institutions. Outreach is a valuable tool for clarifying the process and gaining community support. Careful public outreach, featuring targeted messages for diverse groups, can significantly bolster public backing for transitional justice initiatives. Without such outreach, a disconnect may arise between the objectives of transitional justice and the needs and perceptions of the communities it aims to serve. Stakeholders in the sector should leverage various methodologies, such as media, to raise awareness about Transitional Justice (TJ) and reduce any confusion. This involves developing innovative outreach strategies that engage local populations, ensuring that communities comprehend and support transitional justice initiatives.

Integrating Indigenous Knowledge:

Indigenous knowledge and practices are crucial for reconciliation, making it essential to integrate both mainstream and traditional justice mechanisms in the Transitional Justice(TJ)process. This approach should enhance complementarity while addressing any regressive aspects of traditional practices, aiming for a holistic justice framework that respects local customs and aligns with international standards. By highlighting the positive elements of traditional justice and acknowledging its limitations, the process can build social cohesion and reconciliation while ensuring inclusivity and addressing gender justice, thereby avoiding the romanticization of indigenous practices. But, balancing local and formal/global challenges in transitional justice processes is crucial. Traditional justice should be implemented in a way that complements the formal system rather than competing with it. Ultimately, the aim should be to achieve a holistic sense of justice through these processes.

Timing and Sequencing of Initiatives:

It can be beneficial to view transitional justice as a continuous process of transformation. In some cases, implementing certain initiatives before society is ready can produce more divisions. Ongoing political economy and conflict analysis can help to identify risks, changes in incentive structures and new opportunities to promote transitional justice. Thus, TJ implementers should recognize that transitional justice is a continuous process, and implementing initiatives thoughtfully to avoid exacerbating divisions.

Coordinating Across:

The existence of multiple actors in the TJ process should not limit its performance. It is important to eliminate the frequent disconnect between transitional justice objectives and strategies and other humanitarian and development interventions. Improving relationships between sectors can enable better assessment of how their different goals and actions affect each other. Ministry of Justice should improve collaboration between transitional justice initiatives and other humanitarian and development sectors to ensure cohesive strategies.

Prioritizing Reconciliation:

After all, the works of TJ is achieving reconciliation. Reconciliation is often seen as a key goal of transitional justice across various processes and mechanisms. It can occur at multiple levels: individual (psychological), interpersonal (personal relationships), community (inter-group dynamics), societal (shared civic goals),and political(state-citizen relations).Hence, incorporating reconciliation as a goal at multiple levels–individual, community, societal, and political–while supporting social repair initiatives is a major one.

Leveraging Art in Transitional Justice:

Art plays a pivotal role in transitional justice. Cultural and artistic projects, such as drama, photography, and dance, can help make victims visible and, in some instances, offer them a platform to share their experiences for the first time. These interventions can also enhance the efforts of other transitional justice mechanisms by effectively publicizing findings from truth commissions in an accessible and impactful manner. Thus, stakeholders should utilize cultural and artistic projects to amplify victims' voices, making their experiences visible, and enhancing the impact of transitional justice mechanisms.

Strengthening Local Ownership and Oversight:

Community ownership at the local level, combined with state oversight and support, is essential. However, it is also important to guard against the risk of the state manipulating or fabricating traditions for narrow political ends. A mechanical, top-down approach to implementing transitional justice is unlikely to align with local needs, meanings, and practices, potentially undermining legitimacy and ownership. Therefore, understanding and incorporating local perceptions, preferences, and practices is crucial. Moreover, taking the TJ policy as frameworks, there has to be tailored transitional justice approaches to the unique social, cultural, and historical contexts of Ethiopia, ensuring they resonate with local needs.

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1501 Cherry Street, Philadelphia, PA 19102
Tel: +1 215-241-7000
afsc.org



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