



COVID-19 AND ETHIOPIA'S SIXTH GENERAL ELECTION

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INTRODUCTION

On 21 June 2021 Ethiopia held its sixth general election—elections to the national Parliament and state councils. This was the first to be held in the absence of the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), the party that enjoyed exclusive political dominance in the country for close to three decades, until its demise in 2018 following years of public protests and internal political rift. In December 2019 former members and affiliates of the EPRDF, to the exclusion of the Tigray People's Liberation Front (TPLF), merged to form a new party—the Ethiopian Prosperity Party (PP). The PP differs from its predecessor in both ideological and structural terms. Many expected the 2021 election to be a litmus test of whether Ethiopia was departing from its authoritarian tradition and transitioning to democracy.

The election was held under extremely difficult circumstances. Ethiopia was facing a multitude of challenges from within and without, threatening its very existence. The Covid-19 pandemic, spreading at an alarming rate, was a major political and economic problem; not least among its effects was the postponement of the election for over a year. Inter-communal conflicts and armed clashes made it impossible to hold elections in various parts of the country: areas representing over 60 constituency seats in Parliament. Relations between the federal government and the TPLF deteriorated into a full-scale armed conflict after forces loyal to the latter attacked different bases of the Ethiopian National Defence Forces (ENDF) on 4 November 2020. Not only has the conflict caused a devastating humanitarian crisis in Tigray, the Amhara and Afar states, it has also exposed the country to international criticism. In the following year, major opposition parties in the Oromia region would boycott the elections claiming that there was not a level playing field on which to compete.

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This case study examines the meaning of the sixth general election to the political future of the country: whether it means a step closer to a democratic order or the continuation of electoral authoritarianism. It begins with a brief description of the place of elections in the political history of Ethiopia. It then deals with the political reforms that took place from 2018, after the rise to power of Abiy Ahmed, and the challenges the transition faced, followed by a discussion of the process leading up to the sixth general election, including voter registration and political campaigning. The paper finally deals with the process of voting itself, the election results and the implications for the political future of the country.

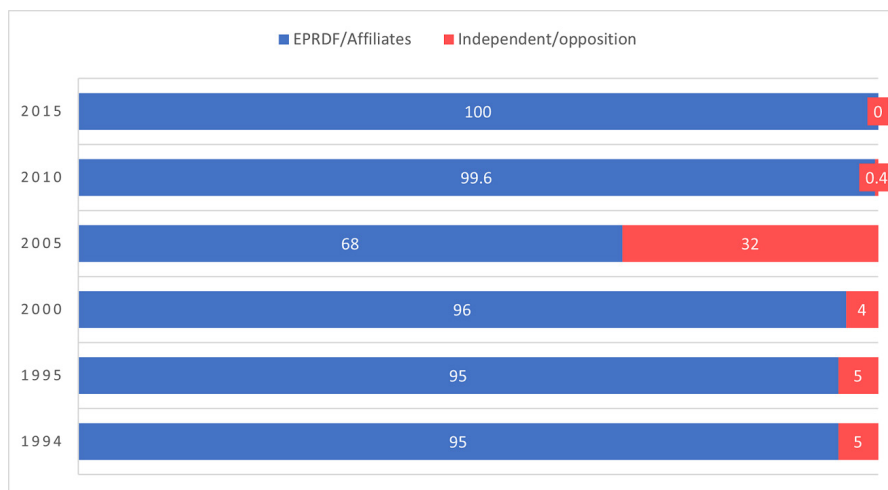
HISTORICAL CONTEXT

While being among the oldest countries in the world, boasting over two millennia of existence, Ethiopia has almost no experience of a democratic system. It was under an absolute monarchy until the last monarch, Haile Selassie I, was dethroned in 1974 by a committee of soldiers, the *Derg*. After ousting the emperor, the *Derg* established a military government under Colonel Mengistu Haile Mariam, who ruled the country without a constitution or elections for 14 years. In 1987 the *Derg* adopted a new constitution which introduced a one-party system: only the Workers' Party of Ethiopia (WPE) had the right to exist and rule the country (article 6, Ethiopia 1987). Mengistu, being the head of the WPE, ruled the country for the remainder of his 17-year rule as a civilian president. The *Derg's* highly authoritarian rule provided impetus to rebel groups in different parts of the country. These were mainly organized along ethnic lines and the strongest among them was the TPLF. The TPLF formed the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) together with other rebel groups, and intensified the fight until it defeated the *Derg* and controlled the capital, Addis Ababa, in May 1991.

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The EPRDF sponsored a new constitution which heralded the establishment of a federal and democratic order in Ethiopia (article 1, Ethiopia 1995). As part of recognizing an extensive list of civil and political rights, the 1995 Constitution (article 73) officially guaranteed the establishment of a multiparty democratic order in Ethiopia. Nevertheless, the EPRDF did not allow these constitutional principles to be fully implemented. Rather, it instituted an electoral system which allowed the party to control the entire political space of the country (Ayele 2018). Elections were regularly held in which some opposition parties indeed participated. However, these were hardly competitive and it was always certain that in each case, EPRDF would emerge as the victors. As can be seen from Figure 1, the only election which came close to being competitive was in 2005 when opposition parties won a little over 32 per cent of the seats in Parliament.

The EPRDF used 'a menu of institutional manipulation' that helped it retain power, including: a favourable electoral system, various pieces of legislation which had the effect of narrowing the political space, an amenable election

Figure 1. General election results in Ethiopia (1994–2015)

Source: Data from NEBE (National Election Board of Ethiopia) [n.d.], <<https://nebe.org.et/en/electionresult>>, accessed 7 January 2022.

board, and local authorities which served as the party's instrument of control (Ayele 2018).

The political dominance of the EPRDF, along with political repression and the prevalence of corruption, led to discontent among different segments of Ethiopian society, which manifested in anti-government protest. The protests began (first in Oromia, and then spreading to other states) soon after the 2015 elections, in which the EPRDF won 100 per cent of the seats in Parliament and state councils. The government's violent response led to a political rift within the EPRDF. Some within the party sought political reform while others wanted to retain the status quo. Those in the first group were mainly from the Oromo and Amhara factions of the EPRDF, which together correspond to more than two-thirds of the population. Those opposing reform were from the TPLF, up until then the dominant group within the EPRDF, and corresponding to about 6 per cent of the population. Following months of internal political struggle, the pro-reform factions won out, signalled by a change of leadership and the emergence of Abiy Ahmed as Prime Minister in April 2018 (Assefa 2021).

Abiy Ahmed was expected to lead the transition of the country to a democratic order and he oversaw the introduction of various legislative reforms which were meant to create a conducive political environment for the sixth general election. He also reformed the composition of the National Election Board of Ethiopia (NEBE) and appointed Birtukan Mideksa, a former opposition party leader, as its chair. However, a difference of opinion emerged between the Prime Minister and certain major political parties and their leaders on how the political transition should be carried out. Some political parties and academics demanded a clear 'road map' on the process and objectives of the transition. As far as the Prime Minister was concerned, repressive laws from the EPRDF era would first be revised and free and fair elections would be held—after

which a process of constitutional amendment, if necessary, would be initiated. However, some parties, politicians and civil society organizations were of the view that elections should be preceded with a 'national dialogue' (Assefa 2021). There is little clarity on what the negotiation would be, who would be the parties to the negotiation and what the end result would be.

Once a dominant member of the EPRDF, the TPLF increasingly lost its influence in the party and the federal government and found itself singled out as the sole guilty party for past human rights abuses, corruption, abuses of power and the like. Several Tigrayan generals, politicians and businessmen were arrested and charged with corruption. This caused dismay and a sense of being targeted among senior leaders of the TPLF. The Prime Minister's move to reform the EPRDF by merging members and affiliates of the party widened the rift, as the TPLF interpreted this move as an attempt to marginalize them and consolidate power (Assefa 2021). Under the EPRDF, formally speaking each of the four member parties in the coalition had enjoyed the same weight in decision-making, despite the TPLF representing less than a quarter of the constituencies of the two biggest parties. The formation of the new Prosperity Party abolished ethnic representation and replaced it with individual membership, which worked to the TPLF's disadvantage. Rejecting this, key Tigrayan politicians began leaving Addis Ababa one by one and retreated to Mekelle, the capital of Tigray, and assumed a rather belligerent stance against the federal government and the Prime Minister. The civil war that broke out on the night of 4 November 2020 and which is still ongoing was a result of these political developments.

The emergence of the Covid-19 pandemic further complicated the already fraught political situation in the country.

The National Election Board of Ethiopia (NEBE) declared that it would not be able to administer 'free and fair elections' while Covid-19 remained a public health threat.

THE DECISION TO POSTPONE

The emergence of the Covid-19 pandemic further complicated the already fraught political situation in the country. As was mentioned, the sixth general election was supposed to be held in (May) 2020. The NEBE initially postponed the election to August 2020 since it needed more time to prepare. On 12 March 2020, the first case of Covid-19 was confirmed in Ethiopia and thereafter the virus began spreading. This led to a serious debate on whether the election could or should be held amid the pandemic or be further postponed. The latter option was controversial since this time, it would mean extending beyond the five-year term of Parliament and state councils on 5 October 2020. On 31 March 2020, the NEBE declared that it would not be able to administer 'free and fair elections' while Covid-19 remained a public health threat (Associated Press 2020).

The NEBE's decision that elections could not be held before the expiry of the Parliament and state councils' terms raised several constitutional and political questions including whether the Constitution envisaged such a scenario, who would govern the country until the next elections, and the like. Some political parties and political party leaders, including Jawar Mohammed of the Oromo Federalist Congress, Lidetu Ayalew of the Ethiopian Democratic Party, and the

TPLF, were of the view that after 5 October 2020, the mandate of the federal and state governments would expire and that there would be no constitutional basis for them to continue governing (Ethiopian Insight 2020). In their view, the way out was establishing a care-taker government in which the ruling party and opposition parties would be represented and able to negotiate a new political settlement.

For its part the federal government began exploring constitutional options if the elections were indeed postponed. A group of constitutional lawyers presented the Prime Minister with four options (ENA 2020a). The first option was dissolving Parliament and establishing a care-taker government which would lead the country for six months. The second was amending the Constitution to explicitly provide for the extension of the term of Parliament and state councils (when elections are postponed beyond term limits, and due to unforeseen reasons). The third was to declare a state of emergency in the name of containing the spread of Covid-19, already declared by the World Health Organization to be a global pandemic. And the last option was approaching the House of Federation for a constitutional advisory opinion.

The Prime Minister opted for a combination of the third and fourth options. On 14 April 2020, the Council of Ministers declared a five-month of state of emergency which Parliament immediately endorsed. After having declared the state of emergency the Prime Minister, through Parliament, asked the House of Federation for a constitutional pronouncement on whether elections could be postponed and what the fate of Parliament and state councils would be until they were held (Fana Broadcasting Corporate 2020). The House of Federation, based on the recommendation of the Commission for Constitutional Inquiry (CCI), decided that the election could be postponed until Parliament decided that Covid-19 was no longer a public health threat. It further determined that the term of Parliament and state councils could be extended until the sixth general election were held (Council of Constitutional Inquiry, 2020).

While some political parties welcomed the decision of the House of Federation, such as Ethiopian Citizens for Social Justice Party (commonly known as EZEMA), others rejected it, especially those which were calling for national dialogue. The TPLF went further and decided to organize a state-wide election despite having no clear constitutional mandate to do so.¹ To this effect, the Tigray state council adopted an electoral law and established a state election board which on 5 September 2020 administered a state election in which some five political parties, including the TPLF, took part. The TPLF was declared the winner in the election. A few days later a new state government was sworn in appointing Debre-Tsion Gebre-Mikael, who was until then serving as acting president, as head of the Tigray state government.

The Tigray state election further widened the rift between TPLF-led Tigray and the federal government.

The tension between the two parties continued to escalate until it turned into a full-scale war in late 2020.

¹ Under the 1995 Constitution, the federal government retains the power to legislate on matters relating to the exercise of political rights including elections. It also establishes the NEBE as the organ with an exclusive power to administer elections. Therefore, it appears that states cannot adopt elections laws nor can they establish their own election board. Tigray state based its decision on the right to self-determination of ethnic communities which is the foundational principle of the Ethiopian federal system.

The Tigray state election further widened the rift between TPLF-led Tigray and the federal government. The new administration in Tigray declared that it did not recognize Abiy Ahmed as the legitimate prime minister of the country since 'he unconstitutionally extended his term in office' (Al Jazeera 2020). MPs who were from the TPLF left Parliament and went to Tigray. The federal government in turn declared that it would not recognize the new administration in Tigray. It decided to cease transferring federal grants to the state government and to maintain direct relations with local administrations in Tigray. The tension between the two parties continued to escalate until, as mentioned, it turned into a full-scale war in late 2020.

The state of emergency which was imposed in April 2020 expired in August 2020 since Parliament did not extend it. It became clear that the Covid-19 pandemic would continue for an undetermined period of time, and meanwhile the elections could not be postponed indefinitely. This once more raised the issue of whether the sixth general election could be held within the context of the pandemic and, if so, when. Parliament debated this for two weeks after the Tigray state held its elections. Lia Tadesse, the Minister of Health, appeared before Parliament during an emergency session held on 18 September 2020, and testified that the elections could be administered if the necessary 'measures are put in place, and regulations and guidelines enforced' (*Ethiopia Observer* 2020). She also said that political campaigns and rallies could be conducted so long as a Covid-19 protocol was adopted and adhered to. In an extraordinary session held on 22 September, Parliament endorsed Resolution 16 (2020) to this effect. On 30 October Birtukan Mideksa, the Chair of the NEBE, declared that the elections would be held on 5 June 2021 (ENA 2020b).

POLITICAL PARTIES: PARTICIPATION AND BOYCOTT

The data that the NEBE released on 22 December 2020 shows that there were 40 parties that fulfilled all of the requirements for registration and whose licences were renewed. Previously there were over 60 registered parties. However, the NEBE cancelled the registration of some 26 political parties. At a later stage, NEBE added a few more political parties to the list of those registered and some 47 actually took part in the elections. However, major opposition parties which were due to contest in Oromia, including the Oromo Federalist Congress (OFC) and the Oromo Liberation Front (OLF), withdrew (Borkena 2021a). The OFC declared it would not contest the elections while its leading members, such as Jawar Mohamed and Bekele Gerba, were in jail. It called for the release of these individuals and for the holding of national dialogue before any election was to take place in the country (Borkena 2021b). The OLF, on the other hand, was facing internal divisions which prevented its registration and participation.

CANDIDATES' REGISTRATION

The NEBE initially planned to conduct registration of candidates from 15 to 28 February 2021 and of voters from 1 to 25 March. This schedule could not be observed due to, among other reasons, late opening of registration offices and logistical challenges. This forced the NEBE to push back both registration deadlines; a second-round candidates' registration therefore took place from 22 February to 5 March 2021 with the process finally concluded on 9 March (ENA 2021). A NEBE report shows 9,000 candidates representing 47 parties and 125 independent candidates were registered. With 2,432 registered, PP had the largest contingent of candidates, followed by EZEMA, Enat Party and the National Movement of Amhara (NAMA) which had 1,385, 573, and 491 candidates, respectively (IRI/NDI 2021).

The candidate registration process involved some controversy. One of the issues had to do with the requirement for each candidate to produce endorsement signatures from a constituency he/she is contesting. Articles 31 and 32 of Proclamation 1162(2019) provides that someone who runs for the federal Parliament representing a party has to produce 3,000 endorsement signatures, while an independent has to produce 5,000. Someone who seeks to be a candidate of a party running for a state council has to produce 1,000 endorsement signatures. This requirement had been hotly debated and sternly opposed by several political parties when the proclamation was tabled for discussion. With Covid-19 and the security situation, many parties faced difficulties collecting endorsement signatures. The NEBE requested of Parliament that this requirement be suspended for the sixth general election; a request that parliament granted.

The other issue was whether someone accused of a crime and being tried could stand for election. This was raised in relation to Eskindir Nega, the Chair of Balderas for True Democracy, who was arrested and charged in connection with a riot that was instigated by the assassination of Hachalu Hundessa in the summer of 2020. Eskindir's party sued the NEBE which initially declined to register him as a candidate since the registration period had expired. The federal Supreme Court decided Eskindir could stand for election but by the time this decision was reached, the ballot papers were already printed and therefore the NEBE initially declared that it would be unable to include Eskindir in the list of candidates. However, when asked by the federal High Court why the NEBE could not implement the Supreme Court decision, its Chair replied that the ballot papers were being reprinted to include Eskindir and others in the list of candidates (*Addis Standard* 2021a).

VOTER REGISTRATION

Initially scheduled to run from 1 to 25 March 2021, voter registration was put back by the NEBE to the period 25 March–23 April. The NEBE expected over 50

million voters to register. However, only 18 million voters had registered by the end of this period, forcing the NEBE to extend its deadlines.

Even after this—and a campaign encouraging registration—the total was less than expected, at about 38 million voters. According to Birtukan Mideksa (NEBE Chair), low registration was caused by problems relating to the ‘transportation of election materials, inability to establish special polling stations (those for Internally Displaced Persons, the military and students), congestion of electoral schedule, security problems and the negative effect imprisonment and intimidation of opposition candidates has on voter registration’ (Sintayehu 2021); she did not mention the Covid-19 pandemic as a major cause. Neither did the NEBE’s 2021 election report mention Covid-19 as a factor in the low number of registered voters (NEBE 2021a).

THE CAMPAIGN

Pre-recorded debates were aired on various television stations and radio covering various issues, including the federal system, the Constitution, and economic and social matters. In the past, there was only a single television station, the government-owned Ethiopian Television, and the ruling party had enjoyed unrestricted access to it while opposition parties could only use time allocated to them by the Broadcasting Authority. Things have changed in this respect since there are now more than a dozen television stations, either privately owned or operated by state governments.

This allowed the Broadcasting Authority to allocate sufficient airtime in 2021 to the various parties’ campaigns. Political parties also campaigned by putting posters on the streets. Public rallies and meetings involving more than 50 people were not as a rule allowed, even though the NEBE could make an exception to the rule when political parties made applications in advance.

As the campaign season began, candidates of two opposition parties, the NAMA and EZEMA, were assassinated (Borkena 2021b; 2021c). The NAMA candidate Berihun Asfaw was running for Benishangul-Gumuz state council, while Girma Moges was EZEMA’s candidate for a parliamentary seat. Each political party alleged that the assassinations were politically motivated.

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COVID-19 PROTOCOLS

The NEBE had adopted a directive with the aim of reducing the spread of Covid-19 due to activities linked to the sixth general election (article 6, NEBE Directive 9, 2020). The directive required wearing of masks and social distancing of 2 metres, to be clearly signposted and overseen by election officials at both registration and polling. It aimed at preventing any form of physical contact between individuals involved in any activity linked to

the election (candidate and voter registration, voting, election observation, elections-related trainings, etc.). However, an exception was made for those who were physically impaired and needed assistance during registration or voting, and for mothers with infants. Polling stations had separate entrance and exit routes. The directive also required indelible paint to be applied (on the thumbs of those who had voted) in a manner that did not result in the transmission of the virus. Voters were encouraged to bring their own pen to the polling stations when coming for registration or voting. Members and employees of the NEBE in every polling station were required to clean shared pens using sanitizers, and to wear gloves.

For the purpose of preventing physical contact, a person in charge of a polling station was authorized to restrict the number of election observers, journalists or representatives of political parties who could be present at a polling station at a given time. The NEBE's Covid-19 directive further required all civic organizations which provide election-related trainings to do so using online platforms. Political parties could campaign or hold rallies, with the consent of the NEBE, and only if their members wore masks and trained and informed the public on the use of masks and sanitizers.

The implementation of Covid-19-related protocols resulted in significant additional cost of the general election. In May 2019, the NEBE had proposed a budget of ETB 4 billion and the Ministry of Finance had agreed to ETB 3.7 billion (USD 132 million) (Ezega News 2019). In October 2020, the NEBE requested an additional ETB 1.1 billion (USD 30 million USD) mainly to implement Covid-19 prevention.

ELECTION RESULTS

The sixth general election was held on 21 June 2021 in 436 of Ethiopia's 550 constituencies. The elections in Somali state and in some parts of Benishangul-Gumuz and Oromia states were postponed for September 2021. The election in Somalia was held on 30 September (*Addis Standard* 2021b). However, the election is yet to be held in Tigray, parts of Somalia and the Wollega zones of Oromia state due to the ongoing conflicts in these parts of the country.

On election day, registered voters came out in the early hours and cast their votes in many places until midnight. Long queues of voters were seen both in Addis Ababa and in other parts of the country. Voters in Oromia came out despite warnings from armed rebel groups (OLF-Shane) against voting in the election. There was a prevailing sense of apprehension that the election would involve disturbances (BBC 2021) and therefore an expectation of low voter turnout. According to the official report of the NEBE, turnout in the 436 constituencies where elections went ahead was in the region of 90 per cent (NEBE 2021a). The elections were conducted more or less peacefully, despite reports of some disorder in Oromia, Amhara and elsewhere.

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The NEBE showed a degree of independence and professionalism throughout the electoral process. It confronted federal and state authorities which committed electoral irregularities in the pre-election period and during the election. It cancelled voter registration in Somali state because opposition parties complained of irregularities in the voter registration process (NEBE 2021a). It closed polling stations which had been opened without its knowledge. It reported that in some states, especially in SNNP (Southern Nations, Nationalities, and Peoples) and Amhara states, election observers representing opposition parties were prevented from entering polling stations and had warned state authorities that unless they rectified the problem, election results in those areas would be annulled. The NEBE did cancel the election results in 23 constituencies in Amhara, Oromia and SNNP because it believed the irregularities in those constituencies could impact the electoral result (NEBE 2021a). It indeed faced logistical problems in delivering ballot papers. In some places, such as Sidama and Gambella, the delay in this regard led to the elections being conducted on 22 June.

The NEBE released the results for constituencies where the elections were held and the results approved. According to the official results, PP won 96 per cent of the seats in Parliament (410 of the 436 seats contested and state councils (NEBE 2021b)). The NAMA won five seats, EZEMA won four seats, Gedeo People's Democratic Party won two, and four independent candidates also won seats in the federal Parliament. The NAMA won in some urban areas in Amhara state, such as Bahir Dar, the capital of the state. EZEMA was expected to be the second major political party in terms of seats won. However, to the surprise of many, this party lost in all but four constituencies. It was confirmed that EZEMA's leaders, such Berhanu Nega and Andualem Arage, lost in the constituencies they stood in. As mentioned, the election in Somali state was held in September 2021. The opposition parties that had sought to run in this state—including the Ogaden National Liberation Front (ONLF), EZEMA and the Ethiopian Freedom Party (EFP)—boycotted the contest alleging electoral irregularities (BBC Amharic 2021). The PP thus ran unopposed in this state and won all of its 23 parliamentary seats (NEBE 2021c).

CONCLUSION

Covid-19 emerged when Ethiopia was in a major crisis, and contributed immensely to the worsening of the already fragile political situation.

Covid-19 emerged when Ethiopia was in a major crisis, and contributed immensely to the worsening of the already fragile political situation. There was a great hope among many Ethiopians that the sixth general election would mark a transition to a competitive democratic order in Ethiopia. However, in terms of the result, this election was not any different to the previous election since the ruling party, the PP, claimed over 96 per cent of the seats in the Parliament and state councils. The opposition parties were routed in this election. The election outcome was not, however, the main problem that Covid-19 brought about. Rather, the postponement of the election beyond the terms of Parliament and state councils as provided in the Constitution is what further heightened tensions.

Three points need to be stressed here. First, it is debatable whether the government had any option other than to postpone, given the many unknowns about Covid-19 in March 2020—even though it cannot be gainsaid that self-seeking reasons formed part of the government’s calculus when doing so. Second, there is no agreement on whether the government acted unconstitutionally by simply postponing the election. Third, major opposition parties and civil society actors were not necessarily opposed to the postponement of the election; the difference between the government and the opposition was more about how the country could and should be governed in the interim. The government sought to extend its term of office while its opponents sought some kind of transitional national unity government in which they could be included (Jawar 2020). It is, however, clear that taken together, the emergence of Covid-19 and the postponement of the election further complicated the situation in the country. In particular, it provided the TPLF with the reason to reject the legitimacy of Abiy’s leadership after 5 October 2020—which in turn paved the way for armed conflict a month later. The conflict has since engulfed Afar, Amhara and Oromia states. Following this escalation some opposition political parties and the TPLF called for the disbanding of the elected government and the formation of a transitional government, a proposal which was rejected by the Prime Minister, many opposition parties and the broader public (Pamuk and Fick 2021). At the time of writing the future of Ethiopian politics, if not the future of the country itself, remains uncertain.

The main lesson to be drawn from Ethiopia’s experience is that postponement of elections during public health emergencies should not be taken lightly. In fact, it should be treated as a last resort. It is not sufficient to simply follow constitutional and legal provisions when deciding to postpone elections. Such a decision should result from extensive dialogue to the extent that the emergency situation allows, among interested political and civil society actors.

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