

Inter Communal Conflicts (2017-2018) and the Protection of IDPs in Ethiopia: The Need for Specific Legal and Institutional Regime

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Abstract

The increasing number of Internally Displaced Persons (IDPs), and the gap in the legal and institutional framework for the protection scheme, remains a concern in Ethiopia. It is well established that inter-communal conflict forced thousands of people to flee their homes. This article assesses the adequacy of the national framework for the protection of IDPs. Specifically, it investigates whether the national response for disasters accommodates the needs of inter-communal conflict induced IDPs. In this context, the term IDPs is defined as provided in the UN Guiding principles on Internal Displacement. In order to determine how the national response works for plight of IDPs, questionnaires were distributed to the concerned government authorities, and the joint reports of government and international organizations was reviewed from online data sources. Results showed that there was no comprehensive legal and institutional framework and coordination system to address the protection and assistance needs of inter-communal conflict induced IDPs in Ethiopia in the year 2017-2018. These results suggest that the needs of IDPs could be addressed more effectively, with a national action plan or policy framework, and institutional scheme for IDPs.

Key terms:

IDPs · Communal Conflict · Protection · Assistance · Durable solutions

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1. Introduction

The increasing number of displacement and its grave impact on human rights protection is undeniable. Yet the concept of internal displacement as a distinct category that necessitates a separate protection and the definition of *Internally Displaced Persons* (herein after IDPs) are at the heart of the many debates that surround the concept of IDPs.¹ Despite the different opinions of scholars on

Frequently used acronyms:

CRC	Convention on the Rights of the Child
EHRC	Ethiopian Human Rights Commission
ICRC	International Committee of the Red Cross
IDPs	Internally Displaced Persons
IOM	International Organization for Migration
IPA	International Peace Advisors
NDRMC	National Disaster Risk Management Commission
NRC	Norwegian Refugee Council
OCHA	Office for the Coordination of Humanitarian Affairs
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees

the definition of IDPs, the definition in the Guiding Principles on internal displacement which was devised by the former UN Secretary-General's Representative on IDPs, Francis Deng is usually used.

The Guiding Principles are based on a non-state negotiated compilation of existing International Human rights law and International Humanitarian Law that are relevant for the protection of the internally displaced.² There is no binding international legal instrument on IDPs except the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)³ and the Great Lakes regional Protocol on the Protection and Assistance to Internally Displaced Persons⁴. The UN Guiding Principles define internally displaced person as: -

Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.⁵

The Kampala Convention and the Great Lakes protocol also adopt this same definition; reiterating that leaving habitual residence or home involuntarily and remaining in the territory of their own country marks the two definitional elements of IDPs. The involuntary nature of the displacement differentiates an internally displaced person from those who leave their homes willingly; and on the other hand, the fact that they do not cross internationally recognized

¹ Roberta Cohen "Key Policy Debates in the Internal Displacement Field", PP. 84-99, at 87, Available at <<http://www.mcrg.ac.in/rw%20files/RW32/5.RCohen.pdf>,> accessed on February 28, 2016.

² David Turton (2011), "The politics of internal displacement and options for institutional reform", *Deportate, esuli, Profughe (DEP)*, *Venetiarum Universitas in Domo Foscari*, No.17, available at <www.unive.it> accessed on 20 March 2016.

³ African Union (23 October 2009), *African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa* (herein after Kampala Convention), entered in to force on Dec. 12, 2012 available at: <<https://www.refworld.org/docid/4ae572d82.html>> accessed on 6 April 2020.

⁴ International Conference on the Great Lakes Region (November 2006), Protocol on the Protection and Assistance to Internally Displaced Persons, available at <<https://www.refworld.org/pdfid/52384fe44.pdf>> accessed on 6 April 2020.

⁵ *The UN Guiding Principles on Internal Displacement* (herein after the Guiding Principles), U.N. Doc. E/CN.4/1998/53/Add 2 (1998), Introduction, Para. 2., available at <www.brookings.edu/projects/idp/gp_page.aspx> accessed on 01 April 2016.

borders distinguishes internally displaced persons from refugees.⁶ The fact that the IDPs are far from their home or habitual residence but still within their own state denotes that the primary responsibility to provide protection and assistance for the IDPs is the national obligation of such state. Nevertheless it may be challenging to impose such responsibility in the absence of a binding legal instrument. Furthermore in some instances the state itself could involve in creating the causes of displacement directly or indirectly⁷ in which case international protection for internally displaced seems feasible.⁸

The international community is much more concerned with internal displacement as a result of inter-state or intra-state armed conflicts. Yet, inter-communal conflict which falls short of the armed conflict threshold also causes a great number of internal displacements. Africa is the first in line of continents that deal with the suffering of ethnic (Inter-Communal) conflicts.⁹ In particular the Horn of Africa is characterized as a place of ongoing inter-state and intra-state conflicts ingrained in the 'economic, social, political and historical grounds' but the major reasons can be attributed to 'boarder and territorial conflicts and ethnic and religious polarization'.¹⁰

Inter communal conflicts are the major aspects of intra-state conflict in Africa.¹¹ The ethnic structure of the entire region of Sub-Saharan African countries is the most favorable setting for ethnic induced conflicts that

⁶ UNHCR, Global Protection Cluster Working Group, "Handbook for the Protection of Internally Displaced Person", at 8, available at <www.unhcr.org>, accessed on 28 February 2016.

⁷ Internal Displacement Monitoring Center (IDMC) and Norwegian Refugee Council (NRC) (2007) "Internal Displacement: Global Overview of Trends and Developments in 2006", at 6, available at <www.internal-displacement.org>, accessed on 28 February 2016.

⁸ Katja Luopajarvi (2003), "Is there an Obligation on State to Accept International Humanitarian Assistance to IDPs Under International Law?", *International Journal of Refugee law*, Vol.15, No. 4, pp. 678-714, at 687., Available at <www.ijrl.oxfordjournals.org>, accessed on 20 March 2016.

⁹ Abraha Tesfay (2012), "Dynamics of Inter-Communal Conflict in North-East Ethiopia: The Case of Wejerat People and Their Neighboring Afar", *Anthology of Peace & Security Research, Institute for Peace and Security Studies (IPSS)*, Addis Ababa University and Friedrich-Ebert-Stiftung (FES), Vol. 3, at 4.

¹⁰ Muhabie Mekonnen (2015), "The Root Causes of Conflicts in the Horn of Africa", *American Journal of Applied Psychology*, Vol. 4, No. 2, pp. 28-34, at 28, available at <www.ajap.com> accessed on 23 December 2016.

¹¹ Abraha Tefay *supra* note 9.

generate a great number of internal displacements.¹² Being part of this region, Ethiopia has –at numerous occasions– experienced inter-communal conflicts that are different in terms of magnitude, ‘causes and actors in the communal conflicts’.¹³ It is not the concern of this article to discuss the root causes of inter-communal conflict in Ethiopia, it rather aims at highlighting the IDPs plight, Protection schemes and gaps.

In April 2005, the Project on Internal displacement by Brookings Institution-University of Bern has developed a framework on national responsibility of a state towards IDPs¹⁴. And in the absence of international binding instrument, this article found it reliable, persuasive and relevant to use it as a parameter to go through the Ethiopian national response to IDPs. The framework contains twelve yardsticks as benchmarks of national responsibility against which a national response to IDPs can be measured, and this article explores the Ethiopian Institutional and legal regime for IDPs, based on these yardsticks.

The next section of the article highlights the plight of IDPs in Ethiopia based on the realities of the inter-communal conflicts in the year 2017 and 2018. Section 3 briefly discusses the imperatives of policy, legal and institutional frameworks for the Protection of IDPs in Ethiopia. The fourth section discusses the role of the government to prevent internal displacement, its obligation in finding durable solutions, and the participation of IDPs in decision making. Section 5 analyzes the adequacy of resource allocation, and the duty to seek international cooperation and assistance in response to inter-communal conflict induced IDPs.

2. The 2017-2018 Inter Communal Conflict and IDPs Plight in Ethiopia: A Brief Overview

There are numerous factors that result in displacement including inter communal conflict.¹⁵ The existence of multiple causes coupled with the

¹² John Oucho (1997), “The Ethnic factor in Internal Displacement of Populations in Sub-Saharan Africa”, *Africa journal of political science*, Vol. 2, No. 2, pp. 104-117 at 104.

¹³ Abraha Tesfay, *supra* note 9.

¹⁴ The Brookings Institution Project on Internal displacement, University of Bern (April 2005), “Addressing Internal Displacement: A Framework for National Responsibility”, available at <<https://www.brookings.edu/.../addressing-internal-displacement-a-framework-for-national-responsibility>> accessed on 10 October 2017.

¹⁵ UNHCR, (September 2013), “Submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights' Compilation Report”, *Universal Periodic Review: Ethiopia*.

challenges of identifying economic migrants and pastoral migrants whose movement is seasonal from the forcible displaced population have also enhanced the difficulty in the definition of IDPs as set out in the instruments¹⁶ thereby causing practical challenges in identifying who is an IDP in the country.

The total number of IDPs in Ethiopia due to natural and manmade causes, the larger share being inter communal violence was estimated to reach 2.5 million in 2018.¹⁷ The inter-communal conflict in Gedeo and Guji zones since April 2018 forcibly displaced more than 900,000 people from their homes.¹⁸ However, according to IOM this number reached its peak of 3.04 million in March 2019, the main cause of the displacement being Conflict, which resulted in 1,233,557 numbers of people to flee their homes across the country.

Following this massive displacement, the government started return initiative since April 2019, and IOM Village Assessment Survey Tool showed that 1,400,892 IDPs returned to their villages, and 95% (1,328,652) of them were displaced due to a conflict.¹⁹ Subsequently, the number of IDPs in Ethiopia was more than 1.8 million in September 2020²⁰. Yet the conditions in the villages to accommodate the returning IDPs, and the availability of services, livelihoods and reintegration needs further attention. Besides majority of the IDPs are in protracted displacement situation.

Available at <<http://www.refworld.org/docid/5283488c4.html>> accessed on 10 June 2017.

¹⁶ The Office for the Coordination of Humanitarian Affairs (OCHA), The Disaster Prevention and Preparedness Commission (DPPC), The International Organization for Migration(IOM), Pastoral Communication Initiative Project (PCI) and the Norwegian Refugee Council (NRC), (May 24-25, 27 (2004), “Workshop and Policy Forum on The UN Guiding Principles on Internal Displacement”, Addis Ababa, Ethiopia, at 4, available at <<http://www.internal-displacement.org/publications/2016/workshop-report/>> accessed on 10 June 2016.

¹⁷ European Commission, European Civil Protection and Humanitarian Aid Operations (19 Jun 2018) “Ethiopia – Conflict and forced displacement” *ERCC PORTAL*, available at < <https://erccportal.jrc.ec.europa.eu/ECHO-Flash/ECHO-FlashList/yy/2018/mm/6> > accessed on 29 August 2018.

¹⁸ *IOM (24 July 2018) “IOM Launches USD 22.2M Appeal for Gedeo, West Guji Displacement Crisis in Ethiopia”*, available at <<https://www.iom.int/news/iom-launches-usd-222m-appeal-gedeo-west-guji-displacement-crisis-ethiopia>> accessed on 08 August 2018.

¹⁹ IOM, available at <<https://www.iom.int/news/iom-report-ethiopia-records-more-18-million-internally-displaced-2020>> accessed on 20 January 2021.

²⁰ *Ibid.*

The effect of conflict is not only displacement but also loss of life and property.²¹ Though the exact instigations of this conflict are not disclosed, border clashes embedded on border demarcations and resource dispute over land were the driving forces of the communal conflict between the regions of Oromia (Guji) and SNNP (Gedeo).²² The nearby woredas/local host communities are usually the preferable IDPs settlement spots in their search for safe haven to escape violence and this is also true for IDPs from Gedeo and West Guji Zones. Such local host communities are flooded with an increasing number of populations with the mass arrival of IDPs. These host communities were facing food insecurity and acute malnutrition which already makes it impossible for them to have the resources or any mechanism to deal with such inflow of IDPs.²³

The other places where these IDPs settle in are collective sites such as public buildings including schools, and other buildings that are incomplete or not being used in urban settlement areas.²⁴ However these IDPs sites are not suitable accommodations. As the ICRC's Assessment Team Leader Shirin Hanafieh observed: "People are struggling to live in anything resembling basic dignity. They are crowded into schools, office buildings, and churches, sleeping on the floor without mats and blankets."²⁵ The July 24, 2018 statement of IOM on the situations also states that "the collective sites are overcrowded with thousands of people sheltering in buildings not fit for habitation and thousands more are sleeping outside on the muddy ground with only a sheet of tarpaulin to protect them from the cold and wet weather"²⁶

Although moving from one place to another is the normal way of life for pastoralists, such movement causes conflict over resource in locations where grazing land is less plentiful.²⁷ In Somali regional state, there are many

²¹ Dawit Endeshaw (15 May 2018) "Latest conflict intensifies No. of IDPs" *The Reporter*, available at <www.thereporterethiopia.com/index.php/article/latest-conflict-intensifies-no-idps> accessed on 08 August 2018.

²² ACAPS Briefing Note, OCHA (22 June 2018) "Displacement in Ethiopia, Displacement in SNNP and Oromia regions", available at <https://reliefweb.int/sites/reliefweb.int/files/resources/20180622_acaps_start_ethiopia_displacement_0.pdf> accessed on 08 August 2018.

²³ European Commission, *supra* note 17.

²⁴ IOM (24 July 2018), *supra* note 18.

²⁵ ICRC (12 July 2018), "Violence Driving Displacement crisis as rainy seasons sets in", available at <www.icrc.org/en/document/> accessed on 08 August 2018.

²⁶ IOM (24 July 2018), *supra* note 18.

²⁷ Internal Displacement Organization, DG ECHO (Directorate General European Civil Protection and Humanitarian Aid Operations), UN OCHA (United Nations Office for the Coordination of Humanitarian Affairs), NDRMC, ECHO Daily Flash (19 June

instances where tensions over accessing resources by pastoralists intensified into inter communal clash over resource ownership²⁸ with neighboring woredas of Oromia regional state. Oromia and Somali regional states share a border line of more than 1,400 km (870 miles).²⁹ Competitions over territories and border disputes are susceptible to conflict over resources.³⁰ In spite of the 2004 referendum to resolve the border dispute between the two regions, the problems have persisted.³¹ The November 2017 IOM Displacement Tracking Matrix points out that close to one million people were displaced as a result of the Oromia-Somali inter communal conflict at the border. The majority of this displacement was caused by the September 2017 inter communal conflict between which led to the displacement of 700,000 people.³²

These IDPs were scattered around 400 locations including spontaneous or planned IDPs camp sites in the border areas, collective centers at the border areas, in city and rural towns across the two regions and Harari regional states, Dire Dawa and Addis Ababa city.³³ According to the National Disaster Risk Management Commission (NDRMC), those who are at spontaneous sites or camps were mainly pastoralists. Having fled with nothing at their disposal, lack of food and water created extensive malnutrition, and the deficiency of access to health care heightened the vulnerability of IDPs to health risks.³⁴

The fact that displacement interrupts children's education is also an existing problem for IDPs at every location.³⁵ Considering their situation, access to livelihoods, reinstatement to their land and property as well as sufficient standard of living remains the most demanding essentials of these IDPs.³⁶ Local government and civil society organizations specifically Ethiopian Red

2018) "Ethiopia-conflict and forced displacement", available at <www.internal-displacement.org/countries/ethiopia> accessed on 08 August 2018.

²⁸ Ibid.

²⁹ Kalkidan Yibeltal (18 September 2017) "what is behind clashes in Ethiopia's Oromia and Somali regions?" *bbc News*, available at <<https://www.bbc.com/news/world-africa-41278618>> accessed on 08 August 2018.

³⁰ Ibid.

³¹ Ibid.

³² OCHA (23 January 2018), "Ethiopia: Conflict Displacement Situation Report", available at

<<https://www.humanitarianresponse.info/en/operations/ethiopia/document/ethiopia-conflict-displacement-situation-report-23-jan-2018>> accessed on 8 August 2018.

³³ Ibid.

³⁴ Internal Displacement Organization, *supra* note 27.

³⁵ Ibid.

³⁶ Ibid.

Cross Society were the organs that were engaged in the assistance pursuits.³⁷ Even though food distribution was carried out by NDRMC,³⁸ the IDPs mainly relied on the host communities and local authorities for most of other humanitarian assistance.³⁹ International organizations such as ICRC, World Vision, Save the Children, and NRC participated in humanitarian relief.⁴⁰ OCHA had also organized and directed the humanitarian response in Oromia region.⁴¹

In general the lack of food security, potable water, and severe living conditions within host communities who do not have much to give, the lack of education services and the need for peace and security for IDPs were identified as the major problems during the period 2017-2018.⁴² It has become apparent that IDPs in Africa do not mostly settle in camps, but are rather dispersed within host communities both in rural and urban settlements.⁴³ This is also the reality of Ethiopian IDPs where the majority of the displaced stay within 'the region of origin and few [reach] the capital.'⁴⁴

3. The Need for Comprehensive National Response

Guaranteeing durable solutions for IDPs remain in principle the national responsibility of the state. The most significant characteristics of a national response to all needs including protecting and assisting IDPs is being inclusive, in terms of all causes, all groups including displaced women and children, and all phases of displacement i.e. prevention, protection and ensuring durable solutions. And all affected areas should include efforts to access, protect and assist those IDPs outside the effective control of the government and the national responses of the state should be mainstreamed at all levels of government.⁴⁵

³⁷ACAPS Briefing Note, (22 June 2018), *supra* note 22.

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ *Ibid.*

⁴¹ *Ibid.*

⁴² UNHCR (Sep. 2013), *supra* note 15.

⁴³ Elizabeth Ferris (2-4 May 2012) 'Internal Displacement in Africa: An Overview of Trends and Opportunities', *The Ethiopian Community Development Council Annual Conference on African Refugee and Immigrant Lives: Conflict, Consequences, and Contribution*, available at

<https://www.brookings.edu/wpcontent/uploads/2016/06/0503_displacement_africa_ferris.pdf> accessed on 10 February 2018.

⁴⁴ *Ibid.*

⁴⁵ The Brookings Institution (April 2005), *supra* note 14 pp. 9-11.

Although Ethiopia does not have specific Comprehensive national response mechanisms for IDPs, the national response to disasters in general can be grasped from the Ethiopian National Policy and Strategy on Disaster Risk Management (herein after the National Policy). The policy, is at the center of disaster prevention, response and sustainable solutions, and its objectives include reducing and eventually preventing disaster risk and vulnerability, and focusing on and implementing activities to be carried out before, during, and after the disaster period. The objectives of the National Policy further include mainstreaming and ensuring the implementation of disaster risk management into development plans and programs across all sectoral institutions. Moreover, the National Policy aims to ensure that all disaster affected persons are provided with recovery and rehabilitation assistances; to reduce dependency on and expectations for relief aid by bringing attitudinal change and building resilience of vulnerable people.⁴⁶

Though the policy sets excellent objectives, it has some gaps. For example, even if it states various categories of persons such as women, children, elderly, persons with disability (PWD), and people living with HIV/AIDS as vulnerable groups requiring special attention,⁴⁷ the policy does not expressly provide its concern for the vulnerability of IDPs population. Yet, the last phrase of the paragraph shows that the list is not exhaustive, and the term ‘other social issues’ could be inferred to be inclusive of IDPs and their vulnerability.

It is to be noted that the legibility of IDPs for humanitarian assistance could be in question as the Policy states ‘*Free emergency relief assistance* and recovery and rehabilitation support will only be provided to those who are poor elderly, infirm, pregnant and lactating women, persons with disability as well as to those people confirmed unfit for work due to illness.’⁴⁸ Those who are able and fit to work are legible for humanitarian assistance on the basis of early warning and disaster assessment only if ‘it is linked to development activity.’⁴⁹ Clearly the policy –while setting the strategies– should have given due attention to the heightened vulnerability of IDPs in comparison to the general affected population. On the other hand, the overall focus of the policy is humanitarian assistance to victims of disasters and does not mention a concern on the wellbeing, security and human rights protection of the victims

⁴⁶ The Ethiopian National Policy and Strategy on Disaster Risk Management (2013) (National Policy), Specific Objectives, pp. 4-5.

⁴⁷ *Id.*, p. 12.

⁴⁸ The National Policy, *supra* note 46, p. 7.

⁴⁹ *Ibid.*

beyond its generally expressed principle that ‘no human life shall be lost due to lack or shortage of provision of relief assistance in times of disaster.’⁵⁰ The following sections deal with *specific legal and institutional regimes relating to IDPs*.

3.1 National legal framework upholding the rights of IDPs

Protection is a legal concept and it cannot be secured in the absence of a national legal framework. Thus a national legal framework safeguarding the rights of IDPs is a significant manifestation of national responsibility and a means of its realization.⁵¹ Whatever approach the country may adopt, having a national legislation on internal displacement is vital in defining IDPs, spelling out their rights and the respective duty of governments.⁵² Considering the demanding situation of IDPs, there are major legal developments for the protection of IDPs in the African continent particularly the 2009 AU Kampala Convention, the 2006 protocol for the protection of IDPs by the Great Lakes region of East, Central and Southern Africa, the Khartoum Declaration on IDPs which is the result of the 2002-2003 ministerial conference on IDPs in the IGAD sub region.

Ethiopia signed the Kampala Convention in October 2009, ratified it on February 2020,⁵³ and is also a signatory to the non-binding Khartoum Declaration on IDPs.⁵⁴ Quite a few African countries have taken inspiring steps in response to the problem of internal displacement; Uganda is the best example to adopt a good policy⁵⁵ whereas Kenya has adopted a comprehensive law on IDPs.⁵⁶ There is neither a separate national policy nor a specific law to regulate internal displacement in Ethiopia. Yet, with respect to human rights guarantees, the general human right provisions under chapter

⁵⁰ Id, p. 13.

⁵¹ The Brookings Institution (April 2005), *supra* note 14, p. 16.

⁵² Ibid.

⁵³ African Union Convention (Kampala Convention) for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation No. 1187/2020.

⁵⁴ Khartoum Declaration: Ministerial Conference on Internally Displaced Persons in the IGAD Sub-Region, available at <<https://www.brookings.edu/wp-content/uploads/2012/04/DecKhartoum.pdf>> accessed on 24 September 2022.

⁵⁵ Elizabeth Ferris (2-4 May 2012), *supra* note 43, p. 5.

⁵⁶ ‘Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities’, Act, No. 56 (2012), The National Council for Law Reporting with the Authority of the Attorney-General, available at <www.kenyalaw.org> accessed on 10 October 2016.

three of the FDRE Constitution are equally available for IDPs, and international human right instruments ratified by Ethiopia apply to IDPs.⁵⁷

Accordingly, the UDHR (Universal Declaration of Human Rights), ICCPR (International Covenant on Civil and Political Rights), ICESCR (International Covenant on Economic, Social and Cultural Rights), CRC (the Convention on the rights of the Child), CEDAW (Convention on the Elimination of All forms of Discrimination against Women), ACHPR (African Charter on Human and Peoples' Rights) and ACRWC (African Charter on the Rights and Welfare of the Child) are the major international human rights instruments ratified by Ethiopia⁵⁸ that are pertinent for IDPs protection. However, with the magnitude of inter communal conflict in Ethiopia, the existing general human right instruments that does not specifically spell out the protection needs of IDPs seem to be insufficient or incapable of addressing the plight. Moreover, there is the need for the domestication of the Kampala Convention, and the experiences of other African countries show the significance of having a national law for the prevention, protection and assistance of IDPs and affected communities. Therefore, it is critical for Ethiopia to adopt IDPs specific national legislation stipulating the specific rights and freedoms of IDPs, the respective obligations of the state and duties of other individuals or groups for the prevention, protection and assistance to IDPs.

3.2 National policy or plan of action on internal displacement

Adopting a national policy or plan of action is a separate, though supplementary, 'measure to the enactment of national legislation.'⁵⁹ A policy on IDPs allows the state to stipulate a comprehensive response to internal displacement; and to put forth responsibilities of national and local institutions, the roles and responsibilities of different branches of the government and the mechanisms of coordination.⁶⁰ Although there is no IDPs specific national policy or plan of action, the National Policy on disaster risk management recognizes the issue of internal displacement in Ethiopia. The

⁵⁷ The Constitution of Federal Democratic Republic of Ethiopia, Proclamation No. 1/1995, Federal Negarit Gazeta, 1st Year No.1, 1995, (FDRE Constitution), under Art. 9(4) envisage all international agreements ratified by Ethiopia essentially forming part of the law of the country.

⁵⁸ Office of the National Human Rights Action Plan, Federal Attorney General (December 2016), 'The Second Ethiopian National Human Rights Action Plan', at 17, available at <<https://www.refworld.org/pdfid/60af61884.pdf>> accessed on 10 September 2022.

⁵⁹ The Brookings Institution (April 2005), *supra* note 14, p. 17.

⁶⁰ *Ibid.*

Policy acknowledges the existence of a disaster risk posed by conflicts in the country.⁶¹ The Policy is an amendment of the 1993 National Policy on Disaster Prevention and Management with the objective of ‘establishing a comprehensive and coordinated disaster risk management system in the context of sustainable development.’⁶²

However, the Policy only provides for the definition of internal displacement as ‘the process of people being forced to move from their homes to other places because of a natural hazard, war/conflict, or other human-made action.’⁶³ Apart from such recognitions and derivations made above, the Policy does not embody deliberate and tangible principles or strategies directed towards IDPs in general or inter communal conflict induced IDPs in particular.

Furthermore, the first National Human Rights Action Plan/NHRAP (2013-2015) and the second (2016-2020)⁶⁴ explain the human rights and fundamental freedoms enshrined in the FDRE Constitution; and in the international human rights instruments ratified by Ethiopia. It also forwards the respective institutional arrangements that enforce and oversee the implementation of the action plan. However, the action plan does not include the human rights or any other concerns of IDPs in its category of vulnerable groups. The action plan fails to recognize the Kampala Convention as human rights instrument for IDPs in the Ethiopian human rights regime.

Therefore, it is imperative for Ethiopia to consider adopting a multi stakeholder plan of action to reduce and resolve internal displacement through prevention, protection and devising durable solutions in line with regional and international IDPs specific legal instruments. The National Human Rights Action Plan (NHRAP) could serve as a guide for priority issues, more strategic, coordinated and collaborative national action on internal displacement. The third draft of the NHRAP prepared in 2021 should thus be reviewed in line with the rights of IDPs.

3.3 National institutional focal point for IDPs

Establishing a national institution designated for IDPs is crucial to secure sustained responsiveness and to benefit from an effective coordination among the government organizations as well as domestic and international partners.⁶⁵

⁶¹ The National Policy (2013), *supra* note 46, p. 3.

⁶² *Id.*, p. 4.

⁶³ *Id.*, p. 20.

⁶⁴ The Second NHRAP (2016), *supra* note 58.

⁶⁵ The Brookings Institution (April 2005), *supra* note 14, p. 18.

However there is no specific institution established in response to IDPs plight in Ethiopia.

Even if the number of IDPs is escalating, there is no specific government agency or ministry accountable to responding to IDPs⁶⁶ thereby impeding a coordinated and comprehensive national or international protection. Article 89(3) of the FDRE Constitution states the responsibility of the Federal government to prevent and respond to disasters including establishing a disaster preparedness and response system. Notwithstanding such provision, the National Policy introduces a decentralized disaster risk management system at the Regional, Zonal, and Woreda levels. Each level of government ‘undertakes an activity ranging from prevention to rehabilitation using their own capacities. And response operation that exceeds the capacity available at any level of government is undertaken by the next higher level of government.’⁶⁷

On the basis of this, any undertaking which aims at the prevention of inter communal conflict-induced internal displacement is the responsibility of every level of the government. The same pattern of responsibility applies for preparedness for response, the measures to be taken when conflict materializes and displacement occurs, and for the tasks of devising durable solutions that are tenable to the situation. At the Federal level, NDRMC responds to any sort of IDPs situation upon the request of the local or regional government.⁶⁸ NDRMC has established a Disaster Response and Rehabilitation Directorate within its internal work departments and this directorate aspires to work on the quest for durable solutions and rehabilitation for IDPs. Yet during the 2017-2018 inter communal conflict, NDRMC was only working on Humanitarian Assistance.⁶⁹

Furthermore the National Policy lists various organs which also includes the then Ministry of Federal and Pastoralists Affairs (now Ministry of Peace) to undertake operations of monitoring and response for disasters relevant to their respective sectors.⁷⁰ It is the mandate of the NDRMC to mobilize and

⁶⁶ Internal displacement monitoring center and Norwegian refugee council (2009) ‘Ethiopia: Human rights violations and conflicts continue to cause displacement, A Profile of the internal displacement situation’, available at <www.internal-displacemnt.org>, accessed on 20 June 2016, pp. 8 and 153.

⁶⁷ The National Policy (2013) *supra* note 46, p. 14.

⁶⁸ Interview with Mrs. Zenit Ahmed, Disaster Response and Rehabilitation expert, Disaster Risk Management Commission., Addis Ababa, Ethiopia March 21, 2017.

⁶⁹ *Ibid.*

⁷⁰ The National Policy (2013), *supra* note 46, p. 16.

coordinate relevant sectoral offices while responding to any disaster.⁷¹ The then Ministry of Federal and Pastoralists Affairs (hereinafter the Ministry) was the 'lead institution with respect to conflict related hazards and associated disasters.'⁷²

The Ministry's intervention was envisaged in case disasters occur in (or affect) more than one region and if responding to such situation is beyond the capacity of the affected region/s; or when there is a high tendency for the disaster to spread rapidly and cover massive areas.⁷³ Pursuant to such arrangements the Ministry worked on pre-involvement in conflict prone areas, rapid response to conflicts and probing durable solutions for the conflicts.⁷⁴ With regard to the response, in the 2017-2018 inter communal conflicts, there was no special department for the IDP in the Ministry, and its response to IDPs plight was conducted through the general response mechanism for the conflict and affected population.⁷⁵

During this period, the role of the Ministry was primarily to remind the responsibilities of the concerned authorities and to influence such authorities to respond to IDPs plight expeditiously. For the humanitarian response as well as human rights protection of the affected populations, the Ministry was mainly persuading the disaster risk management authorities at the woreda/zonal/regional/Federal levels based on the exigencies of the conflict and their capacity to respond.⁷⁶

The Ethiopian government responded to the 2017 Oromia-Somali conflict and displacement through the operation of various government organizations. The response aimed at political resolution of the conflict to maintain security in the conflict areas and also on the delivery of humanitarian assistance to the IDPs. The Prime Minister convened a National Steering Committee to find out the effects of the Oromo-Somali conflict, in order to deal with the recognized needs, to change the situation back to normal and to ensure the continuation of service in the conflict locations.⁷⁷ The committee was established under the then Ministry of Federal and Pastoralists Affairs and included the NDRMC and the National Security Force as members.

⁷¹ Mrs. Zenit Ahmed, *supra* note 68.

⁷² The National Policy (2013), *supra* note 46, p. 16.

⁷³ *Ibid.*

⁷⁴ Interview with Mr. Haileab Getachew, Expert on Conflict Early Warning and Emergency Response Directorate, the then Ministry of Federal and Pastoralists Affairs Addis Ababa, Ethiopia, 21 March 2017.

⁷⁵ *Ibid.*

⁷⁶ *Ibid.*

⁷⁷ OCHA (23 January, 2018) *supra* note 32.

Moreover, OCHA, cluster members, donors and Line Ministries also participated in the weekly meetings organized by the Technical Focus Group under the chairmanship of NDRMC and co-chaired by OCHA.⁷⁸

Although this experiment is appreciated considering the previous disaggregated responses to IDPs, it is evident that the temporary establishments of committees cannot be as effective as a permanent institution, and its functionality is a charity based approach rather than human rights based approach. Therefore, the problems and challenges of IDPs in Ethiopia call for permanent IDPs specific institution entrusted with the responsibility of enforcing national, regional and international instruments on preventing internal displacement, protecting, assisting and finding durable solutions for IDPs.

3.4 The role of national human rights institutions⁷⁹

In recognition of the significant contribution provided by national human rights institutions in the promotion of human rights including that of IDPs in a given country, the UN Commission on Human Rights recommends states to establish such institutions.⁸⁰ The Ethiopian Human Rights Commission (herein after the Commission) is an independent and impartial institution established by Proclamation No. 210/2000, as amended by Proclamation No. 1224/2020. The most relevant mandates of the Commission for this discussion are the promotion, ensuring the respect, protection and fulfillment of constitutionally guaranteed human rights through monitoring and investigation of human rights violations and forwarding recommendations.⁸¹

As an institution entrusted with the task of ensuring the respect for the human rights of all citizens, the Commission should have been included in the lead agency lists of the National Policy. Yet, the Commission's tasks include receiving complaints, monitoring and/or investigating –of its own motion– human rights violations during inter-communal conflicts including those involving internal displacement. Like any other human right institution in a developing country⁸², the Commission (during the period 2017-2018) was

⁷⁸ Ibid

⁷⁹ The Brookings Institution (April 2005), *supra* note 14, p. 19.

⁸⁰ United Nations Commission on Human Rights, Resolution 2004/55 (20 April 2004), at Para.18 and 21; and Resolution 2003/51 (23 April 2003), Para.18 and 21.

⁸¹ *Establishment of Ethiopian Human Rights Commission*, Proclamation No.210/2000, Federal Negarit Gazeta, 6th Year No. 40, ADDIS ABABA, 4th July, 2000, at Art. 6. As amended by Proclamation No. 1224/2020

⁸² Mario Gomez (2002) “National Human Rights Institutions and Internally Displaced Persons: Illustrated by the Sri Lankan Experience”, *Brookings Institution-SAIS*

going through various challenges such as financial constraints, enforcement of its recommendations and the actual power to influence government organizations and the officials.⁸³ According to several critics, its institutional independence –during the pre-2018 period– was also among the major challenges with regard to effective response to the human rights situations of IDPs in Ethiopia. However, the institutional position of the Commission is tremendously changing positively following the 2018 political reform. The role of the Commission is tremendously changing positively as a result of its institutional reform, including broadening its mandate and ensuring its financial independence, following the amendment of its establishment proclamation in the year 2018.

In the National Policy, the Commission has no meaningful and direct undertaking designed for the human rights protection of IDPs. Yet, in areas where inter-communal conflict and gross human rights violation was recurring, the Commission undertook monitoring and investigations on its own initiation or upon receiving complaints; and it reported its findings to the public, and the House of Peoples Representative along with its recommendations.⁸⁴ Although the contribution of the Commission for the IDPs to find a redress was limited⁸⁵ due to institutional barriers as well as other contextual factors in the year 2017-2018,⁸⁶ it has made structural transformations after the 2018 reform.

This major change includes the establishment of IDPs specific thematic department. The Commission in the exercise of its protection and promotion mandate conducts monitoring and investigation, documenting and publicizing findings on the situation of IDPs.⁸⁷ Furthermore the Commission recommends and calls for immediate action from the concerned government and other

Project on Internal Displacement, available at www.brookings.edu/fp/projects/idp/idp.htm accessed on 21 June 2016.

⁸³ Interview with Mr. Wubshet Girma, *Human Rights Violation Investigation Directorate*, expert, Ethiopian Human Rights Commission/EHRC, on March 28, 2017.

⁸⁴ *Ibid.*

⁸⁵ The Brookings Institution (April 2005), *supra* note 14, pp. 19-20; Read for the ideal activities which a national human right institution should undertake.

⁸⁶ Mr. Wubshet Girma, *supra* note 83.

⁸⁷ See for example reports on IDPs situation in the EHRC-OHCHR (Office of High Commissioner for Human Rights) joint Investigation Report, available at <https://www.ohchr.org/sites/default/files/2021-11/OHCHR-EHRC-Tigray-Report.pdf>, see also <https://ehrc.org/ehrc-monitoring-civilian-displacement-in-amhara-afar-regions/>, accessed on 01 September 2022.

stakeholders through several consultations, campaigns, and capacity building activities as part of its advocacy work.⁸⁸

On the other hand, the role of local CSOs on the protection of inter-communal conflict induced IDPs was limited or nonexistent in the year 2017-2018. It was only the Ethiopian Human Rights Council that made an effort to investigate and document the inter-communal conflict (which the council referred as ethnic based attacks and conflicts) and displacement. A call for the resolution of ethnic based attacks and conflicts was made in the 143th report of the Council.⁸⁹ The report was released on November 4, 2017 and it reiterated the need for the government to take policy and pragmatic measures to find a solution for ethnic based attacks and conflicts. The report also pointed out that gross human rights violations occur during such conflicts.⁹⁰ Therefore the national legislations and subsequent national action plans on internal displacement are expected to expressly provide meaningful roles to national human rights Commission and CSOs in the the protection and assistance needs of IDPs.

4. Obligation to Prevent Internal Displacement and Finding Durable Solutions to IDPs

4.1. Prevention: An overview

Prevention of internal displacement is the first and foremost responsibility of the government. The reading of the Kampala Convention and the Guiding Principles (Principles 5-9) connotes the national responsibility to prevent and avoid conditions that might lead to displacement of population. It further envisages the responsibility of states to explore alternatives and to reduce inevitable displacement, alleviate its adverse effects, and to ensure that any displacement does not continue longer than required by the circumstances.⁹¹ Particularly, the national authorities should afford the utmost attention to arbitrary displacement. Identifying and properly handling the legal parameters

⁸⁸ Visit EHRC website for several reports and press statements on IDPs.

⁸⁹ Human Rights Council (May 2018), "Ethnic based attacks and conflicts should be resolved" 143th Special Report on Human Rights, available at <<http://ehrp.org/ethnic-based-attacks-and-conflicts-should-be-resolved-hrc-143th-special-report/>> accessed on 08 August 2018.

⁹⁰ Ibid.

⁹¹ Kampala Convention, *supra* note 3, Art. 3 (1) (a). And The Guiding Principles, *supra* note 3, Art. 5-9.

on restriction of freedom of movement is important for national authorities to understand arbitrary displacement.⁹²

As highlighted above, the National Policy is inclusive of prevention and reductions of disaster risks⁹³ which by interpretation includes inter communal conflict disasters. Yet, the prevention and mitigation of internal displacement should be expressly included in the prevention and mitigation strategies of disasters at every level of government. It can be said that the prevention and reduction are more practical for natural disasters such as drought and flooding, and yet not always feasible for man-made disasters including inter-communal conflict.

In order for the then Ministry of Federal and Pastoralists Affairs to prevent internal displacement that could occur due to inter-communal conflict, the timing when the request for intervention is received, was vital.⁹⁴ If the request for intervention or the information on the conflict reaches the office after the conflict has already commenced, then it is difficult to prevent the displacement. Thus the strategy should enable intervention in advance to prevent inter-communal conflict, in order to protect people from leaving their home or residence due to the conflict.

The Ministry had a specific directorate working on the prevention, response and finding durable solutions to conflicts including inter communal conflict. In the year 2017-2018, there were offices at the regional and zonal levels which are established for the purpose of receiving and collecting status about conflict or the likelihood of its occurrence. This is like an early warning system, a mechanism to gather information on conflict signs and/or incidents that could lead to a conflict among neighboring woredas. These offices report their assessment of the situation to the nearby authority; thereby enabling the Ministry to be ultimately involved.⁹⁵

There were also peace committees in conflict prone areas where there is a persistent threat to peace such as Oromia, Somali, Gambella, Benshangul, Afar and SNNPR (Southern Nation Nationalities Peoples Representatives). The members of the peace committee are from neighboring woredas located

⁹² NRC, IDMC (Internal Displacement Monitoring Center) and African Union (2014) "The National Responsibility to Protect IDP: The Kampala Convention", Workshop Report, 8-10 December, Addis Ababa, Ethiopia, p. 6, available at <<http://www.internal-displacement.org/publications/2016/workshop-report/>> accessed on 21 December 2016.

⁹³ The National Policy (2013), *supra* note 46, p. 4.

⁹⁴ Mr. Haileab Getachew, *supra* note 74.

⁹⁵ *Ibid.*

in different regional states. The committees held regular meetings to discuss issues that could lead to conflict and the Ministry used to provide supervision and support including training on conflict management and peace building every three months. These arrangements not always succeed in preventing inter communal conflict due to the multidimensional context of the conflicts as well as the cultural, political, social, economic and other aspects of the neighboring woredas. Yet, the relative peace witnessed in Moyale, for example, following the 2011-2012 conflict among the neighboring pastoralists and semi pastoralists⁹⁶ was considered the result of peace committee operation.

4.2 Potential overlap of mandate

On the basis of the FDRE Constitution, the House of Federation is entitled to resolve border disputes,⁹⁷ self-determination right of Nation, Nationalities and Peoples including the right to succession⁹⁸ and to find solutions to disputes and misunderstandings between or among regional states⁹⁹. The mandates of the House includes a binding decision where negotiations fail between the contested parties to border disputes and other misunderstandings not pertaining to border issues.¹⁰⁰ Strictly speaking the mandate to pass a binding solution in resolving any of the above disputes solely vests on the House and not on the then Ministry of Federal and Pastoralists Affairs.

The Ministry was thus entrusted with a facilitation role in resolving disputes arising between or among regional states.¹⁰¹ It was also entitled to develop and implement sustainable political solutions for disputes and conflicts arising within regional states; though this cannot be exercised contrary to any 'other relevant law' and the consent of the concerned regional states. The words 'other relevant law' can be understood to include the FDRE Constitution, the proclamation on the definition of powers and duties of executive organs of the

⁹⁶ Ibid.

⁹⁷ The FDRE Constitution, *supra* note 57, at Art. 48.

⁹⁸ Id., at Art.62(3)

⁹⁹ Id., at Art.62(6)

¹⁰⁰ Consolidation of the House of Federation and Definitions of its powers and responsibilities, Proclamation No. 251/2001, FEDERAL NEGARIT GAZETTA, 7th Year No. 41, Addis Ababa, 6th, July 2001 at Art.19 and the following provisions on self-determination and state formation; Art.27 and the following on border disputes; and Art.32 on other disputes and misunderstandings.

¹⁰¹ Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia, Proclamation No. 691/2010, FEDERAL NEGARIT GAZETTA, 17th Year No.1, Addis Ababa, 27th, October, 2010 at Art. 14 (b) and (c).

federal government and the proclamation on the powers and responsibilities of the House of the Federation.

Thus, the Ministry was expected to conduct conflict prevention and resolution activities in a manner that it could not infringe the powers of the House, thereby arguably causing challenges in the overlap of mandate. While resolving inter communal conflicts arising due to misunderstandings on administrative borders, the Ministry was engaged in the conduct of border demarcation even though such power is legally reserved for the House. The House of Federation on the other hand receives grievance which arise from border demarcations conducted by the Ministry.¹⁰² The silver lining from this overlap of mandate is the forum shopping opportunity it provided for the victims pursuing a solution. Some argue that the risks and actual inter-communal conflicts are embedded in the state structure and how the regions are systematized, and the solutions are seemingly more of political rather than a legal one. Nevertheless, harmony can be attained in view of the overarching shared objectives in such a manner that a specific institution on IDPs can be mandated to prevent internal displacement and set up a coordination strategy among key stakeholders.

4.3 Durable solutions

National authorities are under obligation to institute the conditions and provide the means to ensure that IDPs get durable solutions. Safety and dignity are indispensable elements of durable solutions and particularly conflict-induced displacement calls for “an end to the conflict or fundamental change in the circumstances”¹⁰³ that initially triggered the displacement. For the 2017-2018 displacements, according to IOM “permanent reintegration and identification of durable solutions for IDPs in Ethiopia remains elusive due to insecurity and lack of socio-economic development in affected areas, where the majority remain in dire need of humanitarian assistance”.¹⁰⁴

A workshop conducted in May 2004 revealed that of all the alternatives to durable solutions, IDPs in Ethiopia prefer to return to their original settlement due to difficulties of establishing comfortable residence elsewhere. The major

¹⁰² Interview with Mr. Girma Zewde, Conflict Resolution and Peace Building Directorate, expert, HOF, on March 28, 2017.

¹⁰³ The Brookings Institution (April 2005), *supra* note 14, p. 22.

¹⁰⁴ *Ibid.*

obstacles to return are insecurity particularly in conflict-induced displacements and the lack of livelihood opportunities.¹⁰⁵

With regard to the 2017-2018 IDPs, finding durable solutions depended on the political willingness, commitment and the availability of resources in the concerned level of government.¹⁰⁶ In some cases particularly in conflict areas, situations took a longer time to calm down, and this was a challenge to durable solutions. The result of the delay to access durable solutions is that the IDPs are either exposed to prolonged and or secondary displacement or find a solution by themselves. For instance, during the 2015-2016 displacement situations in Oromia regional state, West Shoa Zone in Nono Woreda, the displaced were not able to find an immediate solution, and some were resettling in another place by themselves¹⁰⁷ while there were IDPs who suffered in dire situations. This depicts that finding durable solutions for inter-communal conflict induced IDPs remains a challenge in Ethiopia.¹⁰⁸

Based on the experiences of the Ministry, those who left their home/residence usually *return* to their place of origin even in the long term.¹⁰⁹ The best example here is the 2015-2016, Bench-Maji zone Yeki woreda displaced people who were hosted at Sheko woreda but found their way back home several months later after the conflict was resolved. Though the Ministry imposed its influence on every concerned authority to find durable solutions for the displaced, *reintegration* in the host community/woreda or *resettlement* in another woreda is not a guaranteed option.¹¹⁰ This is because the displaced are mostly farmers, pastoralists and/or semi pastoralists who are dependent on land and cattle for their survival.

More importantly return and resettlement usually cannot take place without “some transitional assistance, such as food to tide the IDPs over, while crops are replanted and tended.”¹¹¹ The host community/woreda which provided a

¹⁰⁵ OCHA, DPPC (The Disaster Prevention and Preparedness Commission), IOM, PCI (Pastoral Communication Initiative Project) and NRC (May 24-25, 27, 2004), *supra* note 16, p. 5.

¹⁰⁶ Mr. Wubshet Girma, *supra* note 83.

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*

¹⁰⁹ Mr. Haileab Getachew, *supra* note 74.

¹¹⁰ *Ibid.*

¹¹¹ David Fisher (2001) ‘The Right to Humanitarian Assistance’, in Walter Kalin, Rhodri C. Williams, Khalid Koser, and Andrew Solomon (eds.), *Incorporating the Guiding Principles on Internal Displacement in to Domestic Law: Issues and Challenges*, Brookings-Bern Project on Internal Displacement, the American Society of International Law, Studies in Transnational Legal Policy, No. 41, PP. 47-128, at 115.

temporal residence for the displaced could be unable or unwilling to arrange such resources and the same hindrance is there for resettlement. Looking at the patterns of the 2017-2018 inter communal conflict induced displacements, the following observations are made. Providing *resettlement* in another location is usually considered as the responsibility of the regional government whose nationalities are displaced, like Oromia regional state resettling Oromos who were displaced from Somali region. The regional government provided land where the displaced could settle and it provided a transportation services for the displaced to travel to such resettlement areas.

However, the lack of basic infrastructure, such as health clinics, clean water supplies and schools, as well as agricultural assistance or food assistance in the resettlement areas remained barriers for resettlements to be effective and feasible durable solutions. For example, it was challenging for IDPs to reintegrate and resettle as of right because the application of these responses depended upon the discretion of the concerned regional government and the then Ministry of Federal and Pastoralists Affairs.¹¹²

Furthermore, during the 2017 Oromia-Somali region inter-communal conflict, the government along with the community made efforts for the voluntary return of the displaced through peace building and reconciliation in the conflict areas. Such efforts were designated to reverse protracted displacement situations and to maintain the constitutionally guaranteed right of every Ethiopian citizen to dwell in a place of her/his choice irrespective of ethnic background, religion or any other status. However, the overall security situation and livelihood needs indicated a high degree of probability for the displaced population to continue in their displaced situation in the short and medium term, and this was happening in the displacement camps located in Somali region.¹¹³

In a continued response to the conflict and the IDPs from the Oromia-Somali regional states, the House of People's Representative sent a team to the displacement locations. And after receiving a report on the conditions of the displaced people from such a team, on January 4, 2018, it allocated ETB 500 million to rehabilitate over 500,000 IDPs. There was also additional fund through mobilization from governmental and private organizations for the relocation or local integration of the displaced.¹¹⁴ On the other hand the regional government of Oromia focused on the relocation of IDPs in the rehabilitation effort. OCHA's statement during the period reads:

¹¹² Mr. Haileab Getachew, *supra* note 74.

¹¹³ OCHA (23 January, 2018), *supra* note 32.

¹¹⁴ *Ibid.*

In Oromia region in particular, the regional government has started implementing a phased rehabilitation program. Accordingly, some 86,000 persons (14,000 households) are scheduled to settle in 12 towns of the region under phase 1. The resettlement program is based on the ongoing IDPs verifications exercise by Haromaya University. A regional committee has been set up to oversee the implementation of the IDP rehabilitation. Where extended families are known and/or traced, the government has been encouraging people to move-in with them, and where accepted, supporting transport to destination.¹¹⁵

On recent development, the Ethiopian government along with international and national partners adopted the Durable Solutions Initiative (DSI) in 2019.¹¹⁶ It is a joint platform that engages the Ministry of Peace, chaired by NDRMC and co-chaired by IOM and the UN Resident Coordinator's Office (RCO).¹¹⁷ The initiative provides operational framework and platform to design and implement durable solutions in support of IDPs through different policy, legislative, and institutional level interventions.¹¹⁸ The Federal Durable Solutions Working Group that is envisioned in the framework takes the lead in coordinating the government, international and national partners in the implementation of the operational framework.

Based on such national initiative Somali regional state has also adopted a Durable Solutions Strategy for the period 2022-2025 which aims to find lasting solutions to the protracted and recurrent internal displacement in the region.¹¹⁹ Although this can be a positive development, implementing the framework and institutionalizing the scattered activities still requires further structural measures. In the absence of a national normative framework that guarantees the right to find a durable solution, coupled with the non-existence of specific institution legally authorized to coordinate and respond to displacement and secure durable solutions for IDPs, it is unattainable for Ethiopian IDPs to get a long lasting relief. Hence the legal and institutional

¹¹⁵ Ibid.

¹¹⁶ Ethiopia Durable Solutions Initiative, available at <<https://ethiopia.un.org/sites/default/files/2020-01/DSI%20Ethiopia%20low%20res.pdf>> accessed on 10 September, 2022.

¹¹⁷ Id., Page 15.

¹¹⁸ Id., Page 2.

¹¹⁹ IOM, available at <<https://ethiopia.iom.int/news/newly-launched-durable-solutions-strategy-seeks-resolve-displacement-ethiopia-somali-region-0>> accessed on 10 September, 2022.

frameworks remain mandatory to realize durable solutions for IDPs in Ethiopia.

4.4 Participation of IDPs in decision making

One of the key recommendations of the UN special rapporteur on the human rights of IDPs is for the states to ensure the full participation of IDPs.¹²⁰ The inclusion of participation standard in the national protection framework on IDPs enables IDPs to forward their views to influence the authorities which are mandated with the task of decision making without the fear of being punished or the risk of harm.¹²¹ The provisions on guarantees of prior information and consultation for IDPs in the Guiding Principles and the Kampala Convention deserve due attention in this regard. Informing and consulting IDPs on any response –either international or national– can considerably enhance its effectiveness.¹²²

Though the Ministry did not devise IDPs specific response, the conflict management directorate firmly believed in the consultation and participation of the affected population in framing successful solutions to the conflict.¹²³ Any solution devised to resolve a conflict and its consequences cannot be effective without the participation of those affected and who are concerned.¹²⁴ Therefore such a belief and practical advantage should be institutionalized in the national legal and institutional frameworks as discussed above.

5. Allocation of Adequate Resource and the Duty to seek International Cooperation and Assistance

5.1. Allocation of adequate resources

Another underlining factor in the obligations of national authorities towards IDPs is the duty to allot, to the extent possible, resources (both human and financial) to fulfill the protection and assistance needs of IDPs.¹²⁵ This can be complemented by the possibility of international assistance in cases of shortage.¹²⁶ According to the Ministry of Finance, in the year 2017-2018,

¹²⁰ See UN, Report of the Special Rapporteur on the Human Rights of Internally Displaced Persons, UN, Geneva, A/HRC/38/39, 2018, available at <<https://reliefweb.int/report/world/report-special-rapporteur-human-rights-internally-displaced-persons-ahrc3839-enarru>> accessed on 10 September 2022.

¹²¹ The Brookings Institution (April 2005), *supra* note 14, pp. 20-21.

¹²² *Ibid.*

¹²³ Mr. Haileab Getachew, *supra* note 74.

¹²⁴ *Ibid.*

¹²⁵ The Brookings Institution (April 2005), *supra* note 14, p. 24.

¹²⁶ *Ibid.*

there was neither special IDPs fund nor a budget for IDPs program in the national budget stream of Ethiopia. Thus, the then Ministry of Federal and Pastoralists Affairs encountered shortage of resources both financial and human capacity to run their mandates and there were no contingency funds reserved. Nor did the Ministry receive any form of international financial assistance from governmental or non-governmental organizations (NGOs) in responding to inter-communal conflict induced IDPs.¹²⁷ Nevertheless, the NDRMC mobilized support from organizations located in the country including government sectoral institutions and international organizations such as OCHA and UNDP.¹²⁸ The recent improvements witnessed following the year 2018 on the involvement of international organizations and agencies in the aid of IDPs depicts the lifting up of the limitation by the government and its willingness to work together in order to overcome both financial and technical deficiencies.

In contrast to the previous inter-communal conflict induced IDPs situations of the country, the 2018 Gedeo and West Guji displacement (due to inter-communal conflict) involved support of fund from many international organizations with a relative freedom in funding and access to conflict sites. The Multi Sector Response Plan 1 set out by NDRMC and humanitarian partners revealed the urgent need for US \$117.7 million to counter the Gedeo-West Guji displacement crisis.¹²⁹ Following such a call (July 2018 onward), the UNCERF (United Nations Central Emergency Response Fund) provided USD 15 million to increase the humanitarian support to people affected by the growing inter-communal conflict in Ethiopia.¹³⁰ On July 24, 2018, IOM also put forward USD 22.2 million in response to the suffering of the displaced from Gedeo and West Guji zones.¹³¹ The Ethiopian Red Cross Society and ICRC visited one of the biggest displacement areas located in Kochere district,

¹²⁷ Mr. Haileab Getachew, *supra* note 74.

¹²⁸ Mrs. Zenit Ahmed, *supra* note 68.

¹²⁹ UN CERF (2018) “UN’s Emergency Fund Releases US\$15 Million for Lifesaving Assistance to Displaced People in Ethiopia”, available at <https://reliefweb.int/sites/reliefweb.int/files/resources/PR_CERF_Ethiopia%20%281%29.pdf> accessed on 08 August 2018.

¹³⁰ Xinhuanet (2018), “UN migration agency appeals for aid to Ethiopia’s displacement crisis”, available at <http://www.xinhuanet.com/english/2018-07/24/c_137345771.htm> editor Mu Xuequan, accessed on 08 August 2018.

¹³¹ IOM (2018) available at <<https://www.iom.int/news/iom-launches-usd-222m-appeal-gedeo-west-guji-displacement-crisis-ethiopia>> accessed on 08 August 2018.

Gedeo zone and also provided assistance to 100,000 displaced people gathered in the district.¹³²

Other than such occasional and isolated relief to the displaced, the international community was not acquainted with the 2017-2018 displacement situations. For example, the ICRC's assessment team leader stated, "This crisis is completely off the radar of the international community and the consequence of this neglect could be dire. If humanitarian assistance is not scaled up quickly, people will be at risk of malnutrition and disease outbreaks, especially as the rainy season sets in."¹³³ William Lacy Swing, IOM's Director General also shared this concern and he particularly said the displaced people in West Guji zone are in desperate "need of humanitarian support to help them get through Ethiopia's cold and rainy season."¹³⁴ IOM also made it clear that the international community and the Ethiopian government need to make more efforts to respond to the plight of the IDPs.¹³⁵

Likewise, eight international NGOs in a joint statement made on 19th July 2018; also stressed the fact that there was an increasing humanitarian need in the country due to fresh displacement including the September inter communal conflict between Oromia and the Somali Regional state.¹³⁶ The concerns of the humanitarian agencies can be grasped from the joint statement which reads:

At least 1 million people, the majority of whom being women and children are in need of urgent humanitarian assistance following recent inter-communal conflict in Ethiopia. Aid agencies in Ethiopia are appealing for critical and urgent assistance for close to a million people that have fled their homes following inter-communal violence along the border of the Southern Nations, Nationalities, and Peoples' (SNNPR) and Oromia Regions of Ethiopia. Displaced communities in Gedeo and West Guji are facing critical gaps in accessing basic services as the majority left their houses with close to nothing. They are in need of food, shelter, water and psychosocial support. Aid agencies

¹³² ICRC (2018), *supra* note 25.

¹³³ *Ibid.*

¹³⁴ IOM (24 July 2018) *supra* note 18.

¹³⁵ *Ibid.*

¹³⁶ Care International Organization (2018), "Joint INGO Statement: Fresh Displacement Increasing Humanitarian Needs in Ethiopia", available at <<https://www.care-international.org/news/press-releases/joint-ingo-statement-fresh-displacement-increasing-humanitarian-needs-in-ethiopia>> accessed on 20 August 2018.

warn that without a scale up of assistance, the situation of the IDPs is likely to further deteriorate. The Government of Ethiopia together with humanitarian partners has launched lifesaving assistance for the IDPs. This is however in the face of major resource constraints challenging their ability to address significant gaps.¹³⁷

On the other hand, limited resources are not the only obstacles against the assistance of the displaced. Continuous and sometimes intermittent tensions in conflict areas are also constraints to access humanitarian aid to the needy. Though situations in the majority of conflict areas were simmering, tensions and localized incidents that happen every now and then keep hindering access to reach some Kebeles for humanitarian assistance.¹³⁸ The lack of willingness on the part of regional authorities to cooperate with international relief organizations was another hurdle for humanitarian assistance not to reach the displaced on time.¹³⁹

With regard to the September 2017 Oromia-Somali regions inter communal conflict, the resources of the humanitarian actors were not adequate enough as the resources were already long-drawn-out to cater for the imminent needs of the 2.5 million IDPs across the country.¹⁴⁰ This situation evokes the scholarly debate whether IDPs should be prioritized in the field of humanitarian assistance over other victims of calamity. The Ethiopia Humanitarian Fund, ECHO, OFDA (The Office of U.S. Foreign Disaster Assistance) and other quite a few donors have shown flexibility to redirect funds already allocated for drought response to be utilized for the needs of conflict IDPs.¹⁴¹

There was a new exercise coordinated by OCHA among humanitarian members of clusters which aimed at enlarging the responsibility of partners, through prioritization, towards conflict IDPs in areas where they already have a strong attendance. Moreover the new exercise, by utilizing the Round 8 of the IOM DTM (Displacement Tracking Matrix), allows answering the following questions:

What response has been delivered, or could be delivered with existing resources used flexibly; what further response are partners ready to commit to provide if additional resources are

¹³⁷ Ibid.

¹³⁸ OCHA (23 January, 2018), *supra* note 32.

¹³⁹ ACAPS Briefing Note (22 June 2018), *Supra* note 22.

¹⁴⁰ OCHA (23 January, 2018), *supra* note 32.

¹⁴¹ Ibid.

made available; and are there impediments to providing a response in areas of proposed operations.¹⁴²

Lack of infrastructure such as roads or bridges was also a challenge in humanitarian aid. The August 2017 and January 2018 access difficulty in Dawa zone, Somali region, to WFP (World Food Program) food distribution due to a road problem was an example that exhibited the infrastructure challenge. Furthermore, humanitarian assistance partners find it difficult to obtain services from the private sector, as such entities either stop or limit provision of services owing to security threats and harm while working in conflict affected localities.¹⁴³ Accordingly, as allocation of adequate resources is one of the critical obligations and of great practical significance to realize the rights of IDPs, Ethiopia should devise budget allocation specific to IDPs in the Country. The legal and institutional frameworks suggested above will not function without adequate financial resources.

5.2 Cooperation with international and regional organizations

When states are under inadequate capacity to provide protection, assistance and durable solutions to IDPs, they should “as an exercise of responsible sovereignty,” request and receive international assistance and work in collaboration with international and regional organizations.¹⁴⁴ It is also one of the fundamental obligations of the state under the ICESCR (International Covenant on Economic, Social and Cultural Rights) to strive independently and through international assistance and cooperation to achieve the full realization of the rights.¹⁴⁵

International cooperation and assistance either financial or technical is not a problem for natural disasters such as drought and flooding but it is a challenge for inter-communal conflict induced IDPs. International organizations including IOM are not at liberty to come to the rescue and support of inter-communal conflict induced IDPs. During the period before the 2017-2018 inter-communal conflicts, even though there was a great need for humanitarian assistance in the displacement areas, the government had limited the access of international humanitarian agencies to the affected

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ The Brookings Institution (April 2005), *supra* note 14, p. 24.

¹⁴⁵ UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3, Art. 2 (1) available at <<https://www.refworld.org/docid/3ae6b36c0.html>> accessed 6 April 2020.

areas.¹⁴⁶ The enactment of the Charities and Societies Proclamation No. 621/2009 had also rigorously limited the activities of other national and international human right organizations; and “thus it was not possible for such organizations to assess the profile and needs of people displaced by conflict, violence or human rights violations”.¹⁴⁷

The relationship of the then Ministry of Federal and Pastoralists’ Affairs with international organizations was limited.¹⁴⁸ It was only through capacity building undertakings that the Ministry cooperated with international governmental or non-governmental organizations. The capacity building undertakings usually by the UNDP, involved training and experience sharing initiatives on the prevention and resolution of conflict, and providing material/technical assistance for new offices established for such purposes.¹⁴⁹

The House of Federation received technical support from GIZ (The Deutsche Gesellschaft für Internationale Zusammenarbeit) /CPS i.e. Civil Peace Service in the prevention, resolving and finding sustainable solutions to inter-communal conflicts.¹⁵⁰ The service had international and national peace advisors (IPA/NPA) working on resolution of conflict and peace building who provided professional assistance to the House on conflict matters regularly.¹⁵¹

UN agencies particularly UNDP used to provide some modest financial assistance to the Ethiopian Human Rights Commission whereas OCHA, the humanitarian coordinator in Ethiopia provided capacity building and technical assistance to the Commission through trainings on human rights protection, international principles and experiences.¹⁵² Even though international human rights organizations and/or agencies including UNHCR –through its Protection Cluster– works independently for the protection and assistance of IDPs in the country “the lack of a government counterpart and a national strategic framework for IDPs hampers targeted protection interventions and well-tailored technical support.”¹⁵³

¹⁴⁶ IOM Humanitarian Compendium (2018), Ethiopia, available at <<https://humanitariancompendium.iom.int/appeals/ethiopia-2018>> accessed on 10 April 2016.

¹⁴⁷ Ibid.

¹⁴⁸ Mr. Haileab Getachew, *supra* note 74.

¹⁴⁹ Ibid.

¹⁵⁰ Mr. Girma Zewde, *supra* note 102.

¹⁵¹ Ibid.

¹⁵² Mr. Wubshet Girma, *supra* note 83.

¹⁵³ UNHCR (September 2013), *supra* note 15.

In spite of these pre-2018 gaps, there are positive prospects on the part of the government –after the 2018 political reform– to cooperate with international organizations and agencies for the humanitarian assistance of IDPs. One of the reforms in the legal regime include the re-enactment of the new Civil Societies Organizations/CSOs proclamation (i.e., Organizations of Civil Societies Proclamation No.1113/2019) which provides opportunities.

The new post-April 2018 government has been acclaimed for its recognition of the presence of inter-communal conflict induced IDPs in Ethiopia, and this is a significant step in addressing their plight. The government also cooperates with aid agencies in response to humanitarian needs.¹⁵⁴

Nevertheless it could be argued that the involvement of international governmental and non-governmental organizations in conflict induced IDPs, should be regulated based on a national normative framework pursuant to the Ethiopian ratification proclamation of the Kampala Convention. It is indeed important to balance the legitimacy of the national government and sovereignty of the country on the one hand, and the rights of IDPs and the respective international obligations of the state on the other. This balance requires a guideline in the national legislation or plan of action which, *inter alia*, gives clarity to the engagement of international organizations and local CSOs in response to IDPs in order to overcome both financial and technical insufficiencies on the part of the government.

6. Conclusion

As discussed in the preceding sections, IDPs specific legal and institutional framework is imperative for adequate and comprehensive national response for the protection, humanitarian needs and assistance of IDPs. Though there is no IDPs specific law to guarantee the human rights and humanitarian assistance to IDPs, the existing Constitutional and international human rights principles apply for IDPs. Yet, such constitutional provisions are ineffective without subordinate legislation that is customized based on IDPs specific contexts. Although the existing national policy on disaster is commendable, it does not accommodate the protection and assistance needs of IDPs in general,

¹⁵⁴ GRID (2019), Global Report on Internal Displacement, Spotlight, Ethiopia, P. 14, available at <<https://www.internal-displacement.org/sites/default/files/publications/documents/2019-IDMC-GRID-spotlight-ethiopia.pdf>> accessed on 09 January 2021.

and does not make specific reference to inter-communal conflict-induced IDPs.

Therefore, a national normative framework that includes a legislation spelling out the specific human rights of IDPs and the obligations of the state is imperative for Ethiopia. Moreover, a national action plan or a policy is expected to guide specific government institutions in their strategic directions and expressly determined actions that aim at the prevention of internal displacement, protection, assistance and durable solution to IDPs, in the structural context of coordination mechanisms among stakeholders.

With regard to institutions, the NDRMC is an establishment for disaster risk management at the federal level. Although it has regional and local presence in its structure, its involvement in regional disasters depends upon the lack of capacity and invitation from the concerned regional government. The NDRMC only engages in humanitarian assistance; and the human rights protection of the disaster affected people including conflict induced IDPs needs clarity in contrast to the uncertain responsibility of the concerned local government.

The human rights protection here at least pertains to the tasks of respecting and defending the human rights of the affected population including IDPs; to put an end to the human rights violation acts and engaging in the investigation, apprehension and prosecution of those involved in the human rights violations. The Ethiopian Human Rights Commission is working towards the promotion and protection of IDPs rights since its institutional reform in the year 2018. Yet, Ethiopia needs to establish IDPs specific national institution authorized with the power to enforce national, regional and international human rights normative frameworks for the protection, assistance and durable solutions to IDPs. It is also important to expand the responsibility of such institution to ensure accountability for inter-communal conflict induced arbitrary displacements and other human rights violations.

Based on the lessons that can be drawn from the 2017-2018 inter communal conflict induced IDPs, there are practical measures that should be taken by policy makers and stakeholders. These measures include collection of disaggregated data on the number and conditions of IDPs, raising national awareness, training on the rights of IDPs both to the right holders and duty bearers, a role for the national human rights institution among sectoral stakeholders, cooperation with international and regional organizations, guaranteeing durable solutions for IDPs, and allocating adequate resources. Furthermore, major practical problems witnessed and lessons learned in the 2017-2018 inter-communal conflict induced IDPs include gaps in the national normative response and institutional framework on the protection of IDPs.

As discussed in the preceding sections, there was no comprehensive response and coordination system in addressing the plight of IDPs in the 2017-2018 inter communal conflicts, and these gaps have continued in other displacement settings. The absence of national normative standards and institutional framework have created the gaps in the protection of the IDPs. Owing to the escalating magnitude of internal displacement due to natural disasters, man-made internal strife –particularly inter-communal conflicts in some parts of the country– and the current armed conflict in the north, the lessons we have learned from the 2017-2018 clearly show the need for IDPs specific legal and institutional framework. All concerned state and non-state actors should thus continue to collaborate in order to develop human rights based response to IDPs plight, and the discussion in this article can indeed lead to further discoveries in the field. _____■

Cited References

- Cohen, Roberta “Key Policy Debates in the Internal Displacement Field”, available at <<http://www.mcrg.ac.in/rw%20files/RW32/5.RCohen.pdf>>
- Endeshaw, Dawit (15 May 2018) “Latest conflict intensifies No. of IDPs” *The Reporter*
- Ferris, Elizabeth G. (2-4 May 2012) “Internal Displacement in Africa: An Overview of Trends and Opportunities”, *The Ethiopian Community Development Council Annual Conference on African Refugee and Immigrant Lives: Conflict, Consequences, and Contribution*, available at <https://www.brookings.edu/wpcontent/uploads/2016/06/0503_displacement_africa_ferris.pdf>
- Fisher, David (2001). ‘The Right to Humanitarian Assistance’, in Walter Kalin *et al* (eds.), *Incorporating the Guiding Principles on Internal Displacement in to Domestic Law: Issues and Challenges*, Brookings-Bern Project on Internal Displacement, the American Society of International Law, Studies in Transnational Legal Policy, No. 41.
- Gomez Mario (2002). “National Human Rights Institutions and Internally Displaced Persons: Illustrated by the Sri Lankan Experience”, *Brookings Institution-SAIS Project on Internal Displacement*, available at <www.brookings.edu/fp/projects/idp/idp.htm>
- Luopajarvi, Katja (2003), “Is there an Obligation on State to Accept International Humanitarian Assistance to IDPs Under International Law?”, *International Journal of Refugee law*, Vol.15, No. 4, available at <www.ijrl.oxfordjournals.org>
- Mekonnen, Muhabie (2015). “The Root Causes of Conflicts in the Horn of Africa”, *American Journal of Applied Psychology*, Vol. 4, No. 2, available at <www.ajap.com>
- Temesgen, Siraw Megibaru (2015). “Weaknesses of Ethnic Federalism in Ethiopia” *International Journal of Humanities and Social Science Invention*, Vol. 4. Issue 11.
- Tesfay, Abraha (2012). “Dynamics of Inter-Communal Conflict in North-East Ethiopia: The Case of Wejerat People and Their Neighboring Afar”, *Anthology of Peace & Security Research, Institute for Peace and Security Studies (IPSS)*, Addis Ababa University and Friedrich-Ebert-Stiftung (FES), Vol. 3.
- Turton, David (2011). “The politics of internal displacement and options for institutional reform”, *Deportate, esuli, Profughe (DEP)*, *Venetiarum Universitas in Domo Foscari*, No.17, available at <www.unive.it>
- Xinhuanet (2018). “UN migration agency appeals for aid to Ethiopia’s displacement crisis” available at <http://www.xinhuanet.com/english/2018-07/24/c_137345771.htm> editor Mu Xuequan
- Oucho, John (1997). “The Ethnic factor in Internal Displacement of Populations in Sub-Saharan Africa”, *Africa journal of political science*, Vol. 2, No. 2.
- Yibeltal, Kalkidan (18 September 2017) “what is behind clashes in Ethiopia's Oromia and Somali regions?” *BBC NEWS* available at <<https://www.bbc.com/news/world-africa-41278618>>
-

Major Reports and Documents

- ACAPS Briefing Note, OCHA (22 June 2018) “Displacement in Ethiopia, Displacement in SNNP and Oromia regions” available at https://reliefweb.int/sites/reliefweb.int/files/resources/20180622_acaps_start_ethiopia_displacement_0.pdf > accessed on 08 August 2018.
- EHRC Report on Displacement in Amhara and Afar regions, available at <https://ehrc.org/ehrc-monitoring-civilian-displacement-in-amhara-afar-regions/> , accessed on 10 September 2022.
- European Commission, European Civil Protection and Humanitarian Aid Operations (19 Jun 2018) “Ethiopia – Conflict and forced displacement” *ERCC PORTA*, available at <https://ercportal.jrc.ec.europa.eu/ECHO-Flash/ECHO-FlashList/yy/2018/mm/6> > accessed on 29 August 2018.
- European Commission, European Civil Protection and Humanitarian Aid Operations (19 Jun 2018) “Ethiopia – Conflict and forced displacement” *ERCC PORTAL*, available at <https://ercportal.jrc.ec.europa.eu/ECHO-Flash/ECHO-FlashList/yy/2018/mm/6> > accessed on 29 August 2018.
- GRID (2019), Global Report on Internal Displacement, Spotlight, Ethiopia, available at <https://www.internal-displacement.org/sites/default/files/publications/documents/2019-IDMC-GRID-spotlight-ethiopia.pdf> > accessed on 09 January 2021.
- Human Rights Council (May 2018), “Ethnic based attacks and conflicts should be resolved” 143th Special Report, available at <http://ehrp.org/ethnic-based-attacks-and-conflicts-should-be-resolved-hrc-143th-special-report/> > accessed 08 Aug.2018.
- Human Rights Council (May 2018), “Ethnic based attacks and conflicts should be resolved” 143th Special Report on Human Rights, available at <http://ehrp.org/ethnic-based-attacks-and-conflicts-should-be-resolved-hrc-143th-special-report/> > accessed on 08 August 2018.
- Human Rights Council (October 2020), “Ethiopia: At the Verge of the Crime of Genocide” 147th Special Report on Human Rights, available at <https://ehrc.org/category/%e1%88%aa%e1%8d%96%e1%88%ad%e1%89%b6%e1%89%bd/> > accessed on 08 January 2021.
- IDMC and NRC (2009) “Ethiopia: Human rights violations and conflicts continue to cause displacement, A Profile of the internal displacement situation”, available at www.internal-displacement.org , accessed on 20 June 2016, pp. 8 and 153.
- Internal displacement monitoring center (IDMC) and Norwegian Refugee Council (NRC) (2007) “Internal Displacement: Global Overview of Trends and Developments in 2006”, at 6., available at www.internal-displacement.org , accessed on 28 February 2016.
- Internal displacement monitoring center and Norwegian refugee council (2009) ‘Ethiopia: Human rights violations and conflicts continue to cause displacement, A Profile of the internal displacement situation’, available at www.internal-displacement.org , accessed on 20 June 2016, pp. 8 and 153.
- Internal Displacement Organization, DG ECHO, UN OCHA, NDRMC, ECHO Daily Flash (19 June 2018) “Ethiopia-conflict and forced displacement”, available at www.internal-displacement.org/countries/ethiopia > accessed on 08 August 2018.
-

- IOM (24 July 2018) “*IOM Launches USD 22.2M Appeal for Gedeo, West Guji Displacement Crisis in Ethiopia*”, available at <<https://www.iom.int/news/iom-launches-usd-222m-appeal-gedeo-west-guji-displacement-crisis-ethiopia>> accessed on 08 August 2018.
- IOM Humanitarian Compendium (2018), Ethiopia, available at <<https://humanitariancompendium.iom.int/appeals/ethiopia-2018>> accessed on 10 April 2016.
- NRC, IDMC and AU (2014) “The National Responsibility to Protect IDP: The Kampala Convention”, Workshop Report, 8-10 December, Addis Ababa, Ethiopia, p. 6, available at <<http://www.internal-displacement.org/publications/2016/workshop-report/>> accessed on 21 December 2016.
- OCHA (23 January 2018) “Ethiopia: Conflict Displacement Situation Report” <<https://www.humanitarianresponse.info/en/operations/ethiopia/document/ethiopia-conflict-displacement-situation-report-23-jan-2018>> accessed on 08 August 2018.
- OHCHR and EHRC Joint Investigation Report (3 November 2021) available at <<https://www.ohchr.org/sites/default/files/2021-11/OHCHR-EHRC-Tigray-Report.pdf>> accessed on 01 September 2022.
- UN, Report of the Special Rapporteur on the Human Rights of Internally Displaced Persons, UN, Geneva, A/HRC/38/39, 2018, available at <<https://reliefweb.int/report/world/report-special-rapporteur-human-rights-internally-displaced-persons-ahrc3839-enarru>> accessed on 10 September 2022.
- UNHCR, (September 2013), “Submission by the United Nations High Commissioner for Refugees for the Office of the High Commissioner for Human Rights' Compilation Report”, *Universal Periodic Review: Ethiopia*.
-