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Consortium of Ethiopian Human Rights Organizations
(CEHRO)

CEHRO's Input to the Thematic Priorities of the Special Rapporteur on the human rights of internally displaced persons

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Addis Ababa, Ethiopia

Human Rights of Internally Displaced Persons (IDPs) in Ethiopia

A) Background and Context

Displacement is not a new phenomenon for Ethiopia. For instance, following the drought in the 1960s and 1970s in the northern part of Ethiopia, resettlement of the population affected by drought to other parts of the country was common. Similarly, government led and development induced displacement of people was common in urban areas where people in industrial areas expropriated from their land needed for development projects were common and perhaps the only type of internal displacement recognized by law until 2020.

Conflict and violence followed by draught, flood and locust swarm invasion are main causes of its internal displacement crisis in Ethiopia. Internal displacement in Ethiopia prior to 1991 were highly induced by draught especially in the 1960s and 1970s, development led urbanization, industrialization and expansion with draught, flooding had been more common cause of internal displacement in urban areas between 1991 and 2015 while conflict and violence has become the leading causes of internal displacement since 2016. Currently, all regions of Ethiopia are affected by internal displacement with Tigray, Amhara, Oromia and Somali regions taking the huge bulk of the IDP figure recorded in the country mostly owing to the fact of ethnic, religious and economic driven inter-communal conflicts.

The nature and magnitude of internal displacement in Ethiopia has changed dramatically in recent years. Ethiopia has seen a sharp increase in the number of internally displaced persons since 2018 induced both by natural disasters and conflicts. While flooding, drought and locust swarms have affected communities in the semi-arid and pastoralist part of Ethiopia mainly in the eastern side causing displacement of people, the magnitude of displacement caused by violence and conflict was significantly higher, recurrent and always on the rise. Displacements induced by conflict and violence in Ethiopia can be categorized in three forms. One, ethnic or religious based inter-communal violence but mostly of the former type, two, ethnic or religious motivated attacks perpetrated by armed groups in different parts of the country targeting ethnic and religious minorities and three, displacements caused by the law enforcement measures of the government against armed group resulting in a massive displacement of people in operations areas.

It was also recently that Ethiopia held its national election (sixth) amidst challenges such as conflict in northern and other parts of the country, the COVID 19 outbreak and with the newly established National Electoral Board of Ethiopia (NEBE) in the picture. While for the most part, the national election was conducted smoothly and successfully, there remain challenges that were left unaddressed and that gave a huge lesson going forward. Among others, the inclusion and participation of internally displaced persons in the six national elections was not properly addressed. NEBE has made different regulations and directives to make the national election inclusive, fair, transparent and democratic but how productive it was remains to be analyzed. Furthermore, the inclusion and participation of IDPs, returnees and host communities in areas affected by conflict and internal displacement in various political processes will be the main subject matter worth exploring and a keen interest of this assessment.

The normative and institutional frameworks of Ethiopia are not ready to respond to the challenges faced by internal displacement. There is a huge lacuna under the Ethiopian laws that fail to clearly define, understand and respond to the problems of internal displacement. Similarly, the institutional set up in place is not convenient and adequate to respond to the current internal displacement related challenges faced. In this regard, while the ratification of the Kampala convention in early 2020, the establishment of the Ministry of Peace, the revitalization of the refugees and returnees' services (RRS), the restructuring of the Ethiopian Human Rights Commission (EHRC), the amendment of the organization of Civil Societies proclamation are few positive steps taken in the right direction, they were not adequate to address the problems of internal displacement observed in contemporary Ethiopia. Hence, capitalizing on the positive steps taken so far, addressing the normative and institutional gaps and creating an environment where the prevention of internal displacement and addressing its root causes and adverse impacts is realized remains to be a big ask.

As part of filling the legal and institutional gaps for protecting arbitrary displacement in the country and give a domestic effect to the Kampala Convention (as per Article 3 sub-article 2 of the Convention), a draft proclamation is currently launched for public consultation in Ethiopia, and different stakeholders are taking part to provide inputs to the draft proclamation. The proclamation was drafted by a Technical Group of Experts established under the Inter-Ministerial Task Force (IMTF) and hosted by the Ministry of Justice. The Consortium of Ethiopian Human Rights Organization (CEHRO), as human rights organization closely following the trends of internal

displacement in the country and advocating for the protection of IDPs rights and their inclusion in the political process in Ethiopia including election and national dialogue, took part in the consultation workshop of the draft proclamation and provided feedback to enrich the draft document.

Considering the complexity of IDPs crisis, the Consortium of Ethiopian Human Rights Organizations (CEHRO) has been advocating for the inclusion of IDPs in Ethiopian political processes including election and national dialogue process. In doing so, CEHRO designed a project on monitoring IDPs participation in Ethiopia's political process. The project is designed to ensure the inclusiveness of IDPs in democratic governance processes and monitor IDPs' human rights protection and their participation in the political life as citizens. The implementation of the activities planned under this project culminated in to the conducting of research study on the legal and policy frameworks related to the IDPs participation in the political process in Ethiopia and writing up final assessment report, preparation of two policy briefings, and the delivery of trainings for the IDPs, host communities and state stakeholders. Accordingly, CEHRO advocated for the equal participation of IDPs in matters of their concern, as well as contributes to the development of IDPs proclamation as part of domesticating the Kampala Convention. In addition, throughout the implementation of this project, CEHRO members and partners gained an opportunity to strengthen their capacity and reiterate their commitment for IDPs inclusion in the political processes such as election and national dialogue.

B) Major Issues for Considerations:

Throughout its engagement in the capacity building and advocacy of IDPs rights, CEHRO came to learn that:

- **IDPs experience worse disenfranchisement than other vulnerable populations in Ethiopia.** The focus of the Ethiopian government while addressing the IDPs crisis has been mainly on the provision of life saving humanitarian assistance, though this effort has also been marred by barriers. Humanitarian response alone is insufficient. Development assistance and participation in political processes need to be refocused to be more sensitive to displacement and better consider how to design programs that work towards the achievement of durable solutions for displaced citizens.
- **The normative and institutional frameworks of Ethiopia are not sufficient enough to respond to the challenges faced by internal displacement.** Ethiopia shows its commitment to

respect international humanitarian and human rights laws, ratified the Kampala convention, and recently drafted IDPs Proclamation as a means to protect and fulfill the rights of IDPs. However, there is a huge lacuna under the Ethiopian laws that fail to clearly define, understand and respond to the problems of internal displacement. Similarly, the institutional set up proposed under the draft proclamation is not convenient and adequate to respond to the current internal displacement related challenges faced. Worst of all, the draft proclamation does not provide any proper monitoring mechanism and systems of ensuring accountability to redress IDPs crisis.

- **Practical and logistical challenges remain to be stumbling blocks for IDPs participation in the political process.** These include restrictive residency requirements, lack of proper documentation, lack of adequate and timely information and voter education. Strict residency requirements enshrined under the electoral proclamation of 2019 coupled with inadequate attention paid to issues of particular concern to IDP voters and candidates under directive 7/2021 and directive 13/2022 may cumulatively disenfranchise IDPs from political participation, including the right to vote and to be elected.
- **Due to lack of awareness, access to information and the media, lack of clear guidelines and rules in participation in elections and other logistics problems, IDPs have been subject to discrimination and exclusion from political participation.** It was found that IDPs lost trust and appetite for political participation due to the systemic discrimination they face. Instead, they have been keen to address their dire living conditions by searching for means to fulfill their basic needs and as a result of that political participation has become a luxury item to them.
- **Limited political participation of IDPs has been observed.** Ensuring more inclusive and non-discriminatory participation of IDPs in political and administrative activities is weak not only at national and regional levels, but also at local level.
- **The search for a durable solution to the problems faced by IDPs should go beyond humanitarian assistance.** Humanitarian assistance is crucial to address the current needs, but it exacerbates dependency unless supported by development assistance and socio-economic and political participation.

- **Restrictive residency requirements:** The proper integration of the IDPs with the host community remains an incomplete project. Little effort has been made to ensure readiness of the host communities to welcome IDPs.
- **Lack of accessible protective institutions and responsive legal frameworks worsened IDPs situation.** Since the security situation has been deteriorating from time to time in Ethiopia, most IDPs suffer from absence of protective institutions and become vulnerable to repeated violence.
- **The existing institutional and operational arrangements in Ethiopia are not sufficient enough to empower IDPs to participate in the national dialogue process.** IDPs participation in the national dialogue is essential, but the institutional set up in place is not convenient and adequate to enable IDPs to participate in the national dialogue. IDPs exist in almost all regions of Ethiopia. Most of them are placed in concentration camps while others exist in a dispersed form. There is no platform through which IDPs could interact and communicate their common issues at national regional levels. There is no body that might serve as an umbrella organ to organize IDPs and bring their issues to the forefront for decision making at the highest level, and hence the participation of IDPs in the national dialogue is less probable.
- **Given the current socio-political situation in Ethiopia, internal displacement may remain protracted,** because of the prolonged or frozen conflicts that have not yet reached a political solution.

C) Recommendations

1) Policy Recommendations for the Government of Ethiopia

- The Government of Ethiopia shall address the root causes of arbitrary displacement, and proactively strengthen protective institutions and make them readily accessible in areas of protracted displacement to address the concerns of IDPS at an early stage and reduce their vulnerabilities to other problems.
- The Draft IDPs proclamation of the Government of Ethiopia shall incorporate responsive legal frameworks that would clearly set mechanisms of IDPs political participation.
- The Government of Ethiopia, in consultation with CSOs and IDPs representatives, shall set up an institutional mechanism through which IDPs would hold regular meetings to exchange

information, and communicate with concerned stakeholders to devise viable options in the national dialogue process.

- Incorporate development assistance and participation in the political process along with humanitarian assistance while seeking durable solutions for problems faced by IDPs. It is not about sequencing activities but actively working together to create an environment more conducive for durable solutions to be realized.
- Ensure that laws, policies and programs respect, protect and fulfill the rights of all IDPs and that there is: (i) no discrimination towards IDPs; (ii) no discrimination on the basis of residency requirement in political participation procedures; (iii) protection from expulsion and forced return and restrictions on freedom of movement; and (iv) access to decision making process and media.
- The National Election Board of Ethiopia (NEBE) should improve the inclusion of IDPs in the electoral process by adopting measures that facilitate their registration in regular polling stations, notably by revising residency requirements for those living in local communities. This could include revision of discriminatory provisions, proper documentation of data on IDPs and other technical provisions to ensure the meaningful participation of IDPs in the political process in general, and in elections in particular.

2) Recommendations for other Stakeholders

- Concerned stakeholders such as international humanitarian assistance providers as well as local CSOs working on IDPs issues need to amalgamate humanitarian assistance along with empowerment of IDPs to participate in the political process including in the national dialogue.
- CSOs shall continue to advocate for IDPs inclusion in the political process, sensitizing IDPs to claim for their rights, and increase communication and cooperation between IDPs and host communities.
- CSOs shall continue to advocate for necessary legal and policy reforms to ensure that IDPs rights are respected and fulfilled.
- CSOs shall increase communication and cooperation between IDPs and host communities and their representatives, including community leaders, women's groups and student groups.
- CSOs shall challenge stigma and discrimination against IDPs and advocate necessary legal and policy reforms to ensure that their human rights are respected and fulfilled.

- International development partners shall strengthen to advocate and technical support to the Government of Ethiopia to meet its international obligations under IDPs and human rights law and implement strategies that reflect best practices in responding to needs of IDPs and host communities. They should also support governments in norm setting and devising mechanisms for political participation for IDPs.

About the Consortium of Ethiopian Human Rights Organizations (CEHRO)

The Consortium of Ethiopian Human Rights Organizations (CEHRO) is a consortium of 17 Civil Society Organizations registered under the Civil Society Organizations Proclamation No. 1113/2011, registration No. 3932 in Ethiopia. The Consortium is working to promote the protection of human rights by creating a common platform for civil society organizations to have their voices heard and to initiate evidence-based litigation and advocacy, as well as strengthen the capacity of existing and new human rights organizations and networking.

Email: cehro2010@gmail.com | info@cehro.org

Website: www.cehro.org

Facebook: <https://www.facebook.com/cehros>

Twitter: <https://twitter.com/CEHRO1>

Addis Ababa, Ethiopia

