

Observations on the State of Indigenous Human Rights in Ethiopia

Prepared for:

**The 33rd Session of the United Nations
Human Rights Council
Universal Periodic Review
February 2019
Submission date: October 2018**

Cultural Survival is an international Indigenous rights organization with a global Indigenous leadership and consultative status with ECOSOC since 2005. Cultural Survival is located in Cambridge, Massachusetts, and is registered as a 501(c)(3) non-profit organization in the United States. Cultural Survival monitors the protection of Indigenous Peoples' rights in countries throughout the world and publishes its findings in its magazine, the Cultural Survival Quarterly, and on its website: www.cs.org. Cultural Survival also produces and distributes quality radio programs that strengthen and sustain Indigenous languages, cultures, and civil participation.

Cultural Survival
2067 Massachusetts Avenue
Cambridge, MA 02140
Tel: 1 (617) 441 5400
www.culturalsurvival.org
agnes@cs.org

Observations on the State of Indigenous Human Rights in Ethiopia

I. Executive Issue Summary

Ethiopia does not have national legislation protecting the rights of Indigenous Peoples. As a result, the rights of Indigenous Peoples are not protected effectively.

II. Background

After defeating colonial Italy, Ethiopia was under an imperial government until the mid-1970's. The long-term weakness of the regime, growing agrarian crisis, lack of development, and inequities led to a revolutionary reform.ⁱ The regime that succeeded, the Derg, was a communist dictatorship which led the country until 1991, when the Ethiopian People's Revolutionary Democratic Front (EPRDF) came to power.

In 1993, the EPRDF established a constitutional government centered around ethnic structuralism "to decentralize authority and provide the major ethnic groups and peoples of Ethiopia with the opportunity to develop politically, economically and culturally."ⁱⁱ In 2005, the EPRDF announced that it had won 90% of the electorate.ⁱⁱⁱ The election was followed by flawed counting and tabulation which led to violence where several people were killed.^{iv} In response to criticism for the 2005 election, the EPRDF became more authoritarian and repressive.^v

In 2010, the EPRDF announced again it won the 2010 elections in a landslide victory, which was the result of five years of systematically shutting down political dissent and providing incentives for allegiance to the ruling party.^{vi} Other security forces and the Ethiopian Military have also engaged in serious crimes such as torture and war crimes in the Somali region. Journalists and human rights activists took the brunt of the government's force as newspapers were shut down and several journalists and the activists were arrested.^{vii}

In 2015, the more authoritarian regime and the power vacuum, created by Prime Minister Meles Zenawi's 2012 death, led to protests and severe challenges to the EPRDF.^{viii} Since 2017, the EPRDF has undergone deep reformation with an aim towards national reconciliation. It released over 6,000 political prisoners without ever admitting that it imprisoned political dissidents.^{ix} In February 2018, Prime Minister Desalegn resigned stating that his resignation is vital to the peace and democratic reforms the country was undergoing. His resignation followed three-years of anti-government protests which called for further political and economic reform. During the protests, hundreds were killed while thousands were displaced.^x

In April 2018, the EPRDF appointed Prime Minister Abiy Ahmed, the first Oromo leader a reformist who has reshuffled cabinet, replaced the head of the police and internal security forces, freed thousands of prisoners, and lifted a state of emergency .^{xi} Ethiopia's political reforms are now challenged by long-standing ethnic tensions. Deadly violence broke out throughout the country as the country welcomed opposition organizations which were once declared a terrorist groups. To quell the unrest and violence the government has resorted to old tactics such as using security forces to arrest and detain protesters and limiting access to the internet.^{xii}

Recent ethnic conflicts in Gedeo and West Gurji in the southwest have led to the displacement of 1.4 million people—making it the highest level of violence-related displacement in 2018.^{xiii} The displacement is the result of scarcity of food, farmland, and livestock as a result of the violent clashes.^{xiv} Unless the root cause of the displacement is addressed, its implications could have dire consequences on the country's stability and development.^{xv}

A. Population and Economy

Ethiopia has a population of 102^{xvi} million people with Indigenous Peoples representing a significant portion of the population. There are 80 different languages and 90 distinct ethnic groups^{xvii} with the Amhara, the Oromo and the southern nationalities being the most dominant—the minority Tigrayan have held power since 1991.^{xviii} Nearly 43.5% of the population are Orthodox Christians and 40% are followers of Islam. Around 15% are pastoralists and sedentary farmers particularly in the Ethiopian lowlands.^{xix} A number of hunter-gathering communities, including the forest-dwelling Majang (Majengir) and Anuak people who live in the Gambela region have been affected by land grabbing in recent years. Ethiopia has some of the largest livestock population in Africa and is concentrated in pastoralist communities whose land is of high demand to foreign investors.

III. Recommendations from past UPR cycles

The following recommendations still have not been implemented.

A. 1st Cycle

- *Adopt all necessary measures to provide for free and independent media which reflect a plurality of opinions, including those of minority groups and political opposition parties – Germany*

- *Conduct a review to examine the ethnic balance in government and develop diversification strategies to comply with the tenets set forth in its ethnic federalism policies – United States*
- *Consider ways to depoliticize ethnicity and promote policies of inclusion – Brazil*

B. 2nd Cycle

- *Promote and protect the human rights of all persons belonging to vulnerable groups - Germany*
- *Increase efforts and adopt all the necessary measures for the fight against discrimination in all its forms, particularly against minorities, and among them the most vulnerable children and women – Nicaragua*
- *Keep encouraging interreligious and inter-ethnic dialogue so that Ethiopia's pluralism of traditions and cultures remains an enriching and valued dimension of the country – Holy See*
- *Continue improving the outreach to all ethnic communities to actively participate in the political process so as to strengthen Ethiopia's democracy and prevent potential conflicts – Holy See*
- *Implement fully its 1995 Constitution, including the freedoms of association, expression and assembly, for independent political parties, ethnic and religious groups and NGOs – Australia*
- *Consider implementing the pertinent recommendations of the Independent Expert on minority issues, with a view to guaranteeing equal treatment of all ethnic groups in the country - Cape Verde*

IV. Ongoing Violations

A. Land Grabbing and Free, Prior, and Informed Consent

Land grabbing has been a major point of contention as the government leased millions of hectares of “underutilized” land when the land is home to 15 million Indigenous Peoples such as farmers and hunters and gatherers.^{xx} The leased land affects Indigenous Peoples in Gambella, the Lower Omo Valley and Benishangul Gumuz.^{xxi} The government argues that leasing the land to agricultural investment will help alleviate food insecurity and maximizes the use of the land. Some of the land which has been leased in the Gambella and Anuak regions is left vacant.^{xxii} The leased land was also supposed to create employment opportunities for Indigenous Peoples. However, most of the jobs have gone to outsiders who have moved to the area in search of jobs. The construction of the Gilgel Gibe III Dam has impacted the availability of water which has increased the threat of food insecurity and conflict. There is also lack of consultation of Indigenous

communities and the little consultation that was done was after the construction of the dam began.

The country's villagization policy has led to many small-scale farmers being moved from their traditional grazing land and their customary rights being violated.^{xxiii} The villagization policy intends to resettle those in rural areas to areas where they can have better access to clean water, schools, and healthcare. The promised amenities were yet provided in a timely manner which has led to massive human rights violations in these "villages".^{xxiv} Because there is lack of consultation and there are no specific policies protecting Indigenous Peoples, the government has failed to protect Indigenous Peoples in the Lower Omo Valley, Benishangul Gumuz, Afar, Somali and the Gambella regions.^{xxv}

B. Freedom of Expression and Association

Since its alleged landslide victory in 2015, the EPRDF holds every seat in parliament. It has been brutally repressing opposition by detaining, harassing, and prosecuting individuals under its misguided Anti-terrorism Proclamation of 2009. When protests to air grievances arise, the government has responded by declaring a state of emergency which gives it broad powers to deploy the military, restrict the media, restrict the internet and surveils communications.^{xxvi} Government surveillance of journalists and activist living abroad was conducted with the aid of surveillance infrastructure built by the Israeli government. The journalists and activists were sent commercial spyware via email. If they clicked on a link in the email, the spyware is downloaded to their computers to collect virtually any information on the computer.^{xxvii}

Surveillance of the general population was conducted at the grassroots level. EPRDF had several informants and enforcers from the capital city to remote regions in the country. It had a system called "one-to-five," where one party member is assigned to monitor five people.^{xxviii} Such informants are rewarded for their services with jobs, promotions, and access to microfinance not available to the average citizen. This level of surveillance has led to mistrust and fear as citizens cannot freely engage with the closest members of their community out of fear of interacting with an informant. Not only were the informants spying, but they were also pushing policy objectives and recruiting party members.^{xxix} This type of party membership and surveillance is modeled after the Chinese government who plays a prominent role in the country.^{xxx}

C. Ethnic Violence

In the few months since Prime Minister Ahmed accession to power, the country has seen sweeping changes such as the release of thousands of political prisoners, privatization and liberalization of certain sectors of the economy, lifting of the repressive and the months-long state of emergency.^{xxx} Ethnic violence where several were killed, thousands were arrested and over a million people were displaced is now destabilizing the country. In the Benishangul Gumuz region, four senior officials of the region and at least 20 people were killed. The attacks were perpetrated against ethnic Oromo and Amhara living in the area and have displaced 70,000 people from the region. At least 25 people were killed in Burayu, a city northwest of the capital Addis Ababa, in ethnically motivated violence. The attacks were perpetrated against the Dorze, Wolayta, Gamo, Gurage and Silties ethnic groups. Lack of response from the police force during the attacks has also exacerbated the situation. In response to the vicious attacks in Burayu, demonstrations were held in Addis Ababa where several hundred people were arrested and five were killed by security forces. The government has failed to state who the perpetrators of the attacks are.^{xxxii}

Clashes between the Oromo and Somali first broke out in 2017. Although the underlying issues for the conflict are related to political, economic, and regional causes, the conflict between the Oromo and Somali most recently arose as a result of grazing rights.^{xxxiii} Even though the violence in the region subsided for a few months, it resurged again when the regional leader, Omar Mohammed, loyal to the former administration, refused to follow the new reformist agenda.^{xxxiv} Because Muhammed continued to use paramilitary forces, Prime Minister Ahmed sent the Ethiopian Defense Force into the region. This further exacerbated the violence in the region and led to threats of secession by Muhammed under Article 39 of the Ethiopian constitution.^{xxxv}

Ethnic tensions between Gedeo-Oromo have been ongoing and show no signs of subsiding. Although the government has not released official death tolls, the Gedeo claim that dozens have been killed and more than 850,000 Gedeo have fled their homes, giving rise to a humanitarian crisis.^{xxxvi} The causes of the ethnic conflicts are related to land and resources centered around governance issues and treatment of Gedoes as second class citizens. The Gedeo are coffee farmers and claim that they face discrimination from the Oromo. There are claims those individuals who have been in control are instigating conflicts in an effort to protect their interests within the government. While others indicate that economic and political issues which have been brewing for the last 20 years have now come to the surface, as regional governments have failed to provide solutions. The Prime Minister's pursuit of rapid change may have created a power vacuum; and government organizations are not functioning properly to address the issues.^{xxxvii} The EPRDF's policy of ethnic structuralism/federalism may also be worsening the ethnic conflicts.^{xxxviii} Ethnic federalism divides the country into nine ethnic federal regions which

administer themselves.^{xxxix} Because the ethnic conflicts are related to self-administration, border issues and land rights, they may be harder to resolve in under ethnic federalism principles unless earnest efforts are made to follow the rule of law and resolve differences.^{xi}

D. Human Rights Defenders

Although released from prison on bail HRD Omgot Agua Okwoy was detained in 2015 along with six others for protesting the government's villagization policy in the Gambella region. He is an advocate for the protection and establishment of national parks. At the time he was arrested, he was working as a translator for a World Bank Inspection Panel which was investigating a complaint filed by the Anuak Indigenous Peoples alleging that the World Bank was supporting the government's failed villagization program.^{xii} In 2015, the panels investigative report was leaked indicating that the World Bank had violated its own policies. He was arrested shortly thereafter and charged as a terrorist. Until his release, he was imprisoned at Qilinto Prison, a few hundred kilometers from his home in Gambella.^{xlii}

Okwoy is one of many who were arrested for protecting the interest of Indigenous Peoples. Another human rights defender who was arbitrarily detained and released in late 2016 is Seyoum Abebe.^{xliii} He was arrested for being critical of the government's crackdown on protests in the Amhara and Oromia regions. The Protests were in response to the release of the "Integrated Development Master Plan" which would expand the capital city, Addis Ababa, into the Oromia region.^{xliiv} These are only a few examples of the several activists and journalists were detained, arrested, tortured, and harassed before Prime Minister Ahmed's accession to power. Although many of those who were arrested have been released, it seems with the recent and ongoing violent clashes the arbitrary arrests have begun. These arrests will be no different than those before unless the government investigates the cause of the clashes and holds those who are perpetrating the violence accountable.

V. Recommendations

- Adopt legislation and policies that recognize and protect Indigenous Peoples and their lands.
- Collect disaggregated data on Indigenous populations
- Consider structural reforms to resolve ethnic tensions as the current form of federalism is divisive.
- Ratify ILO Convention No. 169.
- Abide by the principles of the UNDRIP and CERD.

- Promote the participation of pastoralist and agro-pastoralists when considering new programs and policies.
- Actively fight to end corruption across the whole population instead of using discriminatory laws targeting non-Tigrayans or EPRDF opponents.
- Eliminate access to loans and resource based on political party affiliation or preferential treatment of certain ethnic groups.
- Invite UN Special Rapporteur on the Rights of Indigenous Peoples to visit Ethiopia.

End Notes:

ⁱ "Ethiopia History." *Ethiopia Portal*,

www.ethiopia.gov.et/history?p_p_id=56_INSTANCE_eglYuFCcMdKJ&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&p_p_col_id=column-1&p_p_col_count=1&_56_INSTANCE_eglYuFCcMdKJ_page=6.

ⁱⁱ Ibid.

ⁱⁱⁱ Ibid.

^{iv} "OBSERVING THE 2005 ETHIOPIA NATIONAL ELECTIONS CARTER CENTER FINAL REPORT." *The Carter Project*, Dec. 2009,

www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/Ethiopia-2005-Finalrpt.pdf.

^v Aalen, Lovise. "Analysis: Why Is Ethiopia in Upheaval? This Brief History Explains a Lot." *The Washington Post*, WP Company, 17 Feb. 2018, www.washingtonpost.com/news/monkey-cage/wp/2018/02/17/why-is-ethiopia-in-upheaval-this-brief-history-explains-a-lot/?utm_term=.35f02bfd5c74.

^{vi} "World Report 2011: Rights Trends in World Report 2011: Ethiopia." *Human Rights Watch*, 16 Apr. 2015, www.hrw.org/world-report/2011/country-chapters/ethiopia.

^{vii} Ibid.

^{viii} Aalen, Lovise. "Analysis: Why Is Ethiopia in Upheaval? This Brief History Explains a Lot." *The Washington Post*, WP Company, 17 Feb. 2018, www.washingtonpost.com/news/monkey-cage/wp/2018/02/17/why-is-ethiopia-in-upheaval-this-brief-history-explains-a-lot/?utm_term=.35f02bfd5c74.

^{ix} Ibid.

^x "Ethiopia PM Hailemariam Desalegn in Surprise Resignation." *BBC News*, BBC, 15 Feb. 2018, www.bbc.com/news/world-africa-43073285.

^{xi} Abiy Ahmed: Ethiopia's Prime Minister, BBC, 14 Sept. 2018, <https://www.bbc.com/news/world-africa-43567007>

^{xii} Ibid.

^{xiii} Roy, Christian. "Ethiopia Displacement Crisis Skyrockets." *Devex*, 13 Sept. 2018, www.devex.com/news/ethiopia-displacement-crisis-skyrockets-93422.

^{xiv} Ibid.

^{xv} Ibid.

^{xvi} "Ethiopia." *Minority Rights Group*, Jan. 2018, minorityrights.org/country/ethiopia/.

^{xvii} Ibid.

-
- ^{xviii} Aalen, Lovise. "Analysis: Why Is Ethiopia in Upheaval? This Brief History Explains a Lot." *The Washington Post*, WP Company, 17 Feb. 2018, www.washingtonpost.com/news/monkey-cage/wp/2018/02/17/why-is-ethiopia-in-upheaval-this-brief-history-explains-a-lot/?utm_term=.35f02bfd5c74.
- ^{xix} "Ethiopia: Education for all 2015 National Review," UNESDOC, 2015, <http://unesdoc.unesco.org/images/0023/002317/231724e.pdf>.
- ^{xx} "Indigenous World 2018." *IWGIA*, 2018, www.iwgia.org/images/documents/Indigenous-world/Indigenous-world-2018.pdf.
- ^{xxi} *Ibid.*
- ^{xxii} *Ibid.*
- ^{xxiii} *Ibid.*
- ^{xxiv} *Ibid.*
- ^{xxv} *Ibid.*
- ^{xxvi} "Ethiopia: Freedom in the World Sources." *Freedom House*, 2 May 2017, freedomhouse.org/report/freedom-world/2017/ethiopia.
- ^{xxvii} Dahir, Abdi Latif. "Ethiopia Is Using Israeli Spy Technology to Target Its Dissidents Abroad." *Quartz*, Quartz, 14 Dec. 2017, qz.com/africa/1156436/ethiopia-is-spying-on-oromo-opposition-members-using-israeli-commercial-spyware/.
- ^{xxviii} Freytas-tamura, Kimiko De. "'We Are Everywhere': How Ethiopia Became a Land of Prying Eyes." *The New York Times*, The New York Times, 5 Nov. 2017, www.nytimes.com/2017/11/05/world/africa/ethiopia-government-surveillance.html.
- ^{xxix} *Ibid.*
- ^{xxx} *Ibid.*
- ^{xxxi} Allo, Awol K. "Ethiopia's New Prime Minister Has Had a Stellar Two Months, Can He Keep It up?" *CNN*, Cable News Network, 7 June 2018, www.cnn.com/2018/06/07/africa/ethiopia-abiy-ahmed-transformation-intl/index.html.
- ^{xxxii} Fasil, Mahlet. "News: More than Twenty Three Killed in a Spate of Mob Attack in Burayu. Thousands Displaced." *Addis Standard*, 17 Sept. 2018, addisstandard.com/news-more-than-twenty-three-killed-in-a-spate-of-mob-attack-in-burayu-thousands-displac"Ethiopia: Freedom in the World Sources." *Freedom House*, 2 May 2017, freedomhouse.org/report/freedom-world/2017/ethiopia.ed/.
- ^{xxxiii} Gedamu, Yohannes. "What Ethiopia Needs Is a New Federal Arrangement." *Al Jazeera*, Al Jazeera, 14 Aug. 2018, www.aljazeera.com/indepth/opinion/ethiopia-federal-arrangement-180814121031286.html.
- ^{xxxiv} *Ibid.*
- ^{xxxv} *Ibid.*
- ^{xxxvi} Mules, Inke. "Ethiopia: Gedeo-Oromo Ethnic Clashes Continue amid Political Reforms," *DW.COM*, 11 Aug. 2018, www.dw.com/en/ethiopia-gedeo-oromo-ethnic-clashes-continue-amid-political-reform.
- ^{xxxvii} *Ibid.*
- ^{xxxviii} *Ibid.*
- ^{xxxix} *Ibid.*
- ^{xl} *Ibid.*
- ^{xli} "Land and Human rights Activist, Pastor Omot Agwa Freed by Ethiopian Authorities," *Africa Faith and Justice Network*, 27 Apr. 2018, <http://afjn.org/land-and-human-rights-activist-pastor-omot-agwa-freed-by-ethiopian-authorities/>.
- ^{xlii} *Ibid.*
- ^{xliii} Ethiopia: Seyoum Teshome Detained in Unknown Location." *Front Line Defenders*, 8 Feb. 2017, www.frontlinedefenders.org/en/case/seyoum-teshome-released.
- ^{xliv} Ethiopia: Seyoum Teshome Detained in Unknown Location." *Front Line Defenders*, 8 Feb. 2017, www.frontlinedefenders.org/en/case/seyoum-teshome-released.