Addressing internal displacement in Ethiopia

Behigu Habte and Yun Jin Kweon

Among various new initiatives in Ethiopia to address both the short- and long-term needs of IDPs, the Durable Solutions Working Group is making some progress, despite the challenging context.

There are currently over 2.8 million internally displaced persons (IDPs) in Ethiopia, compared with an estimated 291,000 in July 2012. Drought, floods, ethnic/clan tensions and conflicts over resources and borders are the leading causes of internal displacement, with conflict accounting for 70% of cases of displacement. Ethiopia’s Somali Regional State, which borders Somalia to the north, east and south, accounts for the largest number of IDPs in Ethiopia, with nearly one out of six residents of the region currently an IDP.

Acknowledging the growing numbers of IDPs, in 2014 the government of Somali Regional State requested the technical support of the international community, and together they established a multi-stakeholder Durable Solutions Working Group. Co-chaired by the Somali Regional State’s Disaster Prevention and Preparedness Bureau and the UN Migration Agency (IOM), the Working Group has made some progress – in a challenging policy environment – in addressing both the humanitarian and development needs of IDPs.

Limitations in national policy

Responses to internal displacement in Ethiopia have to date been largely focused on life-saving humanitarian action. Although humanitarian responses play a vital role in providing a safety net for those in desperate need, it is equally crucial to ensure a smooth transition to development-oriented assistance – and Ethiopia’s lack of a comprehensive dedicated framework to guide responses to internal displacement has hampered such a transition. Currently, its most relevant policy is the Disaster Risk Management (DRM) policy of 2013 with its associated Strategic Programme and Investment Framework. DRM objectives are to reduce risks associated with disasters and to protect those at risk in such circumstances but they do not specifically address either the emergency or the development assistance needs of IDPs. Notably, although the Government of Ethiopia has signed the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention), it has not yet ratified it, claiming instead that existing domestic legal and policy frameworks provide adequate guidance for addressing internal displacement.

The recurrent pattern of natural hazards and anthropogenic disasters in Ethiopia means that donors tend to shift their attention quickly from one crisis to another. Moreover, the tendency of government to attribute all crises to natural hazards – as such attribution is less likely to damage the country’s reputation in terms of making progress in development – has not helped provide momentum for reform. As a result, IDPs’ specific vulnerabilities, losses and traumatic experiences, as well as the systemic and structural problems and longer-term impacts on host communities and environments, are quickly forgotten.

There have been some positive steps forward, however. Prompted – in part, at least – by the scale of displacement attributed to recurrent disasters and by the engagement of a wider range of humanitarian and development actors, Ethiopia has introduced some new institutional mechanisms to help meet IDPs’ immediate and longer-term needs for both humanitarian and development assistance. Among these initiatives are an IDP Advisory Group (comprising the UN Resident/Humanitarian Coordinator, the UN Office for the Coordination of the Humanitarian Affairs, IOM, the UN Refugee Agency (UNHCR), the International Committee of the Red Cross and the Danish Refugee Council), and a national steering committee (under the leadership of the
Deputy Prime Minister) to support over a million individuals displaced following the border conflict between Somali and Oromia Regional States. The Ethiopian government is also implementing, with support from the international community, the New Way of Working approach; emerging from the World Humanitarian Summit, this approach is defined as “working over multiple years, based on the comparative advantage of a diverse range of actors, including those outside the UN system, towards collective outcomes”.

A new regional approach
In October 2017, Ethiopia’s Somali Regional State developed and endorsed a regional durable solutions strategy, the first of its kind in both the Somali Regional State and in Ethiopia. The strategy adopts the definition of an IDP proposed by the Guiding Principles on Internal Displacement while recognising the specific challenges that exist in Ethiopia regarding such a definition, particularly in relation to pastoralists.

The strategy was spearheaded by the Durable Solutions Working Group (DSWG) and is aligned with international principles and frameworks including the Guiding Principles, the Inter-Agency Standing Committee Framework on Durable Solutions for IDPs and the Kampala Convention, plus relevant national tools. Although only regional in scope, this is the first framework developed and endorsed in Ethiopia that specifically targets internal displacement. It has stimulated the interest of other Ethiopian regions (including Afar, Gambella and Oromia) in embracing a comprehensive approach to addressing internal displacement, and this in turn has attracted the attention of policymakers at a national level; Ethiopia’s first national consultation, held in late 2017, prompted tentative steps towards developing a national IDP policy, and the recovery needs of IDPs have been reflected in the country’s national humanitarian planning process for the first time.

Notwithstanding some progress made, there are still some urgent tasks to be tackled. One challenge is to bring everyone on board in implementing the strategy as it requires the concerted effort of all stakeholders, involving all sectors, under the leadership of the government. In addition, more attention will need to be paid to the reality of the limited resources and insufficient technical capacity of regional implementers. Addressing the first may require those agencies participating in the DSWG to develop a collective strategy. On the second issue of capacity, IOM has been providing capacity building on durable solutions – for instance, two-day training sessions in late 2017 for a total of 73 regional government officials (working in justice, microfinance, health, etc.) in Gambella, Somali Regional State and Afar on topics such as early recovery and the various international/African/Ethiopian frameworks on internal displacement.

More fundamentally, however, there is a lack of longitudinal, multi-dimensional and cross-sectional analysis to inform policy development. Hence, functions of the existing information management system on internal displacement such as IOM’s Displacement Tracking Matrix (DTM) should be expanded from the collection of data for the purpose of guiding the planning and coordination of short-term humanitarian response to the generation – by academia and/or multiple agencies in collaboration – of a body of evidence that can support progress towards solutions and future policy decisions.

A few years ago there were no data generally on IDPs (reflecting the government’s sensitivities on the subject). Systematic data collection and displacement mapping by IOM started at the lowest administrative level but as more actors sought to use the data to inform their planning, the information management system was gradually expanded to cover the whole country. All cluster leads in Ethiopia now rely on DTM for their sectoral planning, and from 2017 the federal government endorsed the tool.

Crucially, there also needs to be strategic dialogue to de-sensitise and de-politicise discussions and processes around internal displacement. It is significant that the evolving national-level engagement on internal displacement in general and durable solutions
in particular emerged from work done at the regional level in Regional States such as Somali and Gambella that had suffered massive and recurrent displacements. The involvement of the regional governments in both the provision of assistance and in discussions about IDPs’ needs paved the way gradually for the federal government’s own engagement, initially in humanitarian response to internal displacement and now in seeking durable solutions.

Behigu Habte bhabte@iom.int
Emergency and Post-Crisis Programme Officer

Yun Jin Kweon ykweon@iom.int
Peacebuilding Officer
UN Migration Agency (IOM) www.iom.int

1. According to the IOM’s Displacement Tracking Matrix. The increase in numbers is partly due to improved data collection methodologies, more comprehensive coverage and wider range of actors accessing IDPs in previously hard-to-reach areas. It should be noted that IDP statistics remain contested in Ethiopia. https://displacement.iom.int/node/3929; https://displacement.iom.int/node/4012
2. www.agendaforhumanity.org/initiatives/5358
3. bit.ly/SRS-durable-solutions-strategy

The Guiding Principles in international human rights courts
Deborah Casalin

The Guiding Principles have potential to support and complement international human rights law on internal displacement but they have had little explicit consideration by international and regional human rights courts and commissions.

The Guiding Principles broadly reinforce general human rights law by serving as a kind of bill of rights for internally displaced persons (IDPs) and by outlining the responsibilities of States and other actors. In this sense they mainly reaffirm the human rights principles that are already generally applied by international human rights bodies. However, the Guiding Principles substantially add to international human rights law in at least two areas – explicit recognition of the right not to be displaced and the right to property restitution.

Guiding Principle 6, providing that every human being “shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence”, was a breakthrough in the recognition of the right not to be displaced. It was the first articulation of such a right in any international instrument, which has since only attained binding legal status in Africa. The act of displacement is otherwise only indirectly addressed in human rights law, which is why the explicit recognition of this right has been important in terms of defining internal displacement as a human rights issue, sending a clear message to duty-bearers and providing a solid basis for rights-holders’ claims.1

The impact of this framing is visible in the cases of the Inter-American human rights bodies, where the Guiding Principles have been specifically and consistently used to affirm that internal displacement falls within the scope of the right to freedom of movement and residence, an approach that has also been followed by the African Commission on Human and Peoples’ Rights. Internal displacement can therefore be presumed a rights violation, and duty-bearers then bear the onus of demonstrating that the displacement – or their failure to prevent it – is legally justified. There is certainly room to strengthen legal protection from internal displacement through such an approach. This is the case not only in regional contexts outside the Americas but also in relation to causes of displacement which have so far been very sparsely addressed by all human rights mechanisms, for example displacement caused by natural disasters or environmental degradation.

The Guiding Principles have made a further important contribution by affirming the right of IDPs to recover property lost as