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**College of Law and Governance Studies
Center for Human Rights**

**Responsibilities towards Conflict Induced Internally
Displaced Persons in Ethiopia: Exploring the Normative
Frameworks and Institutional Responses**

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By

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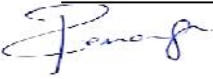
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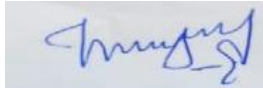
Declaration

I, Behaylu Girma Desta, the undersigned, declare that this dissertation entitled **‘Responsibilities towards Conflict Induced Internally Displaced Persons in Ethiopia: Exploring the Normative Frameworks and Institutional Responses’** is my work and has not been submitted for any degree or examination in any other universities or academic institutions.

All sources and materials used in this dissertation are duly acknowledged and adequately referenced. Hence, I declare that this dissertation is less than 100,000 words, including a bibliography and appendices.

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Abstract

Internal displacement is one of the challenges Ethiopia has been facing at different times and remains pervasive throughout the Country's history. Since 2017, conflicts have become the main drive of displacement, and in recent years, the Country has been witnessing the displacement of millions of internally displaced persons (IDPs).

This study explores the normative frameworks and institutional responses towards conflict-induced internally displaced persons in Ethiopia. A qualitative research method was employed to achieve the purpose of the study. Hence, the legal frameworks, institutional arrangements, and prevailing practices in Ethiopia's human rights protection of conflict-induced IDPs were explored. Data were collected from primary and secondary sources. Books, journal articles, reports, policies and strategies, and other relevant documents on conflict-induced internal displacements were secondary sources. Besides, focus group discussions and key informant interviews were made with IDPs, relevant government authorities, and humanitarian partners working in conflict-induced internal displacement. Furthermore, to make the study comprehensive and to identify the human rights protection and response mechanisms, the prevailing practices were examined, and the observation was made in the Gedeo Zone, Guji Zone, Somali, and Oromia Regional states on selected IDP sites.

The findings were qualitatively analyzed, and it was unveiled that no clear normative frameworks specify how to protect the human rights of conflict-induced IDPs in the Country. Besides, the findings indicated a dispersed institutional structure at federal and regional levels, which affected the response process for conflict-induced IDPs in the Country. On top of this, the findings on the prevailing practices showed that the government and humanitarian partners

mainly depended on lifesaving activities rather than identifying the root causes of conflict-induced internal displacement and providing a durable solution. The responses were sporadic and failed to follow right-based approaches. There needs to be more coordination between the federal and regional governments and within the humanitarian partners. The government response mechanism was highly dominated by political decisions rather than supported by comprehensive normative frameworks and clear institutional structures. IDPs did not participate and became the center of every decision. They are considered beneficiaries, not right holders.

This made the IDPs live in congested living conditions with a lack of government food support and poor health care services with scant water, sanitation, and hygiene facilities. As a result, IDPs become vulnerable to human rights violations and are subjected to forced and premature return processes. Moreover, the returned, integrated, and relocated IDPs are living in dire conditions without adequate support and futile promises made by the government.

Thus, the study has identified that conflict-induced internal displacement becomes pervasive and recurrent in the Country, and the disrupted response processes have forced individuals into secondary, protracted, and prolonged displacement situations.

Therefore, it is time for the Ethiopian government to revisit its conflict-induced normative frameworks and institutional structures. IDPs should participate and become the center of the government and humanitarian response processes. Besides, the government and humanitarian partners should identify the causes of the displacement and follow a human rights-based approach, humanitarian-development-peace nexus responses. They should focus on the durable solution of conflict-induced IDPs. This would minimize conflict-induced internal displacement and ensures the durable solution of IDPs though displacement is unavoidable phenomenon.

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Acronyms

AU	African Union
BPR	Business Process Re-engineering
DPPA	Disaster Prevention and Preparedness Authority
DRC	Danish Refugee Council
DRMFSS	Disaster Risk Management and Food Security Sector
DRMO	Zone Disaster Risk Management Office
DTM	Displacement Tracking Matrix
EHRC	Ethiopian Human Rights Commission
EMFA	Ethiopian Ministry of Foreign Affairs
EMoP	Ethiopian Ministry of Peace
ENDRMC	Ethiopian National Disaster Risk Management Commission
EOCs	Emergency Operations Centers
ERCS	Ethiopian Red Cross Society
EWRD	Early Warning and Response Directorate
FDRE	Federal Democratic Republic of Ethiopia
FGD	Focus Group Discussion
HH	House Hold
HLP	Housing Land and Properties
HPRs	House of People Representatives
HDP	Humanitarian-Development-Peace Nexus
IASC	Inter-Agency Standing Committee for Internal Displacement
ICRC	International Committee of Red Cross

IDMC	Internal Displacement Monitoring Center
IDPs	Internally Displaced Persons
IDPsAG	Internally Displaced Persons Advisory Groups
IMTF	Inter-Ministerial Task Force
IOM	International Organization for Migration
MoARD	Ministry of Agriculture and Rural Development
NGOs	Non-Governmental Organizations
NHRI	National Human Rights Institutions
NRC	Norwegian Refugee Council
OFAG	Office of Federal Attorney General
RH/RC	Resident/Humanitarian Coordinators
SGBV	Sexual and Gender-Based Violence
SNNP	Southern Nation Nationality and People
UNDP	United Nations Development Program
UNERC	UN Emergency Relief Coordinator
UNHCR	United Nations High Commissioner for Refugee
UNICEF	United Nations International Children's Emergency Fund
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
WHO	World Health Organization

Chapter One: Introduction

1.1 Background of the Study

Every year, millions of people are forced to leave their homes because of Conflict, violence, developmental projects, and climate change.¹ Internal displacement is one wave of forced migrations in which individuals are displaced from their homes and refugees in their own countries because of an unanticipated event caused by human or natural factors.² Unlike other types of forced migrations, internal displacement starts and ends within the state's territory. Hence, displaced individuals who lodge in their Country are fully entitled to protection under international human rights law, humanitarian law, and domestic law.³ The state has the primary obligation to protect and assist internally displaced persons.⁴ However, in some circumstances, states may become the cause of the displacement and unable to discharge obligations; consequently, the displacement situation would be dire.⁵

The situation will result in worse conditions, especially if conflict is the cause of the displacement. The IDPs will encounter challenges, including the loss of homes, security, dignity, cherished possessions, livelihood memories, and a sense of belonging in the community.⁶ The displacement condition disrupts not only the lives of the displaced but also the communities and

¹ Internal Displacement Monitoring Center, Retrieved on 9/3/2019, from: <http://www.internal-displacement.org/internal-displacement/history-of-internal-displacement>

² Pitarokoili, V. M. (2014). 'The internally displaced persons and the need for a normative framework' *International Journal of Human Rights and Constitutional Studies*, 2(4), p.385

³ Persons, I. D. (2000). 'The Mandate and Role of the International Committee of the Red Cross', *International Review of the Red Cross*, (838)

⁴ Opara, L. C., Erasmus, D., & Ndimouwuri, L. (2019). 'Enhancing the protection of internally displaced persons through domestic law and policy', *Nnamdi Azikiwe University Journal of International Law and Jurisprudence*, 10(2), 77-84

⁵ Luke T. Lee, (1992). Legal Status of Internally Displaced Persons 86 Am. Soc'y Int'l L. Proc. 630

⁶ Jimenez-Damary, C. (2018). 'Foreword: The 20th anniversary of the Guiding Principles—building solidarity, forging commitment', *Forced Migration Review*, (59), p.4

societies living in peace and cooperation.⁷ The host communities are the first respondents and suffer the hardship. Overcrowding and paucity of public services and utilities like health, education, water, and food will occur in the host communities' area.⁸ The experience of internal displacement creates trauma, life-threatening situations, and challenges on the part of the IDPs and the host communities.⁹

Human rights violations frequently trigger internal displacement and occur before, during, and after the displacement.¹⁰ Forced displacement creates a fertile ground for torture, rape, and killings, as well as forced evictions and property loss of individuals.¹¹ The displacement creates a favorable condition and becomes a source of illegal migration, different types of criminal activities, and the flow of migrants. This implies that internal displacement is not one incident. Instead, it will create a life-threatening event.¹²

In the 21st century, internal displacements increased with severe human rights concerns and economic and social costs.¹³ According to the Internal Displacement Monitoring Center (IDMC) (2019) report, 41.3 million people live in displacement due to violence and Conflict; in 2021, the

⁷ Crisp, J. (2010). 'Forced displacement in Africa: Dimensions, difficulties, and policy directions, *Refugee Survey Quarterly*, 29(3), p.22

⁸ Maru Taddele (2017). '*Causes, dynamics, and consequences of internal displacement in Ethiopia*', working papers. Retrieved 11/20/2019 from https://www.swpberlin.org/fileadmin/contents/products/arbeitspapiere/Maru_2017_Internal_Displacement_Ethiopia.pdf

⁹ United Nations General Assembly. (2018). '*Report of the special rapporteur on the human rights of internally displaced persons*', Retrieved 11/20/2019 from <https://reliefweb.int/sites/reliefweb.int/files/resources/G1810255.pdf>, p. 8

¹⁰ Supra note 3, p. 12

¹¹ Supra note 9

¹² Inter-Agency Standing Committee (2010), IASC Framework on durable solutions for internally displaced persons, *The Brookings Institution, The University of Bern, Project on Internal Displacement*, Retrieved 11/20/2019 from <https://www.unhcr.org/50f94cd49.pdf>, p. 1

¹³ Supra note 4

number reached 53.2 million.¹⁴ This has indicated that the number of IDPs increased occasionally; the United Nations High Commissioner for Refugees (UNHCR) also mentioned that every minute, 24 people are displaced, and one in 113 people globally is either an asylum seeker, internally displaced, or refugee.¹⁵

The state has a primary obligation and sovereign responsibility to protect the human rights of IDPs. However, sovereign responsibility becomes a fragile concept and challenges the protection of IDPs' human rights. Sovereignty as responsibility presents a framework that should guide both national governments and the international community in discharging their respective responsibilities regarding the protection of IDPs.¹⁶ However, IDPs may lack attention from their state or the international community and remain unprotected and unable to assert their rights.¹⁷ In some instances, IDPs might intentionally be uprooted by their government on ethnic, religious, or political grounds.¹⁸ Besides, the problem worsens when IDPs are persecuted or under attack by their government, and differing parties have deliberately used displacement as a means of securing or reinforcing control of political power, resources, and the people.¹⁹

Globally, the international community has framed different binding legal instruments on the rights of migrants and refugees, but not specifically for IDPs. The 1998 Guiding Principles on

¹⁴ Internal Displacement Monitoring Center (2019 and 2022), *Global report on internal displacement*, Retrieved 12/14/2022 from [IDMC GRID 2022 LR.pdf \(internal-displacement.org\)](https://www.internal-displacement.org/idmc-grid-2022-lr.pdf)

¹⁵ United Nations High Commissioner for Refugees, With one human in every 113 affected, forced displacement hits record high, retrieved 1/26/2019 from <https://www.unhcr.org/news/press/2016/6/5763ace54/1-human-113-affected-forced-displacement-hits-record-high.html>,

¹⁶ Brookings, sovereignty as responsibility, conflict management in Africa, retrieved November 2022, available at [Sovereignty as Responsibility \(brookings.edu\)](https://www.brookings.edu/research/sovereignty-as-responsibility/)

¹⁷ Brun, C. (2005). Research guide on internal displacement, *NTNU Research Group on Forced Migration Department of Geography Norwegian University of Science and Technology (NTNU) Trondheim, Norway*, p.7

¹⁸ Supra note 7

¹⁹ Ibid, p. 2

Internal Displacement constitute the critical international standard for protecting IDPs' rights.²⁰ This instrument primarily defines internal displacement and sets out the rights of IDPs before, during, and after displacement.²¹ It recognized IDPs as the most vulnerable people globally and addressed their plights in terms of humanitarian, development, and human rights agendas.²²

The Guiding Principles, developed on the conceptual basis of sovereignty, attempt to balance sovereignty and national responsibility.²³ To this effect, the Guiding Principle has provided the human rights approach as a base to answer the plights of IDPs and shift the discourse from national sovereignty and internal policy to human rights obligations for which states can and should be held accountable.²⁴

At the regional level so far, Africa is the only continent that has enacted a legally binding instrument based on the Guiding Principles.²⁵ In Africa, two documents are particularly relevant to developing national instruments in response to internal displacement.²⁶ The 2006 Great Lakes Protocol on the Protection and Assistance to IDPs is the first instrument to address the issues of internal displacement in Africa exclusively.²⁷ This document calls on member states to

²⁰Deng, F. M. (1995). Sovereignty, Responsibility, and Accountability: A Framework of Protection, Assistance, and Development for the Internally Displaced, *Concept Paper for the Brookings Institution Refugee Policy Group Project on Internal Displacement*. Brookings Institution, p. 1

²¹ Ibid

²² Supra note 3, p. 7

²³ Roberta Cohen (2003). A Public Lecture on Sovereignty as Responsibility: The guiding principles on internal displacement, *Jadavpur University, Calcutta*, retrieved 10/7/2019 from <https://www.brookings.edu/wp-content/uploads/2016/06/20031205.pdf>, p. 6

²⁴ Supra note 3, p. 7

²⁵ Mooney, E. (2005). 'National responsibility and internal displacement: a framework for action,' *FMR Special Issue*, 11-14

²⁶Nicolau, I., & Pagot, A. (2018). 'Laws and policies on internal displacement: global adoption and gaps' *Forced Migration Review*, (59), p. 13

²⁷Abebe, A. M. (2017). *The emerging law of forced displacement in Africa development and implementation of the Kampala Convention on internal displacement*. Routledge, p. 88

domesticate the international Guiding Principles and enact national instruments on internal displacement.²⁸

The African Union (AU) Convention for the Protection and Assistance of Internally Displaced Persons in Africa, the Kampala Convention, is the first legally binding document that clearly articulates the rights and duties of IDPs and states.²⁹ It specifies the general obligations of state protection and assistance to IDPs, the obligations of the AU, international organizations, armed groups, non-state actors, and state parties during and after the displacement.³⁰ The Convention further obligates states to ensure durable solutions for IDPs through a sustainable return, local integration, or relocation, provide compensation, and ensure registration and access to personal documentation.³¹ Fundamentally, the Convention treats IDPs as the subject of rights rather than victims of circumstances.³² It strongly affirms that the response to internal displacement is beyond humanitarian concern and focuses on human rights and developmental priorities.³³

In early 2018, the AU adopted a model law on internal displacement, which serves as a guide for domestic legislation.³⁴ By the end of February 2022, forty African states had signed the Kampala Convention, of which 33 had ratified; Ethiopia was the latest. The states that have ratified the Convention are working on domestication and developing national laws, policies, and strategies for IDPs' rights and responses.³⁵

²⁸ The protocol on the protection and assistance of internally displaced persons was enacted in 2006 at the international conference on the Great Lakes region. 11 Great Lakes countries have ratified it and domesticated it.

²⁹ Supra note 25

³⁰ Ibid

³¹ Ibid

³² Dieng, A. (2017). 'Protecting internally displaced persons: The value of the Kampala Convention as a regional example,' *International Review of the Red Cross*, 99(904), p.273

³³ Supra note 6, p. 15

³⁴ Ibid, p. 13

³⁵ Ibid

Internal displacement is one of Ethiopia's challenges at various times and remains pervasive throughout its history.³⁶ Natural disasters, Conflict, and developmental projects are the leading causes of internal displacement in the Country.³⁷ Conflict has not been a significant source of displacement and discourse between the government and the international community until recent years.³⁸ Internal displacement was mainly driven by natural disasters and characterized as spontaneous and short-term in nature.³⁹

However, since 2017, violence has significantly increased in Ethiopia and has become a source of internal displacement.⁴⁰ The displacement situations have intensified due to complex political, legal, and institutional settings.⁴¹ As a result, the number of IDPs increased periodically, and in 2018, conflicts triggered 2.9 million new displacements, four times the figure for 2017.⁴² Besides, since October 2020, a new conflict has erupted between the Federal Government of Ethiopia and the authorities in the Tigray Region, which resulted in the displacement of a massive number of IDPs. The situation in the Wollega zone of the Oromia Region has become volatile and one source of the displacement of individuals. These and other situations have exacerbated the displacement situation, and currently, the number of conflict-induced IDPs in

³⁶Supra note 8, p.13

³⁷ Ibid

³⁸ Ethiopian Humanitarian Needs Overview (2019). Retrieved 12/9/2019 from https://reliefweb.int/sites/reliefweb.int/files/resources/ethiopia_humanitarian_needs_overview_2019.pdf, p. 11

³⁹ Supra note 8

⁴⁰ Doctors without border Displacement and humanitarian and dilemmas challenge-response in Ethiopia: in complex crises, 2019, Retrieved 12/9/2019 from https://reliefweb.int/sites/reliefweb.int/files/resources/report_-_displacement-and-humanitarian-response-in-ethiopia_-_challenges-and-dilemmas-in-complex-crises.pdf, P.5

⁴¹ Arbouw, M. (2018). *The role of the African Union in addressing the lack of legal protection afforded to internally displaced persons in Ethiopia* (MA thesis, Tilburg University, the Netherlands), Retrieved 11/20/2019 from <http://arno.uvt.nl/show.cgi?fid=146413>, p.8

⁴² Internal Displacement Monitoring Center, (2019), *Global report on internal displacement*, Retrieved 11/19/2019 from <http://www.internal-displacement.org/sites/default/files/publications/documents/2019-IDMC-GRID.pdf> p. 14

Ethiopia has increased to 4.2 million.⁴³ One out of twenty-seven individuals in the Country is assumed to be victims of conflict-induced internal displacement.

Inter-communal conflicts and violence have become the main factors for internal displacement in the Country. It was in the first half of 2018 that Ethiopia experienced the first highest number of conflict-induced internal displacement in the world.⁴⁴ Moreover, the displacement occurred in almost all parts of the Country.

The Gedeo-Guji inter-communal conflict and Oromo-Somali internal boundary conflict were only a few of the situations that resulted in a massive number of conflict-induced internal displacements.⁴⁵ Accordingly, the Ethiopian government publicly acknowledged the existence of a vast number of conflict-induced IDPs in the Country,⁴⁶ The government also attempted to addressed the needs of the IDPs in collaboration with the United Nations agencies and non-governmental organizations.

This research has focused on the responses and human rights protection of conflict-induced internally displaced persons in Ethiopia. The research examined normative frameworks and institutional structures for conflict-induced internally displaced persons in the Country. The research also explores the response of the government and humanitarian partners and highlights the human rights protection of IDPs before, during, and after the displacement. Thus, recommendations are made to enhance the effective response and human rights protection of conflict-induced internally displaced persons in the Country.

⁴³ IOM, D., (2021). Ethiopian National Displacement Report 10, Site Assessment Round 27 & Village Assessment Survey Round 10, P.11, available at [Ethiopia National Displacement Report 10 - Site Assessment Round 27 & Village Assessment Survey Round 10: August - September 2021 - Ethiopia | ReliefWeb](#)

⁴⁴ Habte, B., & Kweon, Y. J. (2018). 'Addressing internal displacement in Ethiopia,' *Forced Migration Review*, (59), p. 40

⁴⁵ Supra note 38, p.24

⁴⁶ Ibid, p. 13

1.2 Statement of the Problem

In the last decades, Ethiopia has experienced natural and man-made disasters linked to political instability, Conflict, famine, resettlement programs, and floods, causing internal displacements.⁴⁷ The magnitude of the displacement varied, and natural disasters were the primary source of internal displacement in the Country.⁴⁸

However, over the past few years, Ethiopia encountered more conflict-induced involuntary movement of individuals within its territory.⁴⁹ According to the IDMC 2018 mid-term report, internal displacement has increased since the first half of 2018, and the humanitarian situation has worsened in the Country. This resulted Ethiopia to become the first Country with 1.4 million new conflict-induced IDPs, surpassing the number of displaced persons in both Syria and the Democratic Republic of Congo.⁵⁰ This situation led the number of IDPs to rise close to 3 million, which was three times greater than the total number of refugees then hosted by the Country.⁵¹ Inter-ethnic violence was the primary cause of the displacement in different parts of Ethiopia.⁵²

The Somali Region is mainly known for high levels of displacement and migration.⁵³ In other words, the region accounts for the most significant number of IDPs in the Country, with nearly

⁴⁷ Sonja Fransen and Katie Kuschminder, (2009). Migration in Ethiopia: History, Current Trends, and Future Prospects

⁴⁸ See Maru Taddele (2017), which provides a brief history of internal displacement in Ethiopia and the causes, dynamics, and consequences of internal displacement in Ethiopia.

⁴⁹ Internal Displacement Monitoring Center, (2018), *Mid-Year figures*, Retrieved 1/26/2019 from <https://reliefweb.int/report/world/idmc-mid-year-figures-internal-displacement-2018>, p.14

⁵⁰ Ibid

⁵¹ According to the United Nations High Commissioner for Refugees (UNHCR) Ethiopia: Fact Sheet (February 2019), Ethiopia is host to the second-largest refugee population in Africa, sheltering nearly a million registered refugees and asylum seekers as of 31 August 2018

⁵² Supra note 49

⁵³ Supra note 44, p.40

one out of six residents in the region affected by internal displacement.⁵⁴ Natural disasters are the leading cause of internal displacement in the region. In October 2017, the Somali regional state developed and endorsed a regional durable solution strategy for IDPs, the first in the Country.⁵⁵ However, following the endorsement of the strategy in the second half of 2017, the Oromo-Somali internal boundary conflict erupted and displaced nearly one million people in different parts of Oromia and Somali regional states.⁵⁶ This has created the first massive number of conflict-induced IDPs in the Country. At that time, the government established a response process advisory group and attempted to manage the IDPs. The advisory group was composed of different international and national organizations under the leadership of the Deputy Prime Minister.⁵⁷

A year later, a new displacement occurred in other parts of the Country. Another incident was the inter-communal violence between the West Guji Oromia region and the Gedeo Southern Nation Nationality and People Regional State (SNNP). The Conflict erupted in April 2018 and displaced hundreds and thousands of people in the Gedeo and West Guji zones.⁵⁸ Subsequently, the government has tried to address the plight of the IDPs and carried out what some observers considered involuntary and premature returns.⁵⁹ Shortly after the return of the IDPs, violence erupted again and displaced close to one million people.⁶⁰

⁵⁴ Ibid

⁵⁵ Ibid

⁵⁶ Supra note 32

⁵⁷ Supra note 44

⁵⁸ Ibid

⁵⁹ The Guardian (2019), *Go and we die, stay and we starve*; the Ethiopians face a deadly dilemma. Retrieved 10/2/2019 from <https://www.theguardian.com/global-development/2019/may/15/go-and-we-die-stay-and-we-starve-the-ethiopians-facing-a-deadly-dilemma>

⁶⁰ Ibid

These two inter-ethnic communal conflicts were a cause for more than 50% of IDPs in the Country.⁶¹ Accordingly, the federal and regional governments have engaged in the response processes and worked to address the plights of the IDPs. Hence, a nationwide government-led return operation has been conducted since April 2019, and 1.8 million IDPs were returned to their place of origin as of June 2019.⁶²

In early November 2020, during these crises, allegedly the Tigray People Liberation Front (TPLF) attacked the Northern Command of Ethiopia's National Defense Force in Mekelle, Tigray region, which prompted a military offensive from the Federal Government of Ethiopia.⁶³ The Conflict was prolonged for two years, and it has led to the displacement of two and half million people in different parts of the Country, mainly Tigray, Amhara, and Afar regions.⁶⁴ Besides, after the peace agreement between the Federal Government and TPLF, the government returned 98% of the IDPs sheltered in the Tigray, Amhara, and Afar Region to their original places. However, the damage and destruction caused by the Conflict still need to be repaired.⁶⁵

These figures for returned IDPs indicated that the government focuses on return as a durable solution, and the protection of human rights and the returning process become subject to

⁶¹ Conflict-induced IDPs from Somalia, Oromia, and west Guji more than two million individuals from 2017 to 2019, which cost more than 50% of conflict-induced IDPs in the Country

⁶² International Organization for migration displacement tracking matrix, Ethiopia national displacement Report round 18

⁶³ Ethiopian News Agency, Retrieved on September 2022, available at [Top Official of TPLF Admits Attacking Northern Command | Ethiopian News Agency \(ena. et\).](#)

⁶⁴ OCHA Services, Ethiopia Displacement - Northern Region Tigray -IDPs - Site Assessment - [IOM DTM], retrieved December 2022, from, [Ethiopia Displacement - Northern Region Tigray -IDPs - Site Assessment - \[IOM DTM\] - Humanitarian Data Exchange \(humdata.org\)](#)

⁶⁵ UNICEF Ethiopia Humanitarian Situation Report No. 7, Retrieved March 2023, available at [Ethiopia Humanitarian Situation Report No. 7, July 2022.pdf \(unicef.org\)](#)

contestation.⁶⁶ In the process, it was noticed that the government's responses had been mostly reactive and focused on lifesaving humanitarian actions; the fundamental human rights of the IDPs, including the right to life, health, food, property, movement, participation, compensation, education, and non-discrimination, were compromised.⁶⁷ In the three phases of the displacement, IDPs encountered different types of human rights violations such as killing, injury, property loss and destruction, SGBV cases, and movement restriction, and there were different gaps in the government and humanitarian organizations' responses.

More than 45% of the displaced people stayed out of camps and lived with the local communities, and the community and their relatives covered their expenses, while the others lived in camps.⁶⁸ This dispersed living conditions of the IDPs exacerbated the challenges in responses of the government and humanitarian partners in addressing the needs of the IDPs.

To this end, the Ethiopian government has established the Ministry of Peace (MoP) in addition to the National Disaster Risk Management Commission (NDRMC) in response to the increasing violence and displacement.⁶⁹ However, there needs to be more clarity regarding the roles and responsibilities of the MoP and the NDRMC in the human rights protection and assistance of conflict-induced IDPs. Legislatively, the MoP has the primary responsibility for conflict-induced IDPs; however, the structure of the ministry is limited to the federal level. On the other hand, the NDRMC is responsible for all types of displacement and has established its structure at regional levels. This has created ambiguity in the power and role relationship between MoP and NDRMC.

⁶⁶ The Guardian (2019), *Go and we die, stay and we starve*; the Ethiopians face a deadly dilemma. Retrieved 10/2/2019 from <https://www.theguardian.com/global-development/2019/may/15/go-and-we-die-stay-and-we-starve-the-ethiopians-facing-a-deadly-dilemma>

⁶⁷ Supra note 40

⁶⁸ International Organization for Migration, *Placing IDPs on the map in Ethiopia and beyond*, Retrieved 1/31/2019 from <https://weblog.iom.int/placing-idps-map-ethiopia-and-beyond>.

⁶⁹ Supra note 49, p. 14

Ethiopia signed the Kampala Convention in 2009 and ratified it in 2020.⁷⁰ In some instances, the government held that the existing domestic legal and policy frameworks were enough to address the needs of IDPs.⁷¹ In 2013, Ethiopia enacted a national policy and strategy on disaster risk management; however, the policy emphasizes disaster-induced IDPs, and the responses and human rights protection of conflict-induced IDPs need to be clarified. Recently, the MoP, in collaboration with other countries and UN agencies, adopted a conflict early warning system and launched a durable solution strategic initiative to address the needs of IDPs in general and conflict-induced IDPs in particular. Additionally, in 2022, the Ministry of Peace that is assigned to domesticate the Kampala Convention, in cooperation with the Ministry of Justice, has established a committee composed of different international, UN Agencies and National Organizations and has prepared a draft proclamation on the protection and assistance of Internally Displaced Person in the Country. However, without a clear policy, laws, and institutional frameworks⁷² Such an initiative seems like "putting the cart before the horse."

Hence, the practice so far has made the response and protection of the rights of IDPs in Ethiopia vague and unpredictable. Unlike refugees, the issues of conflict-induced IDPs and IDPs in general are blurred and not exclusively addressed by the federal or regional constitutions or legal instruments.⁷³ The FDRE constitution is silent on the institutional responses towards internally displaced persons. There needs to be clarity on the approach, coordination, response processes, and participation of the international organization towards conflict-induced IDPs in the Country.

⁷⁰ Supra note 6, p. 29

⁷¹ Supra note 40, p. 40

⁷² Ibid

⁷³ Tom Gardner, Shadow falls over Ethiopia reforms as warring's of crises go unheeded, *The Guardian*, Retrieved 4/10/19 from https://www.theguardian.com/global-development/2019/mar/14/shadow-falls-over-ethiopia-reforms-warnings-of-crisis-ignored-abiy-ahmed?CMP=share_btn_tw.

Thus, this research investigated the normative frameworks, institutional arrangement, nature and gravity of human rights violations, and the response to conflict-induced IDPs in the Country, with particular reference to Gedeo-West Guji IDPs and Oromia-Somali internal boundary conflict-induced IDPs.

Therefore, based on the findings, the research has recommended that it is time for the Ethiopian government to revisit its normative frameworks and institutional structure regarding conflict-induced internally displaced persons in the country. Besides, the research forwarded the government's responses, and humanitarian partners should focus on durable solutions rather than engaging in sporadic activities that make conflict-induced IDPs aid dependent. This can be achieved through a right-based approach, and the response should follow the humanitarian-development-peace nexus that makes IDP as a primary participants and the center of every response and government decision.

1.3 Objectives of the Study

The study's general objective was to examine the normative frameworks, institutional arrangements, and responses to Ethiopia's conflict-induced internally displaced persons (IDPs), specifically focusing on the Gedeo-West Guji and Oromia-Somali conflict-induced IDPs.

The study aimed to achieve the following specific objectives.

1. Explore international and national normative frameworks on the rights, protections, and nature of state obligations regarding conflict-induced IDPs.
2. Examine the significant causes and patterns of conflict-induced internal displacement in Gedeo West-Guji and Oromia-Somali internal boundary conflict.

3. Investigate the responses, prevailing practices, gaps, and challenges in protecting the rights of conflict-induced IDPs in the Country and in the case study areas in particular.
4. Examine the coordination approaches and institutional arrangements of the humanitarian partners with federal and regional governments in response to conflict-induced IDPs in the Country.

1.4 Research Questions

Given the above objectives, this study sought answers to the following research questions.

1. Are there effective national, regional, and international normative frameworks on conflict-induced IDPs' rights, protections, and state obligations?
2. What are the causes and patterns of conflict-induced internal displacement in Gedeo-west Guji and Oromia-Somali internal boundary conflict?
3. How the Ethiopian federal and regional government's institutional arrangements are adequate and coordinated in response to conflict-induced IDPs in the Country?
4. What are the responses, coordination approaches, political underpinning, prevailing practices, gaps, and challenges in protecting the rights of conflict-induced IDPs in the Country and the study areas in particular?

1.5 Significance of the Study

The study's findings and recommendations would inspire the government and the concerned organs to grasp a deeper insight into the limitations, gaps, and challenges in the existing policy, laws, and institutional frameworks of conflict-induced IDPs in the Country. Generally, this study has the following contributions:

- ✓ Serve as a source of information for policy and decision-makers at different tiers of government to understand the IDP dynamics, triggers, contexts, and political imperatives and to formulate a comprehensive policy on conflict-induced IDPs in Ethiopia;
- ✓ Help the legislatures to formulate and develop legal and institutional frameworks that perform well-planned and effective responses and protection of conflict-induced IDPs in the Country;
- ✓ Serve as a source of knowledge and information for both academicians and practitioners as the issue is not significantly studied, at least in the context of the specific regions and issues framed in this research;
- ✓ Initiate other researchers to carry out more extensive studies in the area.

1.6 Scope of the Study

This research is limited to conflict-induced IDP situations in Ethiopia from 2017 to 2022. This time was chosen because, since 2017, Ethiopia has witnessed for the first time more conflict-induced involuntary movement of people within its territory than any other country in the world. In the first half of 2018, Ethiopia became the Country with close to 3 million IDPs.⁷⁴ In 2020, the government revealed that most of the IDPs had returned to their original places. In the same year, Ethiopia also ratified the Kampala Convention, and in the following years, it engaged in the domestication processes. Besides, the Ethiopian Durable Solution Initiative was enacted for the first time in 2020. However, in 2022, a new conflict also erupted in the northern part of the Country, and a massive new influx of IDPs was happening.

⁷⁴ Supra note 49

Hence, the government was required to actively engage in the responses and durable solutions of the IDPs. Thus, the research investigated the normative frameworks, institutional arrangement, nature and gravity of human rights violations, and the response towards conflict-induced IDPs in the Country within the specified time frame.⁷⁵

Spatially, the study focused on Gedeo West-Guji inter-communal conflict-induced IDPs living in different sites and hosted by the communities, returning, integrating, and relocating to the Gedeo and West Guji zones. Besides, the study delimited itself to Oromia-Somali conflict-induced IDPs who were living in different IDP sites and hosted by the communities, returning, integrating, and relocating to Oromia and Somali regional states.

1.7 Limitations of the Study

Every research project has its limitations; however, a successful research paper demands the researcher's time, resources, and willingness. This study was conducted between the period 2018 to 2022, during which different international and national disasters happened. COVID-19 was the major challenge that affected the researcher's decision not to freely move, contact individuals, and collect the relevant data from the case study areas. Besides, between these periods, Ethiopia has encountered different national instability and situations of insecurity. The case study areas were the most fragile, and they challenged the researcher to refrain from moving freely and contact internally displaced persons, the host community, and returnees. Accordingly, the researcher was supported by local individuals who know the area's security, culture, and language. Furthermore, more financial support is needed for the researcher, as it prevents the

⁷⁵ The Ethiopian President specified during the opening ceremony of the two houses that most of the IDPs have been returned to their original places and that the government is working towards durable solutions for them. Retrieved 11/20/2019 from <https://www.youtube.com/watch?v=HNYgg6oKya0>.

researcher from expanding its scope, staying more, and collecting relevant data that will serve as robust evidence for the national response mechanisms. Thus, the researcher was forced to focus on specific areas and used its maximum effort to collect the necessary data to show and be evidence for the national experiences in the responses and protection of conflict-induced Internally Displaced Persons in the Country.

1.8 Definition of Key Terms

Internal displacement means the involuntary or forced movement, evacuation, or relocation of persons or groups within the internationally recognized state borders.

IDPs means 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, because of or 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. However, this study primarily focuses on conflict-induced internal displacement, and IDPs in this study refer to conflict-induced IDPs.

Conflict Induced Internal Displacement means any displacement caused by Conflict between individuals, groups, and a community in which individuals are displaced from their original residences or habitual places.

Gedeo-Guji Inter-Communal Conflict is a conflict that erupted in 2018 between West Guji (Oromia) and Gedeo (SNNP) and resulted in a massive number of IDPs.

Oromia-Somali Inter-Boundary Conflict is a localized inter-communal conflict that occurred in 2017 between Oromia and Somali.

Ethnic Conflict means Conflict between two ethnic groups because of resources, internal administrative boundaries, or issues of the right to self-administration.

Durable Solution means according to the Inter-Agency Standing Committee, it is voluntary return, local integration, or relocation of IDPs on a sustainable basis and in circumstances of safety and dignity.

1.9 Research Methodology

The study examined Ethiopia's responses towards conflict-induced IDPs with a specific reference to the Gedeo West-Guji and Oromia-Somali internal boundary conflict-induced internal displacement.

This section presents the research approach and design used to carry out the study, a description of the study areas, and instruments used to collect pertinent data. It also addresses sampling techniques, data analysis, interpretation procedures followed by methods used to check data validity and reliability, and ethical considerations.

1.9.1 Research Approaches and Design

Research approaches are plans and procedures of a research paper that incorporate detailed data collection methods, analysis, and interpretation.⁷⁶ Social science research has three approaches: quantitative, qualitative, and mixed.⁷⁷ A research approach and design can be chosen based on

⁷⁶Creswell, J. W., & Creswell, J. D. (2017). *Research design: Qualitative, quantitative, and mixed methods approach*, Sage Publications, p.31, 2014

⁷⁷ Lune, H., & Berg, B. L. (2016). *Qualitative research methods for the social sciences*, Pearson Higher Ed., p.12, 2017,

the philosophical worldview (research paradigm), the nature of the research problem, the researcher's personal experience, and the audience for whom the research will be written.⁷⁸

This study employed a mix of doctrinal and qualitative research approaches. The researcher used doctrinal methods to examine the Ethiopian normative frameworks on protecting and assisting IDPs vis-à-vis international standards and human rights instruments.

A qualitative approach supported the doctrinal study. The study explored and examined the adequacy, gaps, and challenges of Ethiopian normative and institutional frameworks and the nature and gravity of human rights violations of conflict-induced IDPs in the case study areas.

The researcher used an exploratory case study design to carry out the study. In the qualitative research approach, case study design can be used when the researcher has little control over events and focuses on a contemporary phenomenon within some real-life context.⁷⁹ The case study also helped the research to intensively investigate one or a small set of cases, focusing on many details within each case and the context.⁸⁰

Consequently, the research used a qualitative approach to the case study design and examined vast information on Ethiopians' response to conflict-induced internal displacement in general and Gedeo-west Guji and Oromia-Somali IDPs in particular.

⁷⁸ Ibid

⁷⁹ Shaban, R. (2009). Robert K. Yin, Case Study Research: Design and Methods, Applied Social Research Methods, Volume 5, *Sage Publications Incorporated* (2008), p.1

⁸⁰ Neuman, W. L. (2014). Social Research Methods: Qualitative and Quantitative Approaches: Pearson New International Edition

However, the case study areas might only represent some of the realities of the Country; rather, the researcher used them as an example to provide some pictures of the prevailing practices in the responses and in protecting the rights of conflict-induced IDPs in the Country.

1.9.2 Description of the research areas

Since 1995, Ethiopia has established a federal state structure; constitutionally, there are nine regional government states and two city administrations, and the quest for new regional states is also expanding daily.⁸¹ This case study focused on the Gedeo-west Guji inter-communal conflict-induced IDPs and Oromo-Somali internal boundary conflict-induced IDPs.

The west Guji zone is a 20-Oromia regional state administrative zone. It is bordered by Borena in the south, SNNP in the west, Gnale Darya River in the north, and Somali region in the east.⁸²

Gedeo Zone is one of the previous 14 SNNP administrative zones; Oromia Regional State borders most of its east, south, and west administrative boundaries.⁸³ In particular, its eastern administrative boundary is bordered by West Guji.

The west Guji-Gedeo inter-communal conflict was one of the incidents that happened in 2018 and displaced nearly one million individuals from SNNP and Oromia regional states.⁸⁴ After

⁸¹ Article 47 of the 1995 Ethiopian constitution established a federal state structure with nine regional states: Tigray, Afar, Amhara, Oromia, Somalia, Benshangul Gumuz, the Southern Nations, Nationalities, and Peoples, Gambela, the Harari peoples, and two city administrations: Addis Ababa and Dire Dawa.

⁸² United Nations Office for the Coordination of Humanitarian Affairs, (2019), Gedeo and West Guji Zones Reference Map, Retrieved 10/4/2019 from https://reliefweb.int/sites/reliefweb.int/files/resources/reference_map_of_gedeo_west_guji_a0_kebelledetails_grid.pdf.

⁸³ Ibid

⁸⁴ Global Facility for Disaster Reduction and Recovery report on Ethiopia, Retrieved 10/4/2019 from <https://www.gfdrr.org/en/ethiopia>.

displacement, the IDPs lived under different conditions with the host communities, in the IDP sites and collective centers.⁸⁵

A report released by the Ethiopian government submitted that after the displacement occurred, more than 95% of those IDPs had returned to their original places, either in Gedeo or West Guji Zones.⁸⁶ However, according to the IOM, round 6 Gedeo-Guji special DTM report, there were conflict-induced IDPs sheltered in different areas in both West Guji and Gedeo Zones. In the West Guji Zone, the IDPs resided in seven districts, and the specific areas of this study were Bule Hora, which had 10 IDP sites, and Kerch, which had 20 sites. From Gedeo Zone's eight Districts, the Gedeb awardee was chosen, which had 21 sites, and Dilla town had one IDP site. These conflict-induced IDP sites were selected purposely because of the magnitude of the displacement and the relationship that the IDPs had with the host communities.

The second case study of this research focused on the Oromia-Somali internal boundary conflict-induced internal displacement. Oromia-Somali internal boundary conflict erupted in the second half of 2017, accounting for nearly one million individual displacements in different parts of the Oromia and Somali Regional States.

The Fafan zone is one of the 11 zones of the Somali Regional State; it has seven districts. Babile District and Jigigiga City Administration were chosen purposely, as the former had seventeen IDP sites and the latter one.

⁸⁵ Ibid

⁸⁶ United Nations Office for the Coordination of Humanitarian Affairs, (2018), *Ethiopia video-west goji displacement crises, situation update no.8*. Retrieved 11/20/2019 from https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/situation_update_no8_gedeo_and_west_guji.pdf.

In addition, to return and integrate, the Oromia Regional Government relocated the IDPs to eleven special zones near Addis Ababa. Thus, to examine the government's response to the relocated IDPs and the durable solutions, a Legetafo special zone of the Oromia regional state was identified as another research site for this study.

1.9.3 Sources of data, data collection instruments, participants of the study, and sampling techniques

This study used a mix of primary and secondary data. The primary data was collected through in-depth interviews, structured focus group discussions, and observation. An interview is one of the most critical data collection instruments and sources of information in a case study.⁸⁷ It helped the researcher to explore the experiences of the respondents as well as their opinions about the events.⁸⁸ Accordingly, the researcher conducted in-depth interviews and explored the IDPs' experiences regarding government decisions and the protection of their rights. Besides, the researcher examined the joint response of national and international organizations through keynote interviews, focus group discussions, and observations.

In this research, participants were included from Oromia-Somali conflict-induced IDPs who resided in different sites, integrated, relocated, and returned to Oromia and Somali Regional States and IDPs who were displaced because of Gedeo-West Guji conflict and resided in different IDP sites, and integrated, relocated and returned to Gedeo and West Guji Zones.

Thus, conflict-induced IDPs residing in Babile District, Jigjiga City Administration, Bule Hora District, Kerch District, Gedeb District, Dilla Town, and Legetafo Oromia Special Zone were

⁸⁷ Yin R. K. (2003). *Case study research design and methods*. Sage Publication, third edition, p. 91

⁸⁸ Ibid

participants. Specifically, the study chose two conflict-induced IDP sites in Babile District, one conflict-induced IDP site in Jigjiga City Administration of Somali, and one conflict-induced IDP site in the Legetafo special zone of Oromia Regional State. In addition, the specific sites of this study were two IDP sites from Kerch District, one from Bule Hora District, two from Gedeb District, and one from Dilla town.

The researcher purposely selects these conflict-induced IDP sites because of the causes and magnitude of the displacement, the type of durable solutions espoused by the government, and the nexus between the IDPs and the host communities.

Besides, to explore the major causes and pattern of conflict-induced IDPs in the Country and to examine the responses, the researcher had interviews with participants from Federal Government officials such as Ministry of Peace (MoP), National Disaster Risk Management Commission (NDRMC), Ethiopian Human Right Commission (EHRC), Ethiopian Red Cross Society (ERCS), Internally Displaced Persons Advisory Groups (IDPsAG) and other concerned regional organizations including regional DRM Bureaus.

Furthermore, to investigate the normative frameworks on the rights of conflict-induced IDPs in the Country, individuals from the House of Peoples' Representative, the Ministry of Justice, and the Ethiopian Ministry of Foreign Affairs (EMFA) were interviewed as participants of this study.

To examine the joint response of national and international organizations to conflict-induced IDPs, key information resource persons from international organizations who were directly or indirectly involved in response measures focused on IDPs like International Organization for Migration (IOM), United Nations Office for the Coordination of Humanitarian Affairs

(UNOCHA), United Nations Development Program (UNDP), United Nations High Commissioner for Refugees (UNHCR), United Nations High Commissioner for Human Rights, United Nations International Children's Emergency Fund (UNICEF) were identified and engaged as participants of this study.

The sample size of the study participants and displaced interviewees was determined based on the criteria of redundancy and gender representation. Accordingly, taking the principle of data saturation into consideration, 32 Key Informant Interviews were made with the focal persons of different government organizations, NGOs, INGO, and UN agencies that are working with internally displaced persons to identify the government and humanitarian partners' responses to the needs of IDPs. Besides, 64 (42F/22M) Key Informant interviews were conducted with IDPs in sheltering camps, living in the host community, relocated, reintegrated, and returned to their original places. Furthermore, 14 Focus Group Discussions were made with 108 (72F/36M) participants to identify IDPs' lived experiences and human rights protection.

The researcher also explored legal texts, policy instruments, documents, and scientific literature on the issue under investigation as a secondary data source.

1.9.4 Data Analysis and Interpretation

The research has systematically organized, interpreted, and examined the collected data to identify the same patterns and create relationships among the specific details.⁸⁹ This helped the research connect particular data to concepts, advance generalization, and identify broad trends and themes regarding the causes and patterns of conflict-induced internal displacement.⁹⁰ In

⁸⁹ Supra note 80, p.477

⁹⁰ Ibid

qualitative research methods, there are different procedures for data analysis.⁹¹ In this study, the researcher followed interpretative procedures in which human activity was seen and considered a collection of symbols expressing layers of meaning.⁹² The data gathered through interviews, focus group discussions, and observation are transcribed into written text for analysis and interpretation. The researcher used interpreters during the interviews and FGD. Accordingly, the research attempted to answer the research questions and address the objective of the research paper.

Thus, in doing this, the research followed the primary data analysis steps and went through organizing and preparing the data, coding the data, developing Description and thematic analysis, representing the findings in tables, graphs, and figures, and interpreting the findings. These interpretations involved stating lessons learned, comparing the findings with past literature and theory, raising questions, and lastly, the way forward for the effective responses and human rights protection of conflict-induced IDPs in the Country.

1.9.5 Reliability and validity

To ensure the reliability of the study, the researcher has prepared a clear interview guideline, FGD, and observation checklist before the commencement of the fieldwork. Besides, to ensure the credibility of this study, the researcher employed a validating strategy like triangulation and spent a prolonged time in the field. The researcher spent more than a month in each case study area, although the limited budget was the major constraint. Besides, the research has collected data from different sources and can observe the specified areas physically.

⁹¹ Supra note 76, p.183

⁹² Ibid

1.9.6 Ethical Considerations

The research emphasized the personality and dignity of the study participants. To respect the principles of confidentiality, the names and personal histories of the participants were kept confidential. To this effect, the researcher strictly adhered to ethical issues and scientific rules of qualitative data collection methods and the research guidelines of Addis Ababa University. Hence, in doing this, the research mentioned only the Institutions, dates, and data collection areas.

1.10 Review of Literature

Internal displacement is one type of forced migration in which individuals are abruptly uprooted and become susceptible to dire conditions against their will.⁹³ IDPs are sheltering within the boundary of the state, and the government has the primary responsibility to address the plights of the IDPs.⁹⁴ During displacement, IDPs would encounter and face different types of human rights violations. The state is primarily responsible; international organizations and the host community would support the government initiatives.

Globally, the international community need to pay more attention to the issue of internal displacement and IDPs. It was in the 1990s that the issue became a global agenda. However, no binding comprehensive international instruments directly dealing with internal displacement and IDPs exist. No international institution is principally responsible for protecting the rights of IDPs, such as UNHCR for refugees or IOM for migration. This implies that the subject of

⁹³ Supra note 2

⁹⁴ Supra note 4

internal displacement needs to develop better and needs to be addressed by the international community. There are also challenges in accessing enough literature in the area.

In Ethiopia, the issue of internal displacement has existed extensively for the last decades; however, it needs to be better developed, and there needs to be abundant literature on conflict-induced internal displacement. The following are some of the research, working papers, articles, and student thesis that attempted to address the plights and human rights protection of IDPs, which have gaps in their scope and methodologies.

In 2007, Mesfin Araya conducted a study on "the health conditions of post-conflict IDPs in Ethiopia".⁹⁵ The research mainly focuses on the health conditions of IDPs who were displaced because of the Ethiopia-Eretria war in 2000. The research found out that the Horn of Africa is one of the hot spots of internal displacement in the region and globally, and every year, millions of individuals are displaced and become susceptible to different types of human rights violations and psychological trauma.⁹⁶

The research argued that relocating the displaced from isolated shelters in the community has dual advantages. First, it can reduce unnecessary wastage of resources for shelter and would enhance quicker emotional rehabilitation of the IDPs.⁹⁷ Second, the research mentioned that continental and international institutions like the AU and the UN bodies should give priority to psycho-social intervention programs alongside the provision of material support and shelters to avoid further physical attacks by the victors /persecutors.⁹⁸ The research is limited to addressing

⁹⁵ Mesfin Araya, (2007). Post-conflict internally displaced persons in Ethiopia, Mental distress, and quality of life about traumatic life events, coping strategy, social support, and living conditions, *Department of Psychiatry, Faculty of Medicine, Addis Ababa University, Addis Ababa, Ethiopia*

⁹⁶ Ibid

⁹⁷ Ibid

⁹⁸ Ibid

the mental distress and quality of life of Ethiopia-Eritrea war post IDPs. It failed to address the normative frameworks and institutional arrangements for the IDPs in the country. Besides the research also conducted at the time, there was a limited number of IDPs in the country, and the scope and time were limited.

In 2018, Mehari Taddele prepared a working paper focusing on the causes, dynamics, and consequences of internal displacement in Ethiopia. The research attempted to address internal displacement as one of the prominent challenges in Ethiopia. Natural-induced displacement, conflict-induced displacement, and development-induced displacement were the leading causes in the Country.⁹⁹ The research found that conflict-induced displacement increased occasionally, particularly after an established ethnic-based federal state structure.¹⁰⁰ The research mentioned that inter-ethnic conflicts have been increasing locally with the political transformation brought about by establishing the federal system in 1991. According to Mehari, conflict-induced internal displacement occurred because of different factors, mainly based on the quest for recognition of separate ethnic identities and weaknesses of the constitution and the federal state structure. Besides, religious conflicts were a source of conflict-induced internal displacement.¹⁰¹ The research also attempted to address the socioeconomic characteristics and core needs of IDPs and the host communities. Hence, the research argued that the host communities and the government of Ethiopia preferred the return of IDPs rather than other available forms of durable solutions. Thus, more than 92% of IDPs in Ethiopia have returned to their areas of origin in less than a year.¹⁰² The research argued that the official position of the government is to discourage the recognition and institutionalization of the existence of IDPs. The government considered the

⁹⁹ Supra note 8

¹⁰⁰ Ibid

¹⁰¹ Ibid

¹⁰² Ibid

existence of internal displacement as an indicator of the failure of the state to prevent and respond effectively.¹⁰³

However, Mehari must comprehensively address and examine the normative frameworks of internally displaced persons in Ethiopia, including the recently ratified Kampala convention. Besides, the research was limited in its methodology; it is a doctrinal paper and does not address the prevailing practices.

In 2018, Arbbow researched for a master's Degree entitled "The Role of the African Union in Addressing the Lack of Legal Protection afforded to Internally Displaced Persons in Ethiopia."¹⁰⁴ The research attempted to assess a solution to Ethiopia's lack of legal protection for IDPs. It examined the legal aspect of internal displacement crises in Ethiopia and explored whether the African Union could solve this problem. The research affirmed that the Kampala Convention covers some legal lacunae for protecting internally displaced persons in the country.¹⁰⁵

However, Arbbow's research did not examine the institutional frameworks in addressing conflict-induced displacement in Ethiopia. The research generally attempted to examine the lack of legal protection for all types of displacement and failed to examine conflict-induced internal displacement specifically. Besides, the research was conducted in 2018, during which Ethiopia still needed to ratify the Kampala Convention; it needed to examine the ratification proclamation closely. The research did not practically examine the government responses or focus on the causes; it mainly dealt with the lack of legal protection and argued that solving the legal lacuna of internal displacement would solve the operational and political aspects of the displacement;

¹⁰³ Ibid

¹⁰⁴ Supra note 41

¹⁰⁵ Ibid

however, without identifying the causes of the displacement, it is difficult to solve the displacement situation. Methodologically, the research focuses on doctrinal research and examines information from secondary sources. Furthermore, the scope was limited from 2015 to 2018.

Enguday Meskele also addresses the adequacy of domestic legal and policy frameworks responding to the needs and vulnerabilities of internally displaced persons in Ethiopia.¹⁰⁶ The article specified that internal displacement has been an ongoing challenge in Ethiopia for many years. Conflict over resources and local boundaries, combined with recurrent drought and seasonal floods, generates many displacements every year.¹⁰⁷ Hence, the article specifies that the government attempted to take several measures, from establishing a ministerial task force (entrusted with addressing the displacement crises) to setting up emergency operation centers in the affected areas.¹⁰⁸

The government also adopted a strategic plan to address internal displacement and a coast rehabilitation plan in 2019.¹⁰⁹ Hence, the plan's overall objective was to ensure the voluntary, safe, dignified, and sustainable return or relocation of these persons displaced by inter-communal Conflict in different regions of the Country.¹¹⁰

However, the article mainly focuses on the law and legal framework and does not comprehensively examine the institutional arrangements and prevailing practices. Besides, the article did not examine the ratification proclamation of the Kampala Convention.

¹⁰⁶ Meskele Ashine, E. (2021). The Adequacy of Law and Policy Frameworks on Internal Displacement in Ethiopia: A Critical Appraisal. In: Adeola, R. (eds) National Protection of Internally Displaced Persons in Africa.

¹⁰⁷ Ibid

¹⁰⁸ Ibid

¹⁰⁹ Ibid

¹¹⁰ Ibid

In 2019, Yigzaw Gedifew and Abitew Endalsas wrote an article on "the causes and impacts of internal displacement in Ethiopia."¹¹¹ The researchers explored the causes and impacts of internal displacement in Ethiopia. They employed qualitative research and collected data from secondary sources.¹¹² The article argued that internal displacement deprived innocent persons of access to food, shelter, and medicine and exposed them to dire conditions.

The research examined the significant causes of internal displacement in Ethiopia. They also addressed the significant socioeconomic and psychological impacts of internal displacement in the Country. Hence, the article mentioned that recently, there was an increasing number of persons or groups who were forced to flee their homes and habitual residences because of communal violence or ethnic conflict/tension, governance crises such as poor security, and as a result of natural disasters.¹¹³ Thus, the article specifies that internal displacement affects IDPs, the local and host communities, the state, neighboring regions, and natural ecology.¹¹⁴ Besides, it forced people from their homes and deprived them of shelter and basic protections.

The article employed a doctrinal research method and limited it to the causes and impact of internal displacement. Besides, it did not address the normative frameworks, institutional structure, and prevailing practices.

In 2019, Wakgari Kebeta wrote an article in 'The Protection of IDPs in Ethiopia: Leave No One Behind'. The article tried to identify the gaps in the normative and institutional structures. However, it is doctrinal research and methodologically limited. It did not examine the prevailing practices and government responses.

¹¹¹ Yigzaw, Gedifew and Abitew, Endalsas, (2019). Causes and impacts of internal displacement in Ethiopia,

¹¹² Ibid

¹¹³ Ibid

¹¹⁴ Ibid

Furthermore, in 2019, Tesfaye Tola conducted his master's thesis on 'State obligation for the protection of the rights of IDPs: in case of Oromo people displaced from the Ethiopian Somali region,' And in 2020, Abdi Mohammed conducted his master's thesis on 'The Protection of IDPs in Ethiopia: The Analysis of Legal and Institutional Frameworks .'Nonetheless, these papers did not comprehensively examine the government response processes. They are limited in scope and did not address the existing normative frameworks, including the recently ratified Kampala Convention.

Therefore, all the above research states that the issue of internal displacement was pervasive in the Country. However, the research should have comprehensively addressed the issue under investigation. Thus, this research attempted to comprehensively address the plights of internally displaced persons in Ethiopia by examining the normative frameworks, institutional structure, and prevailing practices.

The research examined Ethiopian normative frameworks, including laws, policies, strategies, and initiatives in protecting internally displaced persons and the institutional structures in response to conflict-induced internal displacement. Furthermore, the research has examined the prevailing practices and the responses of national and international actors, mainly focusing on the Oromia-Somali and Gedeo-West Guji Conflict-induced internal displacement.

1.11 Organization of the Research

This research is organized into seven chapters. Chapter one deals with an introduction comprising the Background of the research, a statement of the problem, research objectives, research questions, significance of the research, the scope of the research, research methodology, and a review of related literature. In this chapter, the research clearly shows the study's rationale,

the gaps investigated, and the methodology employed. Hence, the research chooses the proper methodology and seeks answers to the recurrent challenges of conflict-induced internal displacement in the country and the response mechanisms toward the adequate human rights protection of conflict-induced IDPs.

The subsequent chapter examines issues of understanding internal displacement and internally displaced persons. It includes an introduction, the causes and pattern of internal displacement, the human rights protection of IDPs in displacement settings, durable solutions to internally displaced persons, a theoretical framework, and a conceptual framework. In this part, the research attempted to give an overview of internal displacement and its causes. It emphasizes conflict-induced internal displacement and the durable solution of IDPs. The research also depicts the theoretical and conceptual frameworks that showed the direction in which the issue was investigated.

Chapter three is devoted to the international and Ethiopian policy and legal frameworks for responding to and protecting conflict-induced IDPs. This part addressed the international and national normative frameworks towards internal and conflict-induced internal displacement. The research examined relevant binding and non-binding laws, strategies, policies, and initiatives that serve as a legal framework for the human rights protection of conflict-induced IDPs and their gaps.

The contexts of internal displacement and conflict-induced IDPs in Ethiopia are addressed in Chapter Four. This part mainly focuses on the two case studies' conflict setting, patterns, and triggering factors - the 2017 Oromia-Somali conflict-induced internal displacement and the 2018 Gedeo-West Guji conflict-induced internal displacement. The study has examined the causes and

patterns of recurrent conflict-induced internal displacement in Ethiopia and the specified areas. The study also linked the theoretical frameworks with the findings and identified that, in most cases, specific conflicts escalated into structural ones and became the cause of the massive internal displacement in the country.

Chapter Five focuses on the prevailing practices and identifies grave human rights violations the IDPs encountered before, during, and after the displacement. In this part, the study practically examines the government and humanitarian organizations' response and the human rights protection of conflict-induced IDPs in the specified areas. Accordingly, some fundamental rights, from registration to durable solutions, were identified and assessed in line with the relevant normative frameworks.

Chapter Six addresses the international and national institutional response mechanisms and the human rights protection of conflict-induced internal displacement in the Country. Hence, the essential characteristics of the national response mechanism, the federal government's institutional arrangement and responses, the regional governments' institutional structure and responses, the protection approach and coordination mechanisms, and gaps and limitations are discussed.

Finally, chapter seven deals with key findings, conclusions, and possible recommendations for effective responses and the human rights protection of conflict-induced IDPs in Ethiopia.

Chapter Two: Understanding Internal Displacement and Internally Displaced Persons

The chapter expounded upon the concept of internal displacement and internally displaced persons, providing comprehensive overviews of the causes of internal displacement and conflict-induced internal displacement. It also delved into the theoretical and conceptual frameworks the study utilized in the subsequent chapters.

2.1 Introduction

The term displacement is the movement of individuals within or out of the territory of one country.¹¹⁵ Before the 1960s, the concept of internal displacement was not a topic of international concern, marking a significant shift in global discourse and policy.¹¹⁶ Even in the subsequent years, the term internal displacement, as opposed to IDPs, has not been defined, although it means the forced movement of individuals within their country.¹¹⁷ This implied that, for an extended period, internal displacement was not a concept that attracted attention and was not also a well-recognized discipline under international law.¹¹⁸

It was in the 1990s that the international community and the United Nations began to give attention to and have prepared the Guiding Principles on internal displacement.¹¹⁹ The Guiding Principles, for the first time, provided a comprehensive definition of internally displaced persons.

¹¹⁵ Maria Stavropoulou (1998). Displacement and Human Rights: Reflections on UN Practice, *Human Rights Quarterly*, Vol. 20, No. 3

¹¹⁶ Ingvild Bode (2014). Francis Deng and the Concern for Internally Displaced Persons: Intellectual Leadership in the United Nations, *Global Governance*, Vol. 20, No. 2

¹¹⁷ Supra note 1

¹¹⁸ Abebe, A. (2017). *The emerging law of forced displacement in Africa development and implementation of the Kampala Convention on internal displacement*. Routledge, Taylor, and Francis Group London/New York

¹¹⁹ Ibid

They identified IDPs as 'persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence. IDPs are individuals who have been displaced as a result of or 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'. This definition, along with the African Union's Kampala Convention, plays a crucial role in shaping the discourse and response to internal displacement.¹²⁰

This definition refers to persons or groups of persons who flee their homes or places of residence in search of safety and security under any circumstances beyond their control. It also characterized IDPs as individuals who have been forced or obliged to leave their homes or places of habitual residence and who do not cross an internationally recognized border.¹²¹

This makes IDPs different from "refugees" who have crossed international borders and have lost the protection of their home country.¹²² Differently, IDPs, having remained in their home country, are entitled to the protection of their government.¹²³ Whatever the structure of the government is, it has a sovereign responsibility to protect and assist internally displaced individuals within its territory.

Internal displacement consists of a three-phase process; before and after displacement. The State should focus on preventing the causes leading to displacement and establishing early warning

¹²⁰ United Nations Office for the Coordination of Humanitarian Affairs OCHA (1998), Guiding Principles on Internal Displacement, Introduction, Para, two available at [Guiding Principles on Internal Displacement.doc \(globalprotectioncluster.org\)](http://www.globalprotectioncluster.org/Guiding_Principles_on_Internal_Displacement.doc)

¹²¹ Ibid

¹²² Roberta Cohen (2006). Strengthening Protection of IDPs: The UN's Role, *Georgetown Journal of International Affairs*, Vol. 7, No. 1

¹²³ The United Nations Refugee Agency (2013), Internal Displacement Responsibility and Action, Handbook for Parliamentarians

systems.¹²⁴ During displacement, the State should focus on protection and assistance for IDPs and affected communities, as well as take steps to resolve the circumstances initially leading to displacement.¹²⁵ The State also has a considerable responsibility post-displacement to find durable solutions for affected IDPs, deliver development and humanitarian assistance, and build sustainable livelihoods.¹²⁶

In the 21st century, the number of internally displaced persons has been on a steady rise, presenting severe humanitarian concerns and imposing significant social and economic costs. This trend highlights the pressing need for effective strategies and interventions to address internal displacement.¹²⁷ Notably, the forced displacement of civilians from their homes has been increasing in the recent past.¹²⁸ IDPs lost social and economic ties and suffered from undesirable physical and psychological hardship.¹²⁹

At the end of 2019, 50.8 million people were recorded as displaced due to conflict, violence, and disasters.¹³⁰ Several million more have also fled because of socioeconomic marginalization and other factors. The problem worsens in the global south; displacement of individuals has become a defining characteristic of sub-Saharan Africa.¹³¹

¹²⁴ Ibid

¹²⁵ Ibid

¹²⁶ Ibid

¹²⁷ Opara, L. C.; Erasmus, D.; Ndimouwuri, L. (2019), Enhancing the protection of internally displaced persons through domestic law and policy, Nnamdi Azikiwe University *Journal of International Law and Jurisprudence*, 10(2), 77-84

¹²⁸ Okoro Paul Mmahi (2016). The Impact Of Internal Displacement On Women And Children In Nigeria, *International Journal of Innovative Research and Advanced Studies (IJIRAS)*, p.6

¹²⁹ Ibid

¹³⁰ Internal Displacement Monitoring Center, retrieved 5/14/2020, from <https://www.internal-displacement.org/countries>

¹³¹ Crisp, J. (2010). Forced displacement in Africa: Dimensions, difficulties, and policy directions. *Refugee Survey Quarterly*, 29(3),

Today, this massive flow of forced migration has become the central challenge in world politics because the causes of internal displacement draw attention to the material drivers of identity politics.¹³² Besides, forced migrations, including internal displacement, activate nationalism by attaching specific rights, resources, and recognition to a particular ethnic group.¹³³

2.2 The Causes and Patterns of Internal Displacement

Internal displacement can result from a variety of complex causes which make IDPs extremely vulnerable to different threats.¹³⁴ Several factors account for the involuntary movement of people to other locations for safety purposes.¹³⁵ These causes are fueled by deep structural problems related to racial, ethnic, religious, and cultural differences.¹³⁶

The Guiding Principles identify some of the leading causes of internal displacement. However, the Principles do not specify an exhaustive list; instead, the phrase "in particular" does not exclude the possibility that other situations might meet the two critical, criteria of involuntary movement within one country.¹³⁷ The Kampala Convention also reaffirmed the causes of internal displacement specified in the Guiding Principles.¹³⁸ The following are some but not the only causes of internal displacement.

¹³² Adam G. Lichtenheld, (2015). *The identity politics of displacement in the Middle East, Rethinking Nation, and Nationalism*, Project on Middle East Political Science

¹³³ Ibid

¹³⁴ Ruth Delbaere, (2017). *Internally Displaced Persons In The African Human Rights System, An Analysis of the Kampala Convention*, Faculty of Law Ghent University, Master's Thesis

¹³⁵ Supra note 13, p.119

¹³⁶ Cathrine Brun, *Research guide on internal displacement*, NTNU Research Group on Forced Migration, retrieved 5/14/2021 from [Possible topics and framework for a research guide on internal displacement \(mnstate.edu\)](https://www.mnstate.edu/research-guide-on-internal-displacement/)

¹³⁷ Supra note 116

¹³⁸ African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), (2009), Article one

Armed conflict, violence, and human rights violations are among the primary causes of internal displacement. These factors often target specific populations, forcing them to flee from their habitual residence. Understanding these root causes is crucial for developing effective responses and solutions to internal displacement.¹³⁹ Such types of displacement are related to conflict, which can be divided into root causes and proximate causes. The root causes can be armed conflict, violence, and human rights violations, which initiate the conflict and its displacement.¹⁴⁰ These causes may emanate from economic, political, and social structural differences. However, the proximate or immediate triggering causes differ depending on the case.¹⁴¹

The Guiding Principles and the Kampala Convention specified that situations of generalized violence and individual human rights violations could result in forced displacement.¹⁴² Safety and security are the primary choices of individuals, and when there is violence, individuals are displaced in search of a better place and protection. Massive violations of human rights also become a cause for the displacement of specific vulnerable groups, including minorities, women, and children.

Other causes of internal displacement include natural and artificial disasters, both rapid and, under certain circumstances, slow-onset disasters, such as those provoked by the effects of climate change.¹⁴³ People are frequently uprooted and forced to flee their homes because of

¹³⁹ Supra note 123

¹⁴⁰ Supra note 136

¹⁴¹ Ibid

¹⁴² See the Guiding Principles definition of internally displaced persons and Kampala Convention article, the definition of internally displaced persons

¹⁴³ Supra note 123

natural disasters such as floods, droughts, storms, hurricanes, tsunamis, volcanic eruptions, landslides, wildfires, and earthquakes.¹⁴⁴

Displacements also occur because of development or environmental protection activities.¹⁴⁵ Irrespective of the size, public or private developmental projects may result in the displacement of individuals.¹⁴⁶ Individuals are forced to evacuate from the areas, and the government may engage in other developmental and environmental activities.

However, today, the sheer number of internally displaced persons in the world is because of human rights violations, conflict, and political persecution of individuals or specific groups.¹⁴⁷

Conflict and violence are some of the leading causes of internal displacement in Africa, and many of these volatile situations are characterized by a severe violation of human rights.¹⁴⁸

2.3 Conflict and Internal Displacement

Large-scale forced displacement inflicted one of the most significant challenges to humanity.¹⁴⁹ Conflict drives the forced displacement of more than 53.2 million people worldwide.¹⁵⁰ Conflict and displacements impact regional, national, and local economies and tear apart communities

¹⁴⁴ Supra note 134

¹⁴⁵ Supra note 123

¹⁴⁶ Supra note 118

¹⁴⁷ Flavia Zorzi Giustiniani (2011). *New Hopes and Challenges for the Protection of IDPs in Africa: The Kampala Convention for the Protection and Assistance of Internally Displaced Persons in Africa*, p. 347

¹⁴⁸ Supra note 134

¹⁴⁹ Muggah, R. (2000). Through the Developmentalist's Looking Glass: Conflict-Induced Displacement and Involuntary Resettlement in Colombia¹. *Journal of Refugee Studies*, 13(2), p.134

¹⁵⁰¹⁵⁰ Internal Displacement Monitoring Center (2019 and 2022), *Global report on internal displacement*, Retrieved 12/14/2022 from [IDMC GRID 2022 LR.pdf \(internal-displacement.org\)](#)

and families. The pattern and dynamics of conflict-induced internal displacement vary from spontaneous and nocturnal to premeditated and permanent situations.¹⁵¹

Conflict and violence can be prompted by various actors, including the government, groups of individuals, and non-state actors.¹⁵² Each group that instigates or participates in the conflict has political, social, and economic rationales. They struggle to maintain varying levels of control and repression to advance their interests.¹⁵³ Hence, conflict becomes one of the main drivers of internal displacement, political gain, and forced migration in general.

In most cases, conflict actors target people deliberately.¹⁵⁴ The displacement and following the flight of individuals are not simply a byproduct of the violence. Instead, displacement is the goal, and violence is the strategy to move people from the land.¹⁵⁵ As a result, when there is violence or conflict, it is usually accompanied by a vast number of internal displacements. In such cases, conflict entrepreneurs run to realize their hidden agenda of political, economic, or social goals.

Ethnic discrimination and exploitation would generate violence and lead to conflicts. Ethnic identity and national attachments have played a significant role in most internal displacement situations caused by conflict.¹⁵⁶ Ethnic violence is one of the significant sources and instigators of conflict.

¹⁵¹ Ibid, p.135

¹⁵²Esparza, D., Lucas, J., Martinez, E., Meernik, J., Molinero, I., & Nevarez, V. (2020). Movement of the people: Violence and internal displacement. *International Area Studies Review*, p. 3

¹⁵³ Ibid

¹⁵⁴ Steel 2017 at Esparza, D., Lucas, J., Martinez, E., Meernik, J., Molinero, I., & Nevarez, V. (2020), Movement of the people: Violence and internal displacement. *International Area Studies Review*, p.4

¹⁵⁵ Ibid

¹⁵⁶Bercovitch, J., & DeRouen Jr, K. (2004). Mediation in internationalized ethnic conflicts: Assessing the determinants of a successful process. *Armed Forces & Society*, 30(2), p.149

Ethnic conflict involves two or more groups who perceive themselves or are told by others to be different and are seen by others as different.¹⁵⁷ Ethnic conflict is broadly used to describe a wide range of internal conflicts.¹⁵⁸ People, nations, communities, or minorities can all be seen as ethnic groups.¹⁵⁹ Ethnic conflicts arise when groups with a separate sense of identity perceive their governing structure as incapable of addressing their basic needs.¹⁶⁰ This can institute conflict over resources, territory, ideology, or other grounds.

Besides, ethnicity as a source of conflict and the cause of internal displacement is associated with the role of ethnic entrepreneurs and elites. Ethnic conflict is influenced by the conception and understanding of the theories/approaches/toward ethnic identification. The primordial and instrumentalist dimension of ethnic identity determination has played an essential role in mobilizing the role of elites in intensifying differences and instigating violence.¹⁶¹ The politics of primordialism relayed with the preexisting group identity and historically entrenched relationships and myths. This creates fertile ground for the instrumentalists to institute unresolved inter-ethnic grievances and cycles of internal displacement.¹⁶²

Thus, more conflict-induced internal displacements have become a humanitarian, human rights, and development concern and an indication of protracted conflict dynamics.¹⁶³ The response process relied only on the humanitarian agenda and abandoned affected societies' human rights,

¹⁵⁷ Ibid, p.148

¹⁵⁸ Ibid

¹⁵⁹ Ibid

¹⁶⁰ Ibid

¹⁶¹ Hussein, J. W. (2015). Analysis of dynamics of politicized collective identity in post-Dergue Ethiopia: A sociological and social-psychological analysis. *International Area Studies Review*, 18(4), p. 389

¹⁶² Ibid

¹⁶³ Costantini, I., & O'Driscoll, D. (2020). Practices of exclusion, narratives of inclusion: Violence, population movements, and identity politics in post-2014 northern Iraq. *Ethnicities*, 20(3), p.482

developmental, and social-political texture.¹⁶⁴ Besides, beyond its humanitarian implications, conflict-induced internal displacement strongly affects the national consensus and developmental process of the State.¹⁶⁵ Foremost, displacement is a fundamental phenomenon affecting the formulation of citizenship, and conflict impairs the relationship between groups and their political community.¹⁶⁶ Therefore, the response to conflict-induced internal displacement has to incorporate the human rights, development, and humanitarian needs of the internally displaced persons and the host communities. It must follow the humanitarian-development-peace nexus. Besides, it must avoid or minimize future conflict and displacement situations.

2.4 Theoretical Framework

No one fit-all theory or approach informs responses toward conflict-induced internal displacement and IDPs. This study uses the nested conflict theory as a theoretical approach to examine the causes of conflict-induced internal displacement in the study sites and Ethiopia in general. The nested theory specified that conflict is not just an incident and occurrence of two groups. Instead, it is the manifestation of societal problems.¹⁶⁷ A particular dispute between individuals and ethnic groups may manifest a prolonged and more profound social conflict.¹⁶⁸ Thus, conflict-induced internal displacement can be resolved by focusing on the structural nature of the conflict.¹⁶⁹

¹⁶⁴ Ibid

¹⁶⁵ Ibid

¹⁶⁶ Ibid, p.485

¹⁶⁷ Maire A. Dugan, (1996). *A nested theory of conflict, A leadership journal: women in leadership-sharing the vision*, Vol.1

¹⁶⁸ Ibid

¹⁶⁹ Ibid

Moreover, as opposed to a needs-based approach, the study preferred a human rights-based approach as the theoretical framework to examine the response process. The needs-based approach considers IDPs to be the beneficiaries of humanitarian aid. It does not specify a definite obligation to the government and humanitarian partners in responding to IDPs.¹⁷⁰ On the other hand, the rights-based approach specifies the obligations of different actors and empowers IDPs as active participants and partners in all responses to their displacement.¹⁷¹ This implies that the response to internal displacement and forced displacement, in general, should follow a rights-based approach, which involves IDPs in the solution.¹⁷² IDPs are often the most vulnerable population of concern in a conflict and face significant challenges in accessing assistance from humanitarian and developmental agencies.¹⁷³ Their human rights are compromised, and the national government and international community frequently neglect them.¹⁷⁴

A rights-based approach integrates the international human rights system's norms, standards, and principles into the policies, programs, and the process of development and humanitarian actors.¹⁷⁵

The rights-based approach identifies right holders and duty bearers and seeks to strengthen the capacity of the rights holders to assert their claims and of the duty bearers to satisfy those

¹⁷⁰ UNHCR, (2008). *Community-based approach*, retrieved 11/7/2019 from <file:///C:/Users/meski/Desktop/47da54722.pdf>, p.17

¹⁷¹ Ibid

¹⁷² Dieng, A. (2017). *Protecting internally displaced persons: The value of the Kampala Convention as a regional example*. *International Review of the Red Cross*, 99(904) p.31

¹⁷³ Bohnet, H., Cottier, F., & Hug, S. (2018). Conflict-induced IDPs and the spread of conflict, *Journal of Conflict Resolution*, 62(4), 691-716

¹⁷⁴ 'Wanninayake, S. (2015), Finding a Residence Place; IDPs Remaining in Host Communities: A case of Sri Lanka. In *3rd International Conference on Innovation Challenges in Multidisciplinary Research Practices* (Vol. 3, pp. 87-96)

¹⁷⁵ Supra note 167, p.68

claims.¹⁷⁶ Moreover, IDPs, as rights holder, can claim their rights and demand from duty bearers for their fulfillment.¹⁷⁷ The State, as the primary duty bearers, has both the moral and legal obligation to respect, protect, and fulfill the human rights of all individuals, including IDPs.¹⁷⁸ The state and humanitarian partner response has to be based on human rights, development, and the peace nexus.

A rights-based approach focuses on participation principles and empowers individuals and communities to promote their rights and comply with their duties.¹⁷⁹ Hence, the State should prevent loss of lives, including loss of economic and social assets, and prevent human rights violations.¹⁸⁰

In addition, the response processes should follow the humanitarian-development-peace (HDP) nexus. The nexus creates inter-linkages between humanitarian, development, and peace actors. It would strengthen collaboration, coherence, and complementarity between these organizations.¹⁸¹ It helps to identify the causes of the conflict, recognizes the value of the life-saving humanitarian operation, and works for durable solutions. Furthermore, it emphasizes promoting local leadership, enhancing good governance, and building institutions.¹⁸² This will minimize the displacement situation, address the rights of the IDPs, and ensure durable solutions.

¹⁷⁶ Ibid

¹⁷⁷ Ibid

¹⁷⁸ Ibid

¹⁷⁹ Supra note 128, P.15

¹⁸⁰ Ibid

¹⁸¹ OCHA services, relief web Responses, Humanitarian-development-peace (HDP) nexus in Cameroon, retrieved on December 2022 available at [Cameroon: Humanitarian-Development-Peace \(HDP\) Nexus in Cameroon | ReliefWeb Response](#)

¹⁸² OCHA services, relief web Responses, the Humanitarian-development-peace nexus: what does it mean for multi-mandated organizations? retrieved on December 2022, available at [The Humanitarian-Development-Peace Nexus: What does it mean for multi-mandated organizations? - World | ReliefWeb](#)

Conflict-induced internal displacement is one type of internal displacement; states have a huge responsibility toward the IDPs. In response to the plights of IDPs, humanitarian and developmental actors should work closely with national and local authorities.¹⁸³ They should adopt a rights-based approach and place IDPs at the center of their focus. Furthermore, the human rights-based approach to internal displacement would lead to greater accountability and empowerment of those involved in the response process and make states accountable for their actions.¹⁸⁴

2.5 Conceptual Framework

The conceptual framework offers a logical structure of connected concepts in the picture or visual display and shows how ideas relate to each other within the theoretical framework.¹⁸⁵ The research refined a conceptual framework that addressed the primary research questions. Accordingly, this conceptual framework pictured an effective response to the country's plight and human rights protection of conflict-induced IDPs.

Internal displacement has become a global phenomenon; individuals are forced to flee within their own countries for different reasons.¹⁸⁶ According to the nested theory, conflict can be of four interrelated types.

Issues-specific conflicts are analytically the simplest and most frequent types of conflict and can occur between or among individuals or groups of any size.¹⁸⁷ Conflict is undeniable in society's

¹⁸³ Ibid

¹⁸⁴ Supra note 170

¹⁸⁵ Ibid, p.17

¹⁸⁶ Internal Displacement Monitoring Center, (2018), Global report on internal displacement, retrieved 11/20/2019 from http://www.internal-displacement.org/sites/default/files/publications/documents/201805-final-GRID-2018_0.pdf, p. 4

day-to-day activities, and it is easily manageable. However, it must be resolved cautiously; otherwise, it will develop and become a source of other types of conflict.

The second one is a rational conflict that emerges from problems related to the interaction and relationship of the parties and their feelings toward each other.¹⁸⁸ In this case, the issues themselves are not the sources of the conflict but the relationship.¹⁸⁹ The issue can be trivial; however, the source of the conflict is the parties' previous relationship.

Sometimes, the source of conflict is beyond the relationship of the particular disputing parties, and it may be institutionalized structurally within the social system.¹⁹⁰ Subsystem structural conflict refers to conflicts emanating from the rules, procedures, and traditions of particular social organizations perceived as inequitable, antiquated, or ineffectual.¹⁹¹ This rule-oriented conflict is the cause of the structural conflict. It is always sub-system-level conflicts that bring inequalities such as racism, classism, and homophobia.¹⁹² This is the primary cause of internal displacement, and sometimes, society might use violence as the strategy, and displacement is the goal. Such a situation also followed and was accompanied by massive violations of human rights.

¹⁸⁷ Supra note 167

¹⁸⁸ Ibid

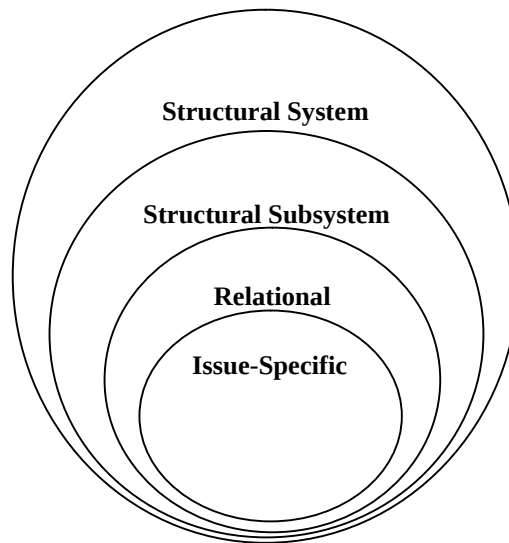
¹⁸⁹ Ibid

¹⁹⁰ Ibid

¹⁹¹ Ibid

¹⁹² Ibid

Figure 2. 1: Nested theory of conflict



(Sources: Meir A. Dugan, “A nested theory of conflict, A leadership journal, women in Leadership-sharing the vision, Vol.1)

Thus, responding to internal displacement is inextricably linked to resolving conflict and building peace in the displaced areas.¹⁹³ An unresolved problem of internal displacement may cause instability and create a vicious circle of internal displacement. The response to the conflict has to be immediate and in line with the sources of the conflict and the type of the conflict. Otherwise, the conflict will escalate to structural problems and might cause massive displacements, loss of individuals, and destruction of properties.

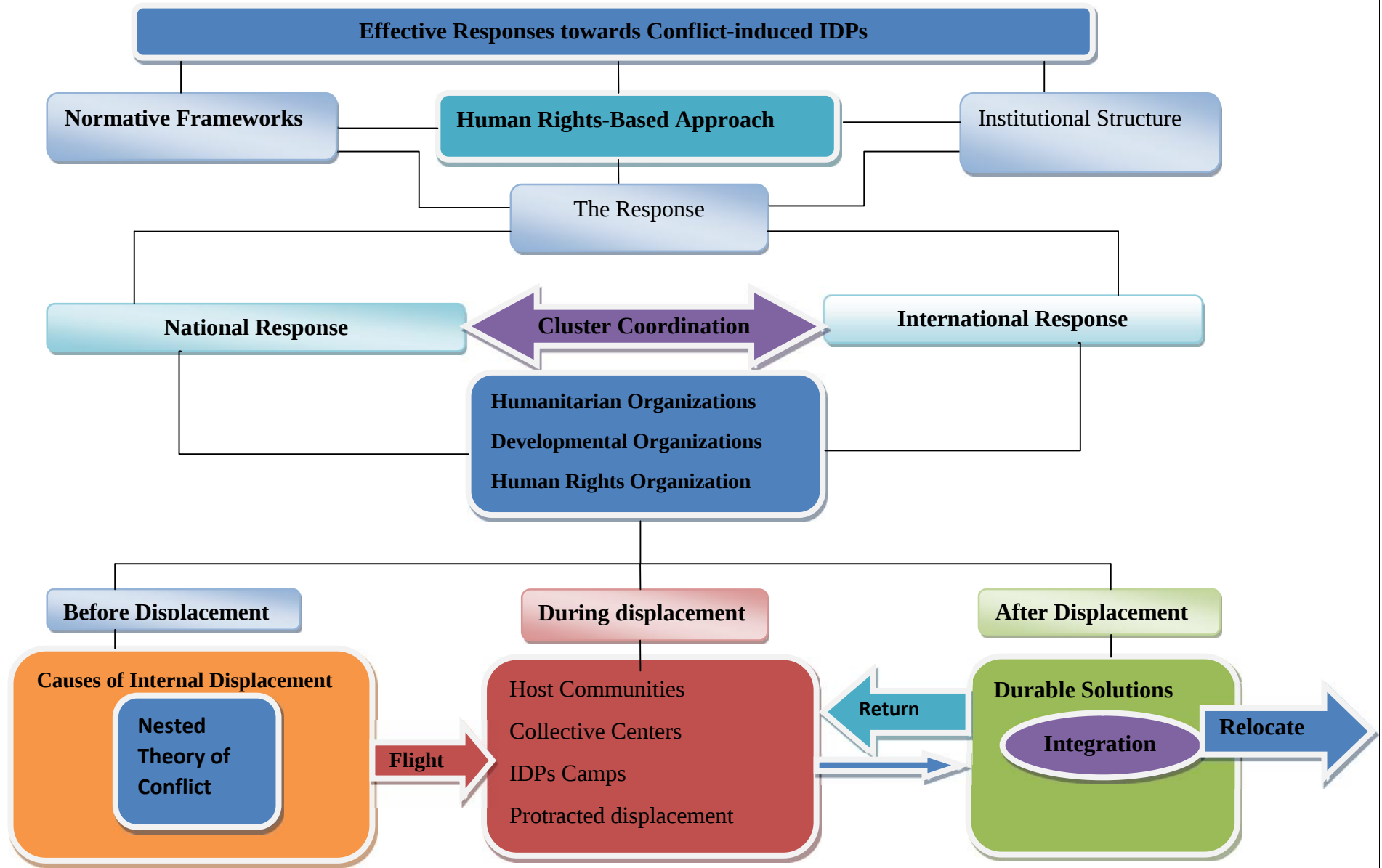
Therefore, countries with proper normative frameworks, precise institutional arrangements, and effective response mechanisms can better address conflict and the human rights protection of conflict-induced IDPs. Besides, responsibilities towards IDPs are not the sole task of the State; instead, they demand the participation of international, national, and non-governmental organizations. Furthermore, effective response shall incorporate human rights, development, and

¹⁹³ Koser, K. (2007). Addressing internal displacement in peace processes, peace agreements, and peace-building. *IDP Newsletter*, p.15

humanitarian actors. In doing this, the human rights of IDPs should be at the center of the government and humanitarian partner's activities.

The following symbolic representation portrays the general conceptual frameworks of the research paper.

Figure 2.2: Pictorial representation of the conceptual framework of the study



Chapter Three: Human Rights Protection of IDPs: International, Regional, and Ethiopian Normative Frameworks

Normative frameworks constitute the fundamental basis for effective responses, the governance of internal displacement, and the protection of human rights for individuals internally displaced by conflict. This section thoroughly examines international, regional, and national legal frameworks. It addresses the inquiry: "Do effective national, regional, and international normative frameworks exist for the rights, protections, and state obligations of conflict-induced IDPs?"

3.1 International and Regional Legal Frameworks

Introduction

Human rights violations are one cause of internal displacement and may occur before, during, and after the displacement.¹⁹⁴ Accordingly, the response to internal displacement should focus on enhancing the human rights protection of IDPs.

Globally, there are no binding international legal instruments or institutions primarily designed to protect internal displacement and the rights of IDPs.¹⁹⁵ General humanitarian law, human rights conventions, and refugee law protect IDPs. Hence, like every human being, IDPs enjoy the same human rights protections provided by international human rights conventions and customary law.¹⁹⁶

¹⁹⁴ Maria Stavropoulou, (1998). Displacement and Human Rights: Reflections on UN Practice, *Human Rights Quarterly*, Vol. 20, No. 3

¹⁹⁵ Okoro Paul Mmahi, (2016). The Impact Of Internal Displacement On Women And Children In Nigeria, *International Journal of Innovative Research and Advanced Studies (IJIRAS)*, p.8

¹⁹⁶ Opara, L. C.; Erasmus, D.; Ndimouwuri, L. (2019), Enhancing the Protection of internally displaced persons through domestic law and policy, *Nnamdi Azikiwe University Journal of International Law and Jurisprudence*, 10(2), 77-84

In contrast to refugees who leave their country of origin to seek protection elsewhere, IDPs remain within the territory of the State, and they need the Protection of the Government.¹⁹⁷ This makes IDPs more vulnerable to different risks because of the dangerous proximity of the violence or the actors that caused them to flee.¹⁹⁸

IDPs may be uprooted for the same reasons as refugees, but they receive markedly less international protection or assistance in most emergencies, and they may receive no help at all.¹⁹⁹ IDPs often have very little voice, few rights under international law, unlike refugees, and unclear political status within their own countries.²⁰⁰ Furthermore, unlike refugees, IDPs do not benefit from a specific international regime; instead, they are subject to the needs of many actors, including UN agencies, human rights organizations, and international and local NGOs involved in assistance, Protection, and development activities.²⁰¹

UN Guiding Principles

The Guiding Principles are the only significant international framework for protecting IDPs.²⁰² The Principles identify the human rights of IDPs and their protection and assistance during displacement, return, resettlement, and reintegration.²⁰³

¹⁹⁷Ingvild Bode, (2014). Francis Deng and the Concern for Internally Displaced Persons: Intellectual Leadership in the United Nations, *Global Governance*, Vol. 20, No. 2

¹⁹⁸ Adam G. Re-thinking Durable Solutions to Forced Displacement Global Trends and New Realities

¹⁹⁹ United Nations Office for the Coordination of Humanitarian Affairs, (1998), Guiding Principles on Internal Displacement, Introduction, Para,2

²⁰⁰ Wanninayake, S. A Brief Conceptual Analysis on Conflict Induced Internal Displacement, Return, and Resettlement, p.126

²⁰¹ Cathrine Brun, *Research guide on internal displacement*, NTNU Research Group on Forced Migration

²⁰²Dieng, A. (2017). Protecting internally displaced persons: The value of the Kampala Convention as a regional example, *International Review of the Red Cross*, 99(904

²⁰³ Okoro Paul Mmahi, (2016). The Impact Of Internal Displacement On Women And Children In Nigeria, *International Journal of Innovative Research and Advanced Studies (IJIRAS)*,p.6

Like every individual, IDPs are entitled to equality without discrimination and have the same rights and freedoms under international and national law as other persons in their country.²⁰⁴ The State is primarily responsible for ensuring the full and equal entitlement of human rights of all individuals on its territory or jurisdiction.²⁰⁵ These State's responsibility to IDPs extends to protect and fulfill human rights at all times, including during armed conflict and natural disasters.²⁰⁶

In protecting and promoting human rights for IDPs, UN agencies and non-governmental organizations (NGOs) have translated the Principles into different languages and provided training on them.²⁰⁷ Local groups worldwide use them as an advocacy tool on behalf of IDPs.²⁰⁸ Regional government bodies in Europe, America, and Africa use them as a monitoring tool for measuring conditions on the ground.²⁰⁹ Besides, UN agencies, NGOs, and other agencies have implemented a cluster approach since 2005 to protect and strengthen the responses to IDPs.²¹⁰

Africa Convention on the Protection and Assistance of Internally Displaced Persons (Kampala Convention)

The African Union Convention on the Protection and Assistance of Internally Displaced Persons (Kampala Convention) is one of the regional binding legal frameworks that protect the rights of

²⁰⁴ The Guiding Principles, Principle 1

²⁰⁵ Ibid, Principle 3

²⁰⁶ Supra note 204

²⁰⁷ Supra note 200

²⁰⁸ Ibid

²⁰⁹ Ibid

²¹⁰ To cover the gaps of international institutions towards the plights of internally displaced persons, in 1990, a consensus was reached by the Inter-Agency Standing Committee (IASC) to establish a collaborative approach. However, in 2005, the collaborative approach was replaced by a cluster approach aiming to establish effective and accountable responses by improving coordination, funding, and leadership. Thus, UN agencies, NGOs, and governments currently use this approach to protect and assist internally displaced persons.

IDPs.²¹¹ It was adopted based on the United Nations Guiding Principles on Internal Displacement and seeks to protect the fundamental rights and freedoms of IDPs by creating a durable solution to their displacement and ensuring that these individuals have an opportunity to lead dignified and productive lives.²¹²

The Convention affirms the panoply of rights IDPs enjoy as individuals under human rights and humanitarian law.²¹³ These include the rights of all persons to be protected from arbitrary displacement, the right to human treatment, non-discrimination, equality, and the right to make informed decisions during return, integration, and resettling.²¹⁴

As a protection instrument, the Convention specifies both the rights of IDPs and boldly states the obligations of state parties.²¹⁵ It specified several concrete measures that national authorities should take to prevent displacement and protect and assist the arbitrarily displaced.²¹⁶ It requires state parties to criminalize acts of arbitrary displacement and prevent discrimination from inhuman and degrading treatment. Additionally, it specified that individuals who commit acts of arbitrary displacement should be held accountable.²¹⁷

The Convention also requires the establishment of national authorities to provide funding to IDPs and facilitate coordination among relevant government agencies and international

²¹¹ Andrew Solomon, (2010). African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, *International Legal Materials*, Vol. 49, No. 1

²¹² Ibid

²¹³ Ibid

²¹⁴ Kampala Convention, Article 2

²¹⁵ Ibid

²¹⁶ Kampala Convention, Article 4

²¹⁷ Ibid, Article 3 (1)

partners.²¹⁸ Moreover, the Convention obligates governments to provide compensation and other reparations to remedy the harm people suffered from displacement.²¹⁹

Thus, once a statement is signed and ratified by the Convention, the implication is that it becomes binding, and states have to develop a national legal instrument.²²⁰

Today, a growing number of states are basing their laws and policies on the Guiding Principles and the Convention, making them enforceable at the domestic level.²²¹ The domestication of the principles into the national legal and political landscape of nations with acute IDP problems is a critical step in building greater national responsibility towards IDPs.²²²

International law and advancing durable solutions for internally displaced persons

Conflict, violence, and disaster caused 59.1 million internally displaced persons, and it has affected more than 141 countries in the world. Accordingly, one person every second is forced to flee inside his/her own country.²²³ Mainly, when the cause of the displacement is a conflict, the displacement situation is not just a number that causes concern. Instead, it represents the life of destitute human beings and demands the support of international and national organizations.²²⁴

Internal displacement causes the breakdown of family structure, affects education adversely, and also causes poor nutrition, poor health conditions, and destructive emotions and virtually affects

²¹⁸ Ibid, Article 3 (2)

²¹⁹ Ibid, Article 10

²²⁰ Ibid

²²¹ Supra note 198

²²² Ibid

²²³ Wanninayake, S. A Brief Conceptual Analysis on Conflict Induced Internal Displacement, Return, and Resettlement, p.126

²²⁴ Ibid

all spheres of life of the victims.²²⁵ Because of the displacement, IDPs suffer a loss of social and economic connections and legitimacy.²²⁶ Hence, the response to internal displacement is not only limited to physical and legal safeguards; it also incorporates the psychological dimension and, more importantly, durable solutions.

IDPs are one of the vulnerable groups of individuals who have the right to a durable solution, and the process demands the participation and assistance of different organs. The Guiding Principles from 28-30 and the Kampala Convention Article 11 set out the rights of IDPs, the responsibilities of national authorities, and the role of humanitarian and development actors to assist durable solutions. The work towards a durable solution will minimize the vulnerabilities of IDPs and strengthen their capacities to enjoy their human rights without discrimination.²²⁷

To realize durable solutions based on the Guiding Principles and Kampala Convention, the Inter-Agency Standing Committee has identified three options based on voluntariness, safety, dignity, and non-discrimination principles.²²⁸ These are the return of displaced persons to their place of origin or habitual residence, local integration in areas where displaced persons have sought refuge, and settlement elsewhere in the country.²²⁹

However, durable solutions must be understood as something other than returning to one's former home or re-establishing the status quo before displacement.²³⁰ Sometimes, the

²²⁵ Supra note 203

²²⁶ Richard Oloruntob & Ruth Banomyong (2018). Humanitarian logistics research for the care of refugees and internally displaced persons A new area of research and a research agenda, *Journal of Humanitarian Logistics and Supply Chain Management* Vol. 8 No. 3

²²⁷ The Brookings Institution – the University of Bern Project on Internal Displacement, (2010), IASC Framework on Durable Solutions for Internally Displaced Persons,

²²⁸ Ibid

²²⁹ The Guiding Principle Article 28 and Article 11 of the Kampala Convention

²³⁰ The Brookings Institution – the University of Bern Project on Internal Displacement, (2010). IASC Framework on Durable Solutions for Internally Displaced Persons,

government and the IDPs may consider returning the best solution, but for different reasons. The authorities encourage return as a political tool for reclaiming territories. In contrast, the IDPs seek only their homes and livelihoods.²³¹ In such cases, the government will return, and the IDP returnees might live in dire conditions or be forced into secondary displacement.

Even when a return is possible, returnees often face several challenges related to land and property rights, infrastructure, and social services.²³² These would force IDPs to choose the other option, which is local integration with the host communities, and this may be a challenge in finding a job or a dwelling to rent because of discrimination against IDPs by the resident population or authorities.²³³ Displaced populations usually suffer marginalization of all types of insecurities, fear, and threats, mainly when they live with the host communities.²³⁴

When people can neither return nor continue to live in the dire camp or other temporary shelters, resettlement is a third alternative. IDPs may require humanitarian, developmental, and financial assistance until they can access their new location's livelihoods, education, and health services.²³⁵

Thus, the mere return, local integration, or resettlement of IDPs are not the end of durable solutions.²³⁶ The options must be feasible, sustainable, and have a long-term focus anchored in political will and leadership.²³⁷

²³¹ Cathrine Brun, *Research guide on internal displacement*, NTNU Research Group on Forced Migration

²³² Ibid

²³³ Ibid

²³⁴ Wanninayake, S. A Brief Conceptual Analysis on Conflict Induced Internal Displacement, Return, and Resettlement, p.126

²³⁵ Ibid

²³⁶ The Brookings Institution – the University of Bern Project on Internal Displacement, (2010). IASC Framework on Durable Solutions for Internally Displaced Persons,

²³⁷ Ibid

Unlike refugees, IDPs have no legal status, and there is no cessation clause for IDPs.²³⁸ The Guiding Principles and Kampala Convention do not establish other grounds for when displacement ends. However, the 1951 Refugee Convention includes cessation clauses for refugees in Article 1 (C).²³⁹ Nonetheless, the Guiding Principle and Kampala Convention are silent on these issues, except for Principle 6(3), which states that "...The displacement shall last no longer than required by circumstances."

However, the Guiding principles are drawn from international human rights law, international humanitarian laws, and refugee laws.²⁴⁰ Hence, the principle of nonrefoulement would be applicable by analogy, and the State must ensure that IDPs are not compelled to return or be resettled in a place where their lives or liberty are at risk.²⁴¹ Accordingly, displacement will end when durable solutions are achieved, and IDPs no longer have needs specifically related to their displacement.²⁴²

Besides, in 2007, the Brooking-Bern project on internal displacement introduced a framework for durable solutions. Hence, in 2010, the IASC²⁴³ The framework asserts that a durable solution will be achieved with long-term safety, an adequate standard of living, access to employment,

²³⁸ Supra note 231

²³⁹ See Article 1 (C) of the 1951 Refugee Convention.

²⁴⁰ Walter Kälin, (2008). Guiding Principles on Internal Displacement Annotations, retrieved 15/3/2022 from [Microsoft Word - 2008_0401_Annotations 2d Ed_FINALfromAnd.doc \(brookings.edu\)](#)

²⁴¹ Orchard, P. (2018). Protecting Internally Displaced Persons: The Role of National Legislation and Policies, St Lucia, Australia: Asia Pacific Centre for the Responsibility to Protect. <https://r2pasiapacific.org/resources-and-training/publications>

²⁴² Supra note 234, 125

²⁴³ The Inter-Agency Standing Committee was created by United Nations General Assembly resolution 46/182 in 1991. It is the longest-standing and highest-level humanitarian coordination forum in the United Nations system. It brings together the executive heads of 18 organizations and consortia to formulate policy, set strategic priorities, and mobilize resources in response to humanitarian crises.

compensation, documentation, and voluntary reunification, participation in public affairs, and an effective remedy achieved for displacement-related violations.²⁴⁴

Therefore, the State is primarily responsible for realizing the above needs of the IDPs, and international humanitarian, human rights, and development actors must support such efforts with a right-based process.²⁴⁵ The right-based process would make the IDPs a participant and beneficiary of durable solutions.²⁴⁶ Accordingly, the response to a durable solution has to follow a humanitarian, development, and peace nexus. The government and humanitarian partners should work on peace-building and development activities in addition to emergency response.

3.2 National Normative Frameworks

Enacting national laws, policies, and strategies on internal displacement would support the government in addressing the challenges of displacement and empower it to have a well-prepared short-term and long-term response plan.²⁴⁷

A comprehensive legal framework is a foundation for effective responses and Protection of internally displaced persons, particularly conflict-induced IDPs. A coherent national instrument that defines IDPs' rights and clarifies state responsibility will improve the responses to protect and assist IDPs.²⁴⁸ It can grant IDPs entitlements based on their situation, protect their rights and

²⁴⁴ OHCHR, IASC Framework on Durable Solutions for Internally Displaced Persons, [UNHCR - IASC Framework for Durable Solutions for Internally Displaced Persons](#)

²⁴⁵ Supra note 236

²⁴⁶ Ibid

²⁴⁷ Global Protection Cluster (2016). "Regulatory Frameworks on Internal Displacement, Global, Regional and National Developments," retrieved 7/20/2020, from <https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR-GPC-Reg-Framework-IDP.pdf>

²⁴⁸ Ibid, P.19

needs, and recognize them as citizens and habitual residents of the State.²⁴⁹ In doing this, national normative frameworks can serve as pillars for a solid response.²⁵⁰

The United Nations Guiding Principles on Internal Displacement and the Kampala Convention emphasize that national authorities are responsible for protecting and assisting internally displaced persons.²⁵¹ Hence, the State is responsible for enacting domestic laws and policies that would serve as a basis for effective government responses. The principal aim of these instruments is to protect the safety, security, and dignity of IDPs vis-a-vis State and non-state actors by ensuring all persons' fundamental human rights and freedoms.²⁵² It also includes the right to a remedy and some form of justice when these rights have been violated.

After a long period of a unitary state, Ethiopia established a federal state structure and a parliamentary system of government in 1995.²⁵³ Ethiopia is constitutionally a federation of nine regional member states and two city administrations delimited mainly based on ethno-linguistic boundaries,²⁵⁴ Though the state formation continues, four additional states are currently formulated.

²⁴⁹ Ibid

²⁵⁰ Ibid

²⁵¹ Ladan, M. (2015). Strategies for adopting the national policy on IDPs and domesticating in Nigeria the African Union Convention for the Protection and Assistance of IDPs in Africa, *Available at SSRN 2649377*, P.4

²⁵² Solomon, A., Gandhi, M., & King Jr, M. L. (2009). Justice, accountability, and the Protection of displaced persons *Documento presentado en Annual Course on Forced Migration Mahanirban Calcutta Research Group*

²⁵³ Habtu, Alem, 'Ethnic Federalism in Ethiopia: Background, Present Conditions, and Future Prospects' (2003) International Conference on African Development Archives Paper 57. https://scholarworks.wmich.edu/cgi/viewcontent.cgi?article=1078&context=africancenter_icad_archive

²⁵⁴ Maru Taddele (2017). *Causes, dynamics, and consequences of internal displacement in Ethiopia*. Working papers. Retrieved 11/20/2019 from https://www.swp-berlin.org/fileadmin/contents/products/arbeitspapiere/Maru_2017_Internal_Displacement_Ethiopia.pdf

In the Ethiopian federal state structure, the federal and State governments have considerable legislative, executive, and judiciary power.²⁵⁵ The 1995 Federal Democratic Republic of Ethiopia Constitution (hereinafter FDRE constitution) specifies the Federal Government's powers and leaves the undesignated power to the regional governments.²⁵⁶

The House of Peoples' Representatives (HPR) of the Federal Government and the Regional State Councils are the legislative organs with a primary mandate to enact laws applicable throughout the country.²⁵⁷ Besides, the Council of Ministers and regional state executive organs may enact policies, strategies, and plans of action to enforce the primary legislation.²⁵⁸ Thus, all laws and policies enacted by the Federal Government have applicability throughout the country and may take precedence over the laws issued by the regional governments.²⁵⁹ The regional states also have the power to make laws on matters within their competence, and this applies only within the territory of the relevant regional states.²⁶⁰

Ethiopia has adopted a mixed legal system that shares common and continental law characteristics. Most of the Ethiopian laws are codified—however, no specific legislation deals with the protection and assistance of internally displaced persons. Instead, different provisions are dispersed in the federal and regional legislation.²⁶¹

²⁵⁵ Article 50 (2) of the FDRE Constitution

²⁵⁶ Ibid. Articles 51 and 52

²⁵⁷ Ibid. Article 55 and Article 50 (5)

²⁵⁸ International Federation of Red Cross and Red Crescent Societies, Ethiopia: Country Case Study Report, How Law and Regulation Supports Disaster Risk Reduction, April 2013, Retrieved 7/20/2020, from https://www.preventionweb.net/files/36213_ethiopiadrrcasestudy201311.pdf, p.14

²⁵⁹ Ibid

²⁶⁰ Article 50 (5) of the FDRE Constitution

²⁶¹ Meskele Ashine E. (2021). "Adequacy of Domestic Legal and Policy Frameworks responding to the Needs and Vulnerabilities of Internally Displaced Persons in Ethiopia: Critical appraisal"

3.2.1. The 1995 Federal Democratic Republic of Ethiopia Constitution(FDRE Constitution)

Ethiopia has undergone different constitutional histories; the 1995 FDRE Constitution is the fourth written Constitution.²⁶² It incorporates the following core issues: human and democratic rights of individuals, the power and responsibilities of the State, and issues related to government policies.²⁶³

The Constitution addressed the issue of internal displacement in two ways. A few of the constitutional provisions specifically deal with internal displacement, while most of them are indirectly applicable to IDPs as individual citizens of the country.

Article 40 of the Constitution recognizes and guarantees the property rights of Ethiopian peasants and pastoralists to obtain land for free and protection against eviction and displacement.²⁶⁴ This provision is paramount for persons affected by development-induced displacement or displacements caused by state-initiated programs. However, this provision is silent on natural disasters and conflict-induced internal displacement. Property rights are far from being protected in the case of natural disasters and conflict-induced internal displacement. Besides, the contrary reading of this article implied that the rights laid down under the Constitution exclude non-pastoralists or non-peasant communities from protection against displacement and the right to get compensation because of the displacement.²⁶⁵ The essence of this article clearly shows that it does not protect conflict-induced internally displaced persons.

²⁶² The 1931 Constitution was the first written Constitution in Ethiopian constitutional history under the regime of Haile Selassie. It was revised in 1955 within the same regime. In 1987, the new Constitution of The People's Democratic Republic of Ethiopia was established by the Derg regime. In 1995, it was replaced, and Ethiopia developed a Federal Democratic Republic Constitution with a federal state structure.

²⁶³ See Chapters Three, Five, and Ten of the FDRE Constitution

²⁶⁴ Ibid, article 40 (4 and 5)

²⁶⁵ Supra note 258

Instead, it protects only pastoralists and peasants displaced by government-initiated development projects.

The other provision of the Constitution that touched upon the issue of internal displacement is Article 44, which claims the right to the environment. The title of this article is defined as the right to a clean and healthy environment. Hence, "All persons who have been displaced or whose livelihoods have been adversely affected as a result of State programs have the right to commensurate monetary or alternative means of compensation, including relocation with adequate State assistance."²⁶⁶ This provision of the Constitution affirms the government's responsibility towards development-induced IDPs.

Thus, the scopes of these two articles are limited to a particular cause of internal displacement, development-induced, and they deal with post-displacement situations. However, development is one and not the only cause of internal displacement; natural disasters, conflicts, and human rights violations result in a massive flow of IDPs.²⁶⁷ Besides, the situation of IDPs will worsen in case of conflict-induced and natural disaster displacement. In case of development-induced displacement in one way or another, the displaced individual is expected to be aware of the cause of the displacement. Nonetheless, in case of conflict and natural disasters, the IDPs are suddenly forced to be displaced, and they might incur different types of human rights violations.

The only constitutional provision that addresses all types and phases of internal displacement is Article 89, sub-Article 3. This provision acknowledges the response to internal displacement as part of the government's economic objectives.²⁶⁸ Henceforth, it has underlined that the

²⁶⁶ Article 44 (2) of the FDRE Constitution

²⁶⁷ See African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), (2009), Article one definitions (K), available at <https://www.ifrc.org/docs/IDRL/-%20To%20add/AUConventionProtectionIDPs2009.pdf>.

²⁶⁸ Article 89 (3) of the FDRE constitution

"Government shall take measures to avert any natural and man-made disasters, and, in the event of disasters, the government has the responsibility to provide timely assistance to the victims."²⁶⁹

Hence, the government is responsible for providing timely assistance before, during, and after displacement, whatever the cause.

However, this provision of the Constitution is different from Articles 40 and 44, which only focus on development-induced internal displacement. There is no other provision that emphasizes government response in case of conflict-induced internal displacement.

Hence, the silence of the FDRE Constitution evokes the issue of jurisdiction and the Federal Government's power toward conflict-induced internal displacement. Article 50 of the FDRE constitution lists the federal government's power and has left the undesignated power to the regional governments. Article 51 (14) of the Constitution specifies that the federal government has the power on issues of immigration, asylum, and refugees; however, it is silent on the case of internal displacement and conflict-induced IDPs in particular. This may raise the question, who has the responsibility to assist and protect the human rights of conflict-induced IDPs?

The Constitution is blurred, and the response of the federal and regional governments could be clearer. The predicament of the IDPs will be worsened when conflict becomes the cause and individuals are displaced from one region to another. In such cases, the Constitution needs to be clearer on the response of the federal government, host/receiving regional government, and sending/home regional government. Conflict-induced IDPs encounter different challenges because of a need for federal and regional government responses and protection.

²⁶⁹ Ibid

On the other hand, conflict-induced IDPs are individual citizens of the country. Chapter Three of the FDRE Constitution states that the human and democratic rights provisions would be equally applicable without reservation to conflict-induced IDPs.²⁷⁰ Besides, Article 9 of the FDRE constitution explains that all international agreements ratified by Ethiopia are considered an integral part of the law of the land. Thus, international and regional human rights instruments and humanitarian laws to which Ethiopia is a party have domestic applications in responding to and protecting conflict-induced IDPs in the country.

Therefore, the lack of direct constitutional provisions on conflict-induced IDPs does not mean that the constitutional provisions, international human rights, and humanitarian instruments have no application, and conflict-induced IDPs need more protection in the country.

3.2.2. The Kampala Convention ratification proclamation No. 1187/2020

In Africa, two pieces of legislation directly relate to the response to internal displacement. The 2006 Great Lakes Protocol on protecting and assisting Internally Displaced Persons is the first legally binding instrument that exclusively addresses internal displacement issues.²⁷¹ However, its scope is limited to member states of the Great Lakes Region, of which Ethiopia is not a part.²⁷²

²⁷⁰ One-third of the FDRE constitution, chapter three from articles 14 to 44, deals with the human and democratic rights of individuals. Conflict-induced IDPs are individuals who reside within the State's boundary and are citizens of the State. Thus, the human and democratic rights of the Constitution will be equally applicable to conflict-induced IDPs, like those of other individuals who are not displaced.

²⁷¹ Abebe, A. M. (2017). *The emerging law of forced displacement in Africa development and implementation of the Kampala Convention on internal displacement*, Routledge,

²⁷² The Great Lakes region members included 11 member states of Angola, Burundi, Central African Republic, Republic of the Congo, Democratic Republic of the Congo, Kenya, Rwanda, Sudan, Tanzania, Uganda, and Zambia.

In 2009, the African Union (AU) adopted the Kampala Convention, a landmark instrument establishing a common regulatory standard for African IDP governance.²⁷³ The Convention comprises 23 Articles and identifies state obligations as a fundamental starting point.²⁷⁴ The Convention specifically addressed the issues of protection against displacement, protection and assistance during displacement, and durable solutions through return, integration, and relocation.²⁷⁵

The UN Guiding Principles on internal displacement are an essential inspiration for enacting the Kampala Convention.²⁷⁶ The Convention has also recognized different human rights instruments in Africa and reaffirmed the rights and Protection of IDPs on the continent.²⁷⁷ It is comprehensive, covering all phases and causes of internal displacement, and follows a human rights- based approach.²⁷⁸ Besides, it details the responsibilities of all actors involved in the response and Protection of IDPs.²⁷⁹ It emphasizes that states bear the primary responsibility and that national legislation is the principal legal basis for protecting IDPs, particularly conflict-induced IDPs.²⁸⁰

²⁷³ Global Protection Cluster (2016). "Regulatory Frameworks on Internal Displacement, Global, Regional and National Developments," retrieved 7/20/2020, from <https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR-GPC-Reg-Framework-IDP.pdf>.

²⁷⁴ Supra note 271

²⁷⁵ Ibid

²⁷⁶ See the Preamble of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), (2009), available at <https://www.ifrc.org/docs/IDRL/-%20To%20add/AUConventionProtectionIDPs2009.pdf>.

²⁷⁷ Supra note 271

²⁷⁸ Maru Taddele (2017). *Causes, dynamics, and consequences of internal displacement in Ethiopia*, Working papers Retrieved 11/20/2019 from https://www.swp-berlin.org/fileadmin/contents/products/arbeitspapiere/Maru_2017_Internal_Displacement_Ethiopia.pdf

²⁷⁹ Ibid

²⁸⁰ Arbouw, M. (2018). *The role of the African Union in addressing the lack of legal protection afforded to internally displaced persons in Ethiopia* (MA thesis, Tilburg University, the Netherlands). Retrieved 11/20/2019 from <http://arno.uvt.nl/show.cgi?fid=146413>,

Ethiopia signed the Kampala Convention in 2009, a decade after it was not ratified until 2020. The government has repeatedly claimed that the existing domestic legal and policy frameworks provide adequate guidance for protecting against and responding to internal displacement.²⁸¹ However, the review of the normative frameworks revealed no adequate and comprehensive national legal framework for dealing with internal displacement, particularly conflict-induced internal displacement.²⁸² Thus, after a decade of being a signatory state, Ethiopia ratified the Kampala Convention in March 2020.

The government has ratified the Convention after more than three million conflict-induced individuals were displaced from different parts of the country. Consequently, the ratification of the Kampala convention aimed to fill the gaps in national frameworks and protect the rights of conflict-induced internally displaced persons in the country.

Though the ratification showed the government's willingness and concern, it ended up with different reservations and declarations.

The preamble states that the ratification proclamation needs to address the current trends of internal displacement in the country and the need to ratify the Kampala Convention. The preamble declares that Ethiopia is a signatory state and has ratified the Convention.²⁸³ The preamble description did not answer why Ethiopia has ratified the Convention. The rationale for its ratification must be adequately acknowledged and recognized initially.

In addition, the Government of Ethiopia has incorporated reservations and declarations regarding different provisions of the Convention. For example, the government has entered a reservation in

²⁸¹ Ibid

²⁸² Ibid

²⁸³ See the preamble of Proclamation No. 1187/2020, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation

Article 12 of the Convention regarding the issue of compensation.²⁸⁴ The ratification proclamation specified that the government would address the issue of compensation when displacement only resulted from expropriation rather than natural and conflict-induced displacement.²⁸⁵ This assertion of the proclamation is related to Articles 40 and 44 of the FDRE constitution. The proclamation also states that the response to natural and man made disasters will be limited to aiding and ensuring rehabilitation by Article 89 of the FDRE constitution.²⁸⁶ This implies that the government's response to developmental-induced and natural disasters and conflict-induced internal displacements is incomparable. The government assumed fewer obligations in response to conflict-induced IDPs.

However, conflict-induced internal displacement is worse than expropriation and development-induced displacement. During conflict-induced internal displacement, individuals could lose their property and flee in any direction to save their lives.²⁸⁷ Besides, in the process of displacement, conflict-induced IDPs encounter different types of human rights violations. Notably, the problem is significant when the State fails to protect the peace and security of its people, participates in conflict, and becomes the cause of displacement.

On the other hand, Article 89 of the Constitution is a common economic objective and gives equal protection for all types and phases of internal displacements. The government is responsible for taking measures before, during, and after the displacements.²⁸⁸ This constitutional provision is not limited to government assistance or the duty to protect. Instead, it incorporates

²⁸⁴ Article 3 (1(a)) of Proclamation No. 1187/2020, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation

²⁸⁵ Ibid

²⁸⁶ Ibid

²⁸⁷ Carrillo, A. C. (2009). Internal displacement in Colombia: humanitarian, economic, and social consequences in urban settings and current challenges. *Int'l Rev. Red Cross*, 91, 527.

²⁸⁸ See article 89 of the FDRE Constitution.

durable solutions for all types of internal displacement. Compensation/restitution is one part of durable solutions that refer to returning lost property to displacement victims, redressing the wrong done, and facilitating return and reintegration in the area of origin.

However, the Ethiopian government blatantly makes reservations on the issue of compensation for conflict and natural disaster-induced IDPs, which is against the essence and the objects of the Kampala Convention that gives equal protection in each phase and for all types of displacement. Thus, this reservation of the Ethiopian government is contrary to Article 21 of the Kampala Convention, which obliges States Parties not to make reservations incompatible with the Convention's object and purpose.

The ratification proclamation also firmly denies the jurisdiction of the African Court of Justice and Human Rights.²⁸⁹ Ethiopia is a founding member of the OAU, which is now the AU. Currently, the government advocates for human rights and transparency as the basis for democracy.²⁹⁰ However, the reservation of government seems to be pessimistic in the protection of the human rights of conflict-induced IDPs. Thus, it has refused the jurisdiction of the African Court of Justice and Human Rights, in which the reservation is against the spirit of the Convention and the principle of transparency and accountability. These types of reservations would affect the Protection of conflict-induced IDPs in the country. For example, conflict-induced displacement occurred after the ratification of the Kampala Convention in different parts of Oromia and Addis Ababa after the assassination of Ethiopian Artist Hachalu Hundessa.

²⁸⁹ Article 3 (1(c)) of Proclamation No. 1187/2020, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation

²⁹⁰ After three years of violent demonstrations in different parts of Ethiopia, the ruling party of the Ethiopian People's Revolutionary Democratic Front (EPRDF) declared that it would pursue reforms, and a new prime minister was elected. The prime minister boldly acknowledged and affirmed that the government will work to protect the human rights of its individuals.

Hence, more than thousands of individuals were displaced and lost their property.²⁹¹ In Shashemene, more than one hundred houses, hotels, and investments were destroyed.²⁹² Moreover, the victims cannot demand compensation or property restoration. Besides, from 2020 to 2022, a conflict between the federal government and the Tigray regional state occurred, resulting in the displacement of many individuals in different parts of Amhara, Afar, and Tigray regional states. Thus, the restoration of those IDPs depends on the political willingness of the federal and regional governments and volunteer individuals rather than the duty of the government. Through reservation, the government has exempted its duty to compensation and restoration. Therefore, in most cases, the government was engaged in premature and forceful return processes that endangered the human rights protection of the IDPs.

The government also specified declarations on the definition of IDPs and affirmed the definition given by the Kampala Convention in Article One (K).²⁹³ This is because, in Ethiopia, no specific national normative framework has defined IDPs except the Somali Regional State Durable Solution Strategy, which references the Guiding Principles.²⁹⁴ Thus, the ratification proclamation declared that the definition of IDPs in the proclamation would serve as the definition of IDPs in the country.

The ratification proclamation also declared that the assistance and protection of the UN, AU, and other humanitarian organizations is based on the prior permission or approval of the Government

²⁹¹ Ethiopian Observer, Ethnically-motivated attacks in Shashemene and elsewhere, <<https://www.ethiopiaobserver.com/2020/07/06/ethnically-motivated-attacks-in-shashemene-and-elsewhere/>> accessed August 13/2020

²⁹² Ibid

²⁹³ Article (3(2(a)) 1(c)) of Proclamation No. 1187/2020, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation

²⁹⁴ The Somali Regional State Durable Solution strategy adopted the definition of the 1998 Guiding Principles and 2009 Kampala Convention as "internally displaced persons are 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 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."

of Ethiopia.²⁹⁵ However, it needs to be made clear which government permission or approval is needed since Ethiopia follows a federal state structure, and the Constitution needs to be more transparent regarding the response of the federal and regional governments towards conflict-induced internal displacement. Besides, the FDRE constitution needs to be clarified as to the extent to which the regional governments will conduct international relations and allow the cooperation and participation of UN, AU, or humanitarian organizations in response to conflict-induced internal displacement in their respective regions. The FDRE constitution specifies that foreign relations are the federal government's power.

The government also declared the role of international organizations, participation, and coordination based on the prior request and arrangement of the government.²⁹⁶ This government declaration negates the principle of sovereign responsibility, which is one of the basic principles of international law, the guiding principles, and the Kampala Convention. States may intentionally be the perpetrators of conflict-induced displacement and lack the capacity and willingness to address the plights of conflict-induced IDPs. In such cases, international organizations are responsible for intervening in state matters and protecting the predicaments of conflict-induced internally displaced persons. However, the government is silent on the issue.

The proclamation declared that aid agencies' participation is based on the government's health, safety, and security preconditions.²⁹⁷ This gives the government the power to condition the cooperation and participation of UN agencies, the AU, or other humanitarian organizations on the government's precaution and will.

²⁹⁵ Article 3 (2(b)) of Proclamation No. 1187/2020, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation

²⁹⁶ Ibid article 3(2(c))

²⁹⁷ Ibid article 3(2(d))

Moreover, the proclamation empowers the Ministry of Peace to cooperate with other relevant organs to follow up and implement the Convention.²⁹⁸ This implies that the Ministry of Peace is responsible for domesticating the Convention and enacting subsequent proclamations and subsidiary legislation. Accordingly, in collaboration with the newly established Inter-Ministerial Task Force, the Ministry of Peace is preparing a draft proclamation on protecting and assisting internally displaced persons in Ethiopia. Nevertheless, the institutional response towards conflict-induced internally displaced persons in Ethiopia is blurred, and the researcher has addressed this issue in Chapter Five.

3.2.3. Ethiopian national policies and strategies

National policies and strategies are normative frameworks that unveil the government's directions toward a specific issue. In the 1970s, Ethiopia enacted the first national policy and strategy on disaster response, which was associated with the establishment of the Relief and Rehabilitation Commission.²⁹⁹ However, the total national Disaster Risk Management (DRM) policy was developed in 1991 after the establishment of the Transitional Government of Ethiopia.³⁰⁰ Hence, in the subsequent years, in 1993 and 1995, the government enacted a relatively detailed national policy, directives, and guidelines on Disaster Prevention and Management (NPDPM).³⁰¹

²⁹⁸ Ibid article 4

²⁹⁹ International Federation of Red Cross and Red Crescent Societies, Law and Regulation for the Reduction of Risk from Natural Disasters in Ethiopia, A National Law Desk Survey August 2012

³⁰⁰ Ibid

³⁰¹ Disaster Risk Management and Food Security Sector Ministry Of Agriculture, Disaster Risk Management Strategic Programme And Investment Framework, 2013, p.14

The 1993 NPDPM focuses on three areas of responses: primary operation modalities in disaster prevention and management, the structure of relief management, and the duties and responsibilities of those persons involved in disaster prevention and management.³⁰²

For the first time, this policy has formally addressed the issue of prevention and preparedness and set out a relatively detailed framework for DRM and Disaster Risk Reduction (DRR) activities in Ethiopia.³⁰³ As a result, the NPDPM and the Directives and Guidelines served as the country's DRM national document for a long time.

However 2007, the Ethiopian government began implementing a business re-engineering process and reviewed the disaster management framework and its structure.³⁰⁴ Subsequently, a new institutional structure (the Disaster Risk Management and Food Security Sector (DRMFSS)) was created within the Ministry of Agriculture and Rural Development.³⁰⁵ Further, the government has enacted a new National Policy and Strategy on Disaster Risk Management (NPSDRM), which, after a long period as a draft document, was adopted in 2013.

The 2013 Ethiopian national policy and strategy on disaster risk management (NPSDRM)

The 2013 NPSDRM is an amendment to the 1993 National Disaster Prevention and Management Policy. The DRM policy provides a comprehensive framework for a disaster risk management system that focuses on multi-hazard and multi-sectorial approaches and measures that need to be taken before, during, and after displacement by establishing a coordinated, accountable, and

³⁰² International Federation of Red Cross and Red Crescent Societies, Law and Regulation for the Reduction of Risk from Natural Disasters in Ethiopia, A National Law Desk Survey August 2012

³⁰³ Ibid

³⁰⁴ Ibid

³⁰⁵ Ibid

decentralized system.³⁰⁶ The policy has brought a paradigm shift by moving away from a disaster management approach that focused on drought and the provision of emergency relief assistance to a more proactive, multi-sectorial, and multi-hazard DRM approach.³⁰⁷ It recognizes Ethiopia as vulnerable to multiple hazards associated with climate and conflict-induced displacements.³⁰⁸ One of the specific objectives of the DRM policy is to prevent and reduce disasters and, when disasters occur, to save lives, protect livelihoods, and ensure all disaster-affected populations are provided with recovery and rehabilitation assistance.³⁰⁹

Moreover, the policy and its associated Strategic Programme and Investment Framework (DRM-SPIF from now on) inculcated essential statements that could boost the reliability of the government's response to internal displacement.³¹⁰ The DRM activities implemented during the per-disaster phase prevented and mitigated conditions that might lead to internal displacement. It also emphasized responses based on early warning or disaster assessment information systems.³¹¹

In addition, the DRM policy lays down general directions and significant implementation strategies for a decentralized DRM system, information management, funding base, international cooperation, and integration of disaster risk reduction into development plans.³¹² The policy has also defined displacement as "the process of people being forced to move from their home to other places because of a natural hazard, war/conflict, and other human-made action."³¹³

³⁰⁶ See the introduction of the 2013 NDRMP, p.3

³⁰⁷ Supra note 271

³⁰⁸ See the introduction of the 2013 DRM Policy, as it has recognized conflicts triggered by different factors as occasionally occurring and causes of internal displacement.

³⁰⁹ See the specific objectives of the 2013 DRM Policy.

³¹⁰ Supra note 271

³¹¹ Ibid

³¹² Ibid

³¹³ See the introduction of the 2013 NDRMP, p.3

The policy recognizes and incorporates conflict and natural disasters as causes of internal displacement in the country.³¹⁴ Nonetheless, the policy fails to define IDPs, and the early warning system was solely prepared to address climate-induced internal displacement by abandoning conflict-induced displacement.³¹⁵ The DRM and its respective strategic program fail to spell out mechanisms to deal with risks associated with conflict, which is the current primary factor causing displacement in the country.³¹⁶

The policy does not offer a sound base for providing protection and assistance needs or durable solutions for IDPs.³¹⁷ Against this backdrop, the Ethiopian government has launched the Federal Government's Strategic Plan to Address Internal Displacement and costed recovery/rehabilitation to ensure a voluntary, safe, dignified, and sustainable return/relocation of people uprooted by conflicts in the seven regions and the one administrative City of Ethiopia.³¹⁸

The 2019 Federal Government's strategic plan to address internal displacement and costed rehabilitation

The Strategic Plan was enacted to fill the policy gaps and respond to the prevailing conflict-induced internal displacement in the country. Henceforth, the strategic plan was enacted to achieve four results.³¹⁹ The first two are related to restoring law and order, ensuring peace and reconciliation, and voluntary return and relocation of conflict-induced IDPs, while the other

³¹⁴ Ibid

³¹⁵ Ibid

³¹⁶ Ibid

³¹⁷ Ibid

³¹⁸ See the objectives of The 2019 Federal Government's Strategic Plan to Address Internal Displacement and a costed Recovery/Rehabilitation Plan.

³¹⁹ Ibid

results are rehabilitation and livelihood support of the IDPs, which demand the participation of different sectors.³²⁰

This instrument is designed to return/relocate/reintegrate conflict-induced IDPs in three phases. The first phase addresses persons displaced within their region of origin and where conditions allow a voluntary, dignified, and sustainable return to be conducted.³²¹ The second phase targets persons displaced from areas where substantial security and rehabilitation of essential services are required before returns.³²² The final phase deals with persons displaced from areas where alternative solutions to returns are preferred, including IDPs whose place of origin is deemed viable for return but who still choose not to return.³²³

However, this instrument is limited in scope as it is designed to address a particular phase of the displacement process: the need to achieve durable solutions.³²⁴ The IDP Strategic Plan was adopted to ensure a voluntary, safe, dignified, and sustainable return/relocation of people uprooted by conflict in different parts of the country.³²⁵ It has been targeted to return 80% of conflict-induced IDPs to their areas of origin, while 15% of the total conflict-induced IDPs will be reintegrated into current areas of displacement, and 5% of the total conflict-induced IDPs will be relocated to other areas.³²⁶ However, this target was made by the government authorities without considering the principles of voluntary participation, safety, dignity, and non-discrimination of IDPs.

³²⁰ Ibid

³²¹ Ibid

³²² Ibid

³²³ Ibid

³²⁴ Supra note 271

³²⁵ Ibid

³²⁶ The 2019 Federal Government's Strategic Plan to Address Internal Displacement and a Costed Recovery/Rehabilitation Plan

Apart from the IDP strategic plan for 2019, Ethiopia has yet to have either national law or national policy that guides the search for durable solutions, except for the 2020 National Durable Solution Initiatives. Besides, the IDP strategic plan has several limitations that may affect its potential to address the displacement crisis sustainably. First, the IDP strategic plan of 2019 addresses durable solutions only for conflict-induced IDPs.³²⁷ Thus, this instrument only provides a little support for persons displaced by climate change-related factors. Secondly, it does not state the rights of IDPs, including access to effective mechanisms to restore lost properties and compensation, without which it is challenging for IDPs to achieve sustainable solutions.³²⁸ Furthermore, the strategic plan is silent on the approach and corresponding responsibilities of the State and other organizations.³²⁹ Therefore, the strategic plan needs to provide a sufficient legal or normative basis for protecting the rights of IDPs and facilitating durable solutions for all types of internal displacements.

3.2.4. The 2004 revised criminal code

Internal displacement is the unanticipated movement of individuals from their habitual residences who flee anywhere within the State's boundary in search of refuge.³³⁰ The predicaments of the IDPs worsen when the cause of internal displacement is related to violence and conflict.³³¹ Conflict-induced IDPs are forcefully uprooted from their habitual residence and become a victim of human rights violations that threaten their life, safety, security, and

³²⁷ Supra note 271

³²⁸ Ibid

³²⁹ Ibid

³³⁰ Saxena, P. (2012). Internally Displaced Persons- Lack of Legislation and Empathy, *Available at SSRN 2040632*.

³³¹ Solomon, A., Gandhi, M., & King Jr, M. L. (2009). Justice, accountability, and the protection of displaced persons. *Documento presentado en Annual Course on Forced Migration Mahanirban Calcutta Research Group*.

dignity.³³² This can include inhumane treatment, serious bodily harm, loss of life, loss of property, enforced disappearances, arbitrary detention, and modern forms of enslavement like human trafficking.³³³ These and similar violent acts and abuses can happen in all phases of the displacement, and it can affect those living in camps, with the host community as well as returned and relocated.³³⁴

The UN Guiding Principle on Internal Displacement does not criminalize acts giving rise to internal displacement; instead, it declares that the national authorities have the primary duty to guarantee and protect the rights of IDPs through domestic laws and policies.³³⁵ However, the Kampala Convention obligates state parties to criminalize acts of arbitrary displacement in domestic law, to ensure individual responsibility for these acts, and to provide victims of displacement with effective remedies.³³⁶

Thus, criminalization is one way of domestication that will protect and guarantee the rights of conflict-induced IDPs. Victims of conflict and displacement would identify justice as one of their most pressing needs as they seek to rebuild their lives. Justice in displacement contexts would require accountability for the insecurity, exploitation, and abuse suffered by the victims of displacement.³³⁷ Prosecuting the perpetrator of arbitrary displacement and making liable individuals who have participated in criminal activities and human rights violations of conflict-induced IDPs is one part of the state obligation.

³³² Ibid

³³³ Ibid

³³⁴ Ibid

³³⁵ Ibid

³³⁶ See Articles 3 (g) and 4 (6) of the Kampala Convention.

³³⁷ Solomon, A., Gandhi, M., & King Jr, M. L. (2009). Justice, accountability, and the protection of displaced persons. *Documento presentado en Annual Course on Forced Migration Mahanirban Calcutta Research Group.*

Justice and accountability can play an essential role in resolving conflict-related displacement and remedying its adverse effects on the displaced and society as a whole.³³⁸ Further, ensuring respect for human rights and holding to account those responsible for crime and human rights violations through justice and accountability measures is an essential part of the government response process.³³⁹

In Ethiopia's federal state structure, the House of Peoples' Representatives has the power and function of enacting the penal code.³⁴⁰ However, the regional states may enact penal laws on matters not explicitly covered by the federal penal legislation.³⁴¹ Henceforth, Ethiopia has revised the 1957 penal code in 2004. The revised criminal code was enacted to fill the previous penal code's gaps and accommodate the existing economic, political, and social changes.³⁴²

However, there is no specific provision of the code that deals with internal displacement and conflict-induced internal displacement. Rather, all provisions of the criminal code apply to crimes committed on conflict-induced IDPs like ordinary citizens of the country. Besides, the criminal code provisions that deal with genocide and war crimes against civilians have direct applicability to crimes committed against conflict-induced IDPs.³⁴³ Therefore, government officials, individuals, or a group of individuals who have participated in or committed crimes on conflict-induced IDPs are responsible and accountable via the ordinary provision of the revised criminal code. The government has endeavored to prosecute individuals implicated in the Oromia-Somali conflict-induced displacement, including the former Somali region president,

³³⁸ Ibid

³³⁹ Ibid

³⁴⁰ Article 56 of the FDRE Constitution

³⁴¹ Ibid

³⁴² See the preamble of the 2004 Revised Criminal Code.

³⁴³ See Article 261 of the revised criminal code and Article 4 (6) of the Kampala Convention.

Abdi 'Iley.' The general provisions of the revised criminal code charged these individuals. However, a lack of explicit provisions about the criminalization of arbitrary displacement forced conscription of internally displaced persons (IDPs), and obstruction of humanitarian and government services has been observed. The criminalization of these issues would serve to elevate conflict-induced IDPs to the status of rights-holders rather than mere victims of circumstances and recipients of aid.

Furthermore, recently, in response to the Northern conflict between the TPLF and the Ethiopian National Defense Force, the government has established an Inter-ministerial task force and attempted to investigate the alleged human rights violations and proposed remedies, including prosecution to make and have a transitional justice for the past human right violations.

3.2.5. Selected regional states' normative frameworks for conflict-induced internal displacement

The Somali, Oromia, and Southern Nation Nationality and Peoples Regional States are the constitutive parts of the Ethiopian federations.³⁴⁴ The Somali and Oromia regional states have been demarcated dominantly based on settlement patterns, language, and identity. In contrast, the Southern Nation Nationality and Peoples regional states are demarcated mainly based on territorial undertakings.³⁴⁵

In 2017 and 2018, the Somali, Oromia, and SNNP Regional States were highly affected by conflict-induced internal displacement, and more than half of the conflict-induced IDPs in the

³⁴⁴ Article 47 of the FDRE Constitution

³⁴⁵ Habtu, Alem, 'Ethnic Federalism in Ethiopia: Background, Present Conditions, and Future Prospects' (2003). International Conference on African Development Archives Paper 57. https://scholarworks.wmich.edu/cgi/viewcontent.cgi?article=1078&context=africancenter_icad_archive

country were displaced from and within these regions.³⁴⁶ In the federal state structure, the regional governments are the first responders and responsible organs for internal displacement and conflict-induced IDPs in their respective regions. Henceforth, regional normative frameworks and policies would shape government responses and protect the rights of conflict-induced IDPs in the region. The following are overviews of the normative frameworks of the case study areas.

The Somali Regional Government Constitution and Conflict-Induced Internal

Displacement

The Somali Regional Government enacted its first Constitution in 1994 and revised it in 2001. Like most other regional constitutions, the provisions and essence of the Somali revised Constitution are congruent with the federal one.³⁴⁷

The Constitution is structured with eleven chapters and 110 articles. Article 46 deals with the three branches of the regional government, and Article 47 defines the power of the Somali regional government. Besides, the Somali regional government has power on issues that are not exclusively given to the federal government or jointly to the federal and regional governments.³⁴⁸

The federal Constitution blurs the response to internal displacement, particularly conflict-induced internal displacement. The Somali regional Constitution also incorporates the same vague provision that deals with internal displacement in the region. Article 40 of the Constitution protects peasants and pastoralists from being displaced from their land. In case of

³⁴⁶ Internal Displacement Monitoring Center, Global Report on Internal Displacement 2019, Ethiopia, <https://www.internal-displacement.org/sites/default/files/publications/documents/2019-IDMC-GRID.pdf> p.14

³⁴⁷ Regassa, T., & Ababa, A. (2004, March). State constitutions in Federal Ethiopia: a preliminary observation. In *a Conference on 'Federalism and Sub-national Constitutions,' Rockefeller Center, Bellagio, Italy*, http://camlaw.Rutgers.Edu/station/sub_papers/regassa.Pdf.

³⁴⁸ See Article 47 (1) of the Somali Regional State Constitution and Article 52 of the FDRE Constitution

developmental-induced displacement, the regional government is responsible for providing adequate compensation to the displaced people.³⁴⁹

Nonetheless, on the issue of conflict-induced internal displacement, the Somali Regional Constitution is silent like the FDRE Constitution. The only structural difference between the FDRE constitution and the Somali Regional State's Constitution is that the Somali Regional State's Constitution defines the government's responses towards internal displacement as a social objective. In contrast, the FDRE constitution considers it to be an economic objective.³⁵⁰ Such disparity is a trivial error because the response to internal displacement is not limited to the economic or social objectives of the federal and regional governments. Instead, it must also be part of the cultural and environmental objectives that demand comprehensive government responses.

Somali regional government policies and strategies on conflict-induced internal displacement

In 2014, the Government of the Somali Regional State requested technical support from the international community, and it established a multi-stakeholder Durable Solutions Working Group to address the humanitarian and development needs of IDPs in the region.³⁵¹ As a result, the Somali Regional State developed and endorsed a regional durable solutions strategy in 2017, the first of its kind in both the Somali Regional State and Ethiopia.³⁵²

³⁴⁹ Article 40 of the Somali National Regional State Constitution

³⁵⁰ See Article 102 of the Somali Regional State Constitution and Article 89 of the FDRE Constitution

³⁵¹ Habte, B., & Kweon, Y. J. (2018). Addressing internal displacement in Ethiopia. *Forced Migration Review*, (59)

³⁵² Ibid

The strategy was developed based on the UN Guiding Principles, the Inter-Agency Standing Committee Framework on Durable Solutions for IDPs, and the Kampala Convention, plus relevant national tools and delimited from 2017 to 2020.³⁵³ The document is regional in scope, and it is the first framework developed and endorsed in Ethiopia that specifically targets internal displacement.³⁵⁴ For the first time, the strategy has adopted the definition of IDPs as proposed by the Guiding Principles and recognized conflict-induced internal displacement as one of the significant causes of displacement and a threat to future displacement in the region.³⁵⁵ Besides, it recognizes gaps in the national normative frameworks and attempts to address them, focusing on the durable solutions of IDPs in the region. To realize this, it follows the right needs-based approach and promotes coordination between national and international organizations.³⁵⁶

The strategy boldly stated that the primary responsibility for IDPs and durable solutions rests within the State, and the State is responsible for creating a conducive environment for durable solutions. This can be achieved through local integration, return, or relocation of IDPs elsewhere in the region.³⁵⁷ The strategy also guarantees that the IDPs who have integrated or settled elsewhere in the country will be accepted if they opt to return. The government may accept them if it is feasible.³⁵⁸

However, the return of these IDPs is not a right but somewhat dependent upon the government's willingness. It needs to be clarified what the federal government, the home /sending regional government, and the host/receiving regional government are responsible for and what their role

³⁵³ The Durable Solutions Strategy of the Somali Regional Government of Ethiopia, https://reliefweb.int/sites/reliefweb.int/files/resources/171117_final-durable_solutions_strategy_for_somali_region_2017-2020.pdf 2017, p. 5

³⁵⁴ Ibid

³⁵⁵ See the Durable Solutions Strategy of the Somali Regional Government of Ethiopia, 2017, p.5

³⁵⁶ Supra note 271

³⁵⁷ Supra note 355

³⁵⁸ Ibid

is in this process. Besides, the document's scope is limited to IDPs within the Somali Regional State and focuses on durable solutions. The instrument must comprehensively address the government's responses before and during the displacement.

This implies that the responses of the government mainly focused on humanitarian support rather than protecting the human rights and developmental needs of the IDPs and conflict-induced IDPs in particular. Furthermore, the strategy has specified that durable solutions include guaranteeing legal safety of accountability, access to effective remedies, and justice for IDPs.³⁵⁹ Nonetheless, the strategy needs to address the issue of compensation for conflict-induced IDPs. Thus, the Somali Regional State's durable solutions strategy is a good initiative for the durable solution needs of internally displaced persons in the region; however, it needs to be more comprehensive and adequate to protect and address the needs of conflict-induced IDPs in the region and the country.

The 2001 revised constitution of the Oromia Regional State and conflict-induced internal displacement

Oromia Regional Government is one of the nine regional states established by the Ethiopian federal state structure.³⁶⁰ The regional government comprises the legislative, executive, and judiciary branches.³⁶¹ The *Cheffe* Oromia/state council/ is the primarily responsible organ for enacting laws applicable throughout the region.³⁶²

The Oromia Regional State constitution was enacted in 1994 and revised in 2001. It incorporates articles related to individuals' human and democratic rights, power, and the structure of the

³⁵⁹ Supra note 353

³⁶⁰ Article 47 of the FDRE Constitution

³⁶¹ Article 46 of the Oromia Regional State Constitution

³⁶² Ibid. Article 46 (1)

regional government. The Constitution is based on the essence of the federal Constitution and has similar provisions on internal displacement.

Conflict-induced internally displaced persons are vulnerable to abuse and human rights violations, and they are citizens of the country who demand constitutional protection just like other individuals. Thus, the human and democratic rights of the Constitution would be applied to conflict-induced IDPs who live in the region.

Article 40 of the Constitution specifies that peasants and pastoralists who live in the region have the right not to be displaced and, in case of development-induced displacement, the right to compensation.³⁶³ Besides, Article 104 (4) of the Constitution states that one of the economic objectives of the Oromia Regional Government is to prevent natural and artificial disasters and to assist the IDPs during and after displacement.³⁶⁴ This article is a direct replica of the federal Constitution, and it mainly focuses on humanitarian support rather than human rights and developmental needs of the IDPs and conflict-induced IDPs in particular. It also recognizes that the response to internal displacement is part of economic objectives, such as the FDRE constitution. However, the response to internal displacement and conflict-induced IDPs would demand comprehensive government objectives and holistic approaches. Thus, like the FDRE constitution, the Oromia Regional State's Constitution needs more precise directions on the region's response and assistance to conflict-induced IDPs.

³⁶³ Article 40 of the Oromia Regional State Constitution

³⁶⁴ Ibid article 153

The 2001 Southern Nation Nationality and Peoples Constitution and conflict-induced internal displacement

Ethiopia's Southern Nations Nationality and Peoples is one of the federations' quasi territoriality structured regional governments.³⁶⁵ The region is currently becoming a hot spot for the quest for differential ethnic identities and demanding the right to self-determination.³⁶⁶ Unlike other regional governments, the region is composed of the state council and the council of the nation and nationality. The state council is the primary organ responsible for enacting legislation that applies throughout the region.³⁶⁷

Like the federal and other regional government constitutions, the current Constitution of the SNNP government was enacted in 1995. It addresses the issue of internal displacement and conflict-induced IDPs in two ways. The Constitution incorporates human rights and democratic rights and protects conflict-induced IDPs like ordinary citizens of the country—besides, a specific constitutional provision deals with displaced peasants and pastoralists who live in the region.³⁶⁸ The Constitution protects peasants and pastoralists from displacement and gives them the right to compensation in case of development-induced displacement.³⁶⁹ Furthermore, the Constitution specified in its economic objectives that the SNNP government has the responsibility to prevent natural and artificial disasters and assist IDPs during and after displacement.³⁷⁰ Nonetheless, the Constitution lacks a holistic approach and fails to have clear

³⁶⁵ Supra note 7 and see article 47 of the FDRE Constitution and

³⁶⁶ In the last three years, the Southern Nation Nationality and People of Ethiopia, composed of more than 56 nations and nationalities, become a regional government demanding separate statehood.

³⁶⁷ Article 46 (1) and Article 49 of the SNNP Constitution

³⁶⁸ Ibid. Article 40 (4 and 5)

³⁶⁹ Ibid article 40

³⁷⁰ Ibid. Article 97 (4)

normative frameworks and address the Protection and assistance of conflict-induced IDPs in the region.

3.3 Challenges and gaps in the Normative Frameworks

Globally, no comprehensively binding law specifically deals with the protection and the responses of internally displaced persons. It is the existing human rights law, humanitarian law, and refugee law that are currently applicable to protect and assist internally displaced persons. Africa is the only continent that has enacted a binding law and has tried to address the regional legal lacuna.

In Ethiopia, Chapter Three of the FDRE constitution deals with the fundamental human rights of individuals.³⁷¹ IDPs are citizens of a country, and these provisions of the Constitution are directly applicable in the human rights protection and responses to IDPs, including conflict-induced IDPs. Nonetheless, there is no explicit provision in the Constitution that directly mentions the issue of internal displacement and that deals with the Protection and assistance of conflict-induced IDPs in the country. Only Article 89 of the Constitution mentions explicitly that the government should be responsible for taking immediate action for any natural and artificial disasters before, during, and after the displacement. This provision of the Constitution is a general policy consideration and does not specify the federal and regional governments' obligations. Besides, Articles 51 and 52 of the Constitution deal with the power of the federal and regional governments. Hence, the Federal Government has the power on issues of immigration and refugees but is vague on internal displacement.³⁷² On the other hand, Article 52

³⁷¹ See articles 13 to 44 of the Proclamation No. 1/1995 Proclamation of the Constitution of the Federal Democratic Republic of Ethiopia.

³⁷² Article 52 (18) of the FDRE constitution mentioned that the federal government can determine and administer all matters relating to immigration, granting passports, entry into and exit from the country, refugees, and asylum.

of the Constitution states that all powers not explicitly given to the federal government are considered the power of the regional governments.³⁷³ Thus, there needs to be a clear jurisdiction for protecting and responding to conflict-induced IDPs in the country. Furthermore, Articles 44 and 45 of the FDRE constitution deal with compensation for development-induced displacement. However, these provisions still need to protect and ensure the responses of conflict-induced internally displaced persons.

This constitutional lacuna is also reflected in the regional Constitution, which directly replicates of the federal Constitution. Thus, the federal and regional constitutions need more clarity and have a gap in the country's protection and responses to conflict-induced IDPs, particularly in the case study areas.

3.4 Gaps in Policies, Initiatives and Strategies

The FDRE government enacted a national disaster risk management policy in 1993 and revised it in 2013. Article 89 of the FDRE constitution, on its economic objectives, specifies that the government should work on the protection and responses of IDPs. This policy aims to give proper protection and assistance to all types of displacement. The policy also incorporates all pillars in response to internal displacement. Nonetheless, the policy has given more protection to natural disaster displacement, and the issue of conflict-induced internal displacement is by far neglected. The strategy also mainly focused on natural disaster displacement and failed to address the plights of conflict-induced IDPs.³⁷⁴

³⁷³ See article 52 (1) of the FDRE Constitution.

³⁷⁴ See the objectives of the strategy.

The Somali Regional State has enacted a durable solution initiative, which was implemented from 2017 to 2020.³⁷⁵ However, most of the provisions focused on natural disaster displacement. Besides, the initiatives primarily focused on and considered IDPs as aid beneficiaries rather than the rights holders. They also needed to address the right-based approach adequately.

In 2020, the Federal Government, the Ministry of Peace, and the National Disaster Risk Management Commission enacted national durable solution initiatives.³⁷⁶ It has followed a right-based approach and attempted to address all types of displacement. However, it needed to be correctly implemented. The Ministry of Peace was also restructured, and currently, no national organ is responsible for following and implementing the initiatives.³⁷⁷

The Ministry of Peace also has established early warning initiatives, mainly focusing on conflict-induced IDPs.³⁷⁸ However, it has not materialized yet; rather, conflict-induced IDPs increased after the early warning system was established. The initiative was also not established at a regional level, the Ministry of Peace was also restructured, and no clear organ is responsible for implementing the document.

3.5 Challenges in the Domestication of the Kampala Convention

After ten years as a signatory state, the Ethiopian government ratified the Kampala Convention in February 2020. Domestication is a positive aspect of the subsequent enhanced protection and

³⁷⁵ The Durable Solutions Strategy of the Somali Regional Government of Ethiopia accessed on August 2021 from [Somali Region Durable Solutions Strategy 2017-2020 - Ethiopia | ReliefWeb](#)

³⁷⁶ Ethiopian Durable Solution Initiative accessed on August 2021, from [Durable Solutions Initiative | United Nations in Ethiopia](#)

³⁷⁷ Interview with Ethiopian Ministry of Peace Early Warning Directorate Director, February 2020, Addis Ababa, Ethiopia.

³⁷⁸ Ibid

assistance of IDPs. Hence, the government has commenced the domestication process and prepared a zero-draft proclamation.

However, the ratification ended with a reservation, which would challenge the domestication processes. The Ethiopian government has reserved Article 12 of the Kampala Convention, which deals with compensation issues.³⁷⁹ This would affect the durable solution of the IDPs. It would be easier to consider a durable solution with restitution and compensation. The mere act of return, integration, or relocation is not considered a durable solution.

Institutional mandates have also become another challenge in domesticating the Kampala Convention. The Ratification Proclamation empowered the Ministry of Peace to domesticate the Kampala Convention.³⁸⁰ However, because of the restructuring of the Ministry, the National Disaster Risk Management Commission became out of the Ministry of Peace and became responsible to the Prime Minister. In such cases, the Ministry's role is limited to conflict-induced displacement. It will not have jurisdictions for all types of displacement arising from natural and artificial disasters. This will challenge the domestication processes as well as the follow-up response processes.

3.6 Conclusions

Internally displaced persons and refugees have encountered relatively similar challenges however there is no comprehensive international normative frameworks for the protection and assistance of IDPs. Instead, international human rights, humanitarian, and refugee laws are guiding principles for protecting and responding to IDPs.

³⁷⁹ See article 3 of PROCLAMATION No. 1187/2020 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation.

³⁸⁰ Ibid article 4

In the region, Africa is the only continent with binding laws protecting and responding to internal displacement. The Kampala Convention outlines the rights of IDPs and the corresponding state obligations. It emphasizes that IDPs are rights holders, and the State is primarily obligated to ensure these rights. Most African states have ratified the Kampala Convention, and it serves as a foundation for enacting national legislation.

Internal displacement has been a significant and enduring challenge in Ethiopian history since the 1970s. In response, the country has made several attempts to enact laws and policies to protect the human rights of IDPs. The 1995 FDRE constitution specifies that the government has an obligation to avert any type of natural and man-made disasters and to give timely responses. However, the constitution does not give due attention to conflict induced internal displacements. It gives protection to natural disaster and development induced-internal displacements.

The 1993 NPDPM and the revised 2013 NPSDRM policies have been established to respond to all internal displacements comprehensively. However, there is a notable emphasis on natural disasters and internal displacements, with comparatively less attention given to conflict-induced ones. In response to the 2018 Gedeo-Guji and Oromo-Somali conflicts and the resulting internal displacements in 2019, the federal government has enacted a strategic plan to address internal displacement and the associated recovery and rehabilitation costs. Collaborating with humanitarian partners, both federal and regional governments have made concerted efforts to address the needs of the substantial number of internally displaced persons (IDPs). To bridge the gaps in the normative framework, the government ratified the Kampala Convention in 2020, although it has yet to be domesticated. Unfortunately, the government has made reservations and declarations that deviate from the Convention's objectives. The regional constitutions closely mirror the federal Constitution, with no specific provisions addressing conflict-induced internal

displacements within their respective regions. Furthermore, the 1995 FDRE constitution needs more clarity regarding the power and responsibilities of regional governments in responding to and safeguarding IDPs from and within the regions.

The Somali Regional Government has tried to implement regional durable solution strategies and has addressed the needs of various types of internal displacement. The strategy recognizes the presence of conflict-induced internal displacement in the country and emphasizes the necessity for responses and protection to adhere to a rights-based approach. However, this commendable initiative has yet to be extended to other regional governments, and the deficiencies in the federal normative frameworks are evident in the current protection and response processes.

Chapter Four: Internal Displacement and the Predicaments of Conflict-Induced IDPs in Ethiopia

Ethiopia has been one of the top five countries hosting many internally displaced persons. Conflict is the primary causes for the displacement and it has affecting all regions of the country. This chapter addresses the issue of internal displacement and the challenges internally displaced persons face in Ethiopia due to conflict. It focuses explicitly on the Gedeo-Guji and Oromia-Somali conflict-induced internal displacement cases, examining the displacement's causes, patterns, and impact. Consequently, this chapter addresses the question, "What are the specific causes and patterns of conflict-induced internal displacement in Gedeo-west Guji and the Oromia-Somali internal boundary conflict?"

4.1 Introduction: Broader Types and Causes of IDP Situations in Ethiopia

Ethiopia is one of the sub-Saharan African countries highly affected by different types of internal displacement; the situation has remained prevalent throughout history.³⁸¹ Natural and man made disasters are the frequent causes of internal displacement in the country.³⁸² For an extended period, such types of displacement have drastically affected society to live with changes in family structure, deteriorating community relations, and new identity formation. In the bargain, displacement has disrupted the social relationships between and among the host communities. The displacement situation has led IDPs into a state of economic hardship, poverty, and deprived living conditions, and makes them vulnerable to psychological problems and physical violence. Particularly, when the cause of the displacement is conflict, the situation would severely affect the life of the IDPs, and it becomes more complicated. Thus, conflict-induced IDPs are the most

³⁸¹ Maru Taddele (2017). Causes, Dynamics, and Consequences of Internal Displacement in Ethiopia, Working papers, retrieved on July 2021 from https://www.swp-berlin.org/fileadmin/contents/products/arbeitspapiere/Maru_2017_Internal_Displacement_Ethiopia.pdf, p.13

³⁸² Ibid p. 13

vulnerable in most cases, and the government neglects them. Humanitarian partners are also reluctant to intervene because of the political dimension of the conflict.

In Ethiopia, conflict-induced displacement and the plights of IDPs have become vicious, especially after the downfall of the Dergue Regime in 1992. During the past three decades, the ruling EPRDF government has established an ethnic-based federal state structure, and the country has undergone political changes regarding identity and ethnic-territoriality.³⁸³ This ethnic-federal state structure has generated a context for politicized identity formation. It has created identity-based competition, tension, and conflicts between groups in different parts of the country.³⁸⁴ In particular, after 2015, these inter-ethnic tensions and conflicts have increased and become the primary driving force of internal displacement in the country. Predominantly conflict-induced inter-ethnic violence has two essential characteristics.

The first type of conflict revolves around issues of administrative boundaries at the regional state, zonal, district, and kebele levels.³⁸⁵ The 1995 FDRE constitution specified that the Ethiopian federal state structure is demarcated based on settlement patterns, language, and identity of the nation, nationality, and people of Ethiopia.³⁸⁶ However, all the regional, zonal, district, and kebele administrative boundaries are not correctly demarcated based on the constitutional provisions. This has become the subject of contests and disputes at different times and resulted in conflict and a source of a massive number of IDPs in the country.³⁸⁷

³⁸³ Jon Abbink (2011) ethnic-based federalism and ethnicity in Ethiopia: reassessing the experiment after 20 years, *Journal of Eastern African Studies*, 5:4, 596–618, DOI: 10.1080/17531055.2011.642516

³⁸⁴ Hussein, Jeylan Wolyie. "Analysis of dynamics of politicized collective identity in post-Dergue Ethiopia: A sociological and social-psychological analysis." *International Area Studies Review* 18, no. 4 (2015): 382-402. P. 384

³⁸⁵ Tobias Hagmann and Mustafe Mohamed Abdi, *Inter-ethnic violence in Ethiopia's Somali Regional State, 2017 - 2018*

³⁸⁶ See article 46 (2) of the Federal Democratic Republic of Ethiopian Constitution, 1995

³⁸⁷ Interview with Mr. Migbaru, Ministry of Peace, Early Warning Directorate Director (Addis et al., 2021)

The second type of conflict is related to disputes occurring within a regional state because of the minority and majority ethnically defined polities.³⁸⁸ This is highly reflected in implementing the Ethiopian federal state structure, which has created minority and majority politics. The constitutions of some regional governments also clearly magnify this distinction.³⁸⁹ Identity politics support majority and minority politics and have created the concept of indigenous people that leads to conflict with others and the displacement of "non-indigenous ones."

There needs to be a clear distinction between the causes and magnitude of both types of conflicts and displacement situations. The two types of conflict and displacement situations have invited different political entrepreneurs who mobilize collective identity strategies for political gain.³⁹⁰ Both types of conflicts have the potential to escalate significantly if they are supported and driven by broader national political processes.³⁹¹ Additionally, there are situations in which both types of conflicts may demand and include boundary-making processes that may 'harden' or 'soften' ethnically defined identification.³⁹² There are also some instances in which small-scale, localized, and episodic conflicts shape the collective concerns by provoking emotional reactions and promoting the competing groups' redefined sense of their specific identities.³⁹³

Today, identity-based competitions are re-awakened narratives attributing identity-based conflicts and their recurring dynamics to past socio-political and historical processes.³⁹⁴ In some contexts, ethnic elites representing their groups have utilized discourses of decentralization and

³⁸⁸ Supra note 385

³⁸⁹ See the Constitutions of Benshangul Gumz Regional States and the Oromiya Regional States. These constitutions affirm that the "indigenous people" of the Region have the ultimate power, and the others are considered secondary citizens.

³⁹⁰ Ibid

³⁹¹ Supra note 385

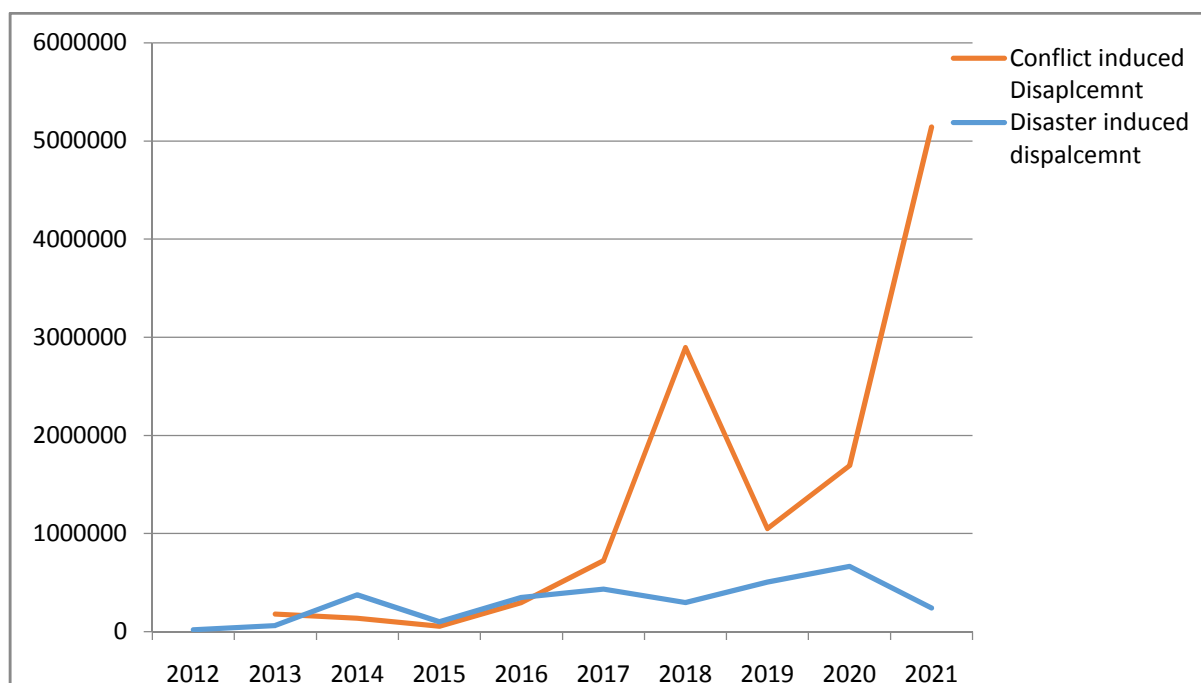
³⁹² Ibid

³⁹³ Lubo Teferi, *The post-1991 'inter-ethnic conflicts in Ethiopia: An investigation*, 2012

³⁹⁴ Supra note 384, P. 386

empowerment to generate demands and expectations that caused inter-communal tensions that quickly escalated into violence and resulted in substantial internal displacement.³⁹⁵ In particular, after 2015, these inter-ethnic tensions and conflicts have increased and become the primary driving force of internal displacement in the country. Hence, the country has become one of the top five displacement-affected areas in the world.

Figure 4.1: Trends of internal displacement in Ethiopia



(Sources: Ethiopia, Internal Displacement Monitoring Center (IDMC), Displacement Data [Ethiopia | IDMC \(internal-displacement.org\)](https://www.internal-displacement.org/))

The above graph depicts that the number of conflict-induced IDPs in Ethiopia is increasing from time to time. However, in 2019, the government engaged in a massive return process called a premature one, and the number slightly decreased. Furthermore, these conflict-induced internal

³⁹⁵ Ibid

displacements, directly and indirectly, affected all the regions and the federal government, including the two city administrations.

Therefore, some of the incidents and displacement situations that happened recently in the country are the Gedeo-Guji conflict, the Oromo-Benhsangul Gumz conflict, the Amhara displacement situation from different parts of Oromia regions, the Borena—Gari conflict the Afar-Issa conflict, the Oromo-Somali conflict, the Amhara-Qimant conflict and the conflict/war in the northern part of the country. Surprisingly, some of these conflicts are cyclic and revive at different times depending on the peace and security situation of the federal government and regional governments, as well as the motives of elites and ethnic entrepreneurs.³⁹⁶

This part of the paper addresses two cases: the 2018 Gedeo-Guji conflict-induced internal displacement and the 2017/18 Oromo-Somali conflict-induced internal displacement in the country. The study examines the Background and context of the displacement, its pattern and scale, and the government responses in the specified case study areas.

4.2 Background and Context of Internal Displacement in Gedeo (SNNP) and West Guji (Oromia) Region

Ethiopia comprises several ethnolinguistic communities with different histories, languages, and cultures.³⁹⁷ Hence, for the past decades, they have coexisted despite their diverse historical origins and points of difference.³⁹⁸

³⁹⁶ These ethnic conflicts are instigated and occur depending on the strength of the federal and regional governments in protecting society's peace and security. When the federal and regional governments became stronger, ethnic-based conflict decreased, as did displacement.

³⁹⁷ Supra note 384

³⁹⁸ Ibid

In 1991, the EPRDF government established an ethnic-based federal state structure and promised to strengthen the relationship between different nations, nationalities, and people of Ethiopia. However, most ethnic-based conflictual relations occurred post-1991, characterized by ethnicization in all the states' structures and in the distribution of resources, which caused disagreement in political power.³⁹⁹

Among these conflicts, the Gedeo-Guji inter-ethnic conflict recurrently happened at different times; the 2018 situation resulted in massive displacement, human rights violations, loss of human life, and damage to properties.⁴⁰⁰

Gedeo is one of the 56 ethnic groups that are grouped to form the Southern Nations Nationality and Peoples (SNNP) in Ethiopia's new federal state structure.⁴⁰¹ The Gedeo people were formerly referred to as Darassa and recognized as Darassa Awraja, one of the districts of the former Sidamo Tekilay Gizat (Imperial Province). During the Derg Regime, the district was renamed Gedeo Awraja.⁴⁰²

As EPRDF emerged, some parts of Bule and Wonago Districts were dissociated from the previous Gedeo Awraja and incorporated into the Oromia Region and Sidama Zone, respectively.⁴⁰³ In addition, the Amaro District was separated from the Awraja and was given the status of a special District; the Gedeo Awraja became an independent zone.⁴⁰⁴

³⁹⁹ Girum Kinfemichael, The Quest for Resolution of Guji-Gedeo Conflicts in Southern Ethiopia: A Review of Mechanisms Employed, Actors and Their Effectiveness, *EJOSSAH* Vol. X, No. 1, 2014

⁴⁰⁰ Asebe Regassa, Ethnicity, and Inter-ethnic Relations: the 'Ethiopian Experiment' and the Case of the Guji and Gedeo, 2007

⁴⁰¹ Dagne Shibru, Conflict and Conflict Resolution Mechanisms in Ethiopia: the Case of Gedeo and Guji Ethnic Groups, 2013, p. 109

⁴⁰² Ibid

⁴⁰³ Ibid p. 110

⁴⁰⁴ Ibid

Under the new federal-state structure, Gedeo shares a boundary with the Guji-Oromo people in all directions except to the north, which the Sidama ethnic groups border. The Gedeo people speak the Gedeufa/Gedeo language/. They have also shared and incorporated many Oromo words into their vocabulary. The Gedeos believe that Mageno/God/ is the creature of everything and the center of Gedeos' religion.⁴⁰⁵

The relationship between Gedeo and Guji has a long history and myth. Historically, three brothers, Deresso, Boru, and Ugago /Gujo/, were dispersed to different ecological niches in search of grazing and fertile land.⁴⁰⁶ Gedeos trace their origin to a polygamous ancestor named Deresso. Deresso was believed to be the older brother of Gujo, the ancestor of Guji-Oromo, and Boru, the ancestor of Borena-Oromo.⁴⁰⁷ This implies that Gedeos and Gujis are descendants of the same ancestor.

The Gedeos, like their neighboring Guji-Oromo and Sidama, have the Balle System, which they call the Gada System.⁴⁰⁸ The Bale System provides secular and religious leadership for the Gedeos. Gadaro is a traditional ritual to purify enmity and bring about durable peace. It resolves conflicts by declining an event that must not happen again between conflicting individuals/groups/.⁴⁰⁹

The Guji is one of the many branches of the Oromo People who live predominantly in today's Guji and Borena zones of the Oromia Region in Southern Ethiopia.⁴¹⁰ The Guji have direct

⁴⁰⁵ Ibid, p. 112

⁴⁰⁶ Ibid, p. 115

⁴⁰⁷ Ibid

⁴⁰⁸ Supra note 401, p. 123

⁴⁰⁹ Ibid

⁴¹⁰ Ibid p. 147

contact with neighboring people, such as Arsi in the east, Borena in the south, Burji, Kore, and Gamo in the north.

The Gujis speak Afan Oromo and believe in supernatural power waqa /God/.⁴¹¹ Waqa is said to have created everything in the center of the Guji religion. They have a Gada system composed of political, economic, ritual, and judicial organizations.⁴¹² The Gada system is a comprehensive institution of the Oromo people, serving as an essential mechanism for legal, political, and cultural interaction among the Guji.⁴¹³ When conflict happens between different ethnic groups, it is brought to Aba Gada and peacefully resolved by the Gada system.

Additionally, Gujis share borders with people like Borena, Burji, Sidama Wolayta, and Arsi. They have historical relationships with these neighboring people, except Gedeo, who is hostile.⁴¹⁴

Thus, as neighboring peoples that lived adjacent to each other for centuries, Gedeo and Guji have multi-dimensional relationships.⁴¹⁵ In addition to the myths of common ancestry, the Gedeo-Guji affable relationships exist in social ties, economic relations, and cultural practices as inter-ethnic tying.⁴¹⁶

Economic interdependence is the most significant form of a harmonious relationship between Gedeo and Guji, without which the groups' existence would not be meaningless.⁴¹⁷ The two communities are mutually interdependent in terms of the exchange of their respective products.

⁴¹¹ Ibid p. 150

⁴¹² Ibid

⁴¹³ Ibid

⁴¹⁴ Ibid

⁴¹⁵ Ibid p. 179

⁴¹⁶ Ibid

⁴¹⁷ Ibid, p. 183

This interdependence and cooperation have created a peaceful relationship between the Gedeo and Guji people.⁴¹⁸

Histories Gujis are purely pastoralists, while the Gedeos are crop producers. This implies that a symbiotic relationship exists between the two.⁴¹⁹ Cultural values have also played an important role in tying the Gedeos and Gujis for a long time.

The limited yet coexistent hostility between the Gedeos and Gujis can be attributed, in part, to their shared ethnic affinity and the myth of common ancestry. These factors have contributed to a cordial relationship supported by social and economic ties. It is important to note, however, that there have been instances of conflict and violence between these groups.

4.2.1 Background to the 2018 conflict and violence in Gedeo and West Guji communities

There were minor conflicts at different times on resources; nonetheless, historically, it is taboo among the Gedeos and Gujis communities to engage in conflict and kill each other, even at an individual level.⁴²⁰ However, since the introduction of ethnic-based federalism in Ethiopia, inter-ethnic relations have changed; conflicts have increased, and alliances have been created between different ethnic groups. As a result, the prolonged and cherished mutual relationships have deteriorated, and violent conflicts have occurred between the long-time friendly people.⁴²¹

The new federal state structure and the reshuffling of territorial arrangements have divided members of the same ethnic groups into two while merging distinct groups.⁴²² Hence, in the

⁴¹⁸ Ibid

⁴¹⁹ Ibid

⁴²⁰ Supra note 401, p.192

⁴²¹ Ibid

⁴²² Supra note 399, p.73

post-1991 political landscape, the new territorial restructuring along ethnic lines has caused disagreement between the Gedeos and Gujis ethnic groups.⁴²³

The resurgence of ethnic nationalism, particularly following the implementation of ethnic federalism in the country, has significantly contributed to the strained relations between the Gedeo and Guji people. This is evident in the recurring conflicts, where ethnicity is regarded as a direct and an indirect instigator. These persistent conflicts have led to extensive displacements, loss of life, and substantial property destruction.

After the new arrangement of the Ethiopian federal state structure, the first massive scale of violence and conflict occurred between the Gedeo and Guji communities in 1995. The conflicting groups, politicians, and researchers still do not agree on the immediate causes of the conflicts.⁴²⁴ However, the question of self-administration and territorial integration is considered the fundamental cause of the conflict, and it is associated with the referendum and the Guji-Oromo's quest for self-government.

The violent conflict erupted in various localities within the Gedeo and Guji zones, resulting in loss of life, human rights violations, widespread displacement of people, and extensive destruction and looting of properties on both sides. The federal government intervened to prevent further escalation of the conflict; however, the underlying cause remains unresolved. Since the 1995 conflict, there has been a propensity to politicize disputes in the two zones, leading to escalation within the communities. This conflict has given rise to structural issues, with personal disputes among Gedeo and Guji individuals or groups being interpreted in terms of ethnicity,

⁴²³ Ibid

⁴²⁴ Ibid p. 192

irrespective of the actual causes or the location of the disagreement. Consequently, this has led to various human rights violations and displacement of individuals.

The second violent conflict occurred in July 1998, stemming from the unresolved 1995 conflict. The quest for Guji-Oromo self-governance in 1995 served as a fundamental cause, and similar claims were later made by the Gedeo minorities in the Hagere Mariam District /Bule Hora/, further fueling the conflict. Additionally, the involvement of politicians and ethnic entrepreneurs ignited and escalated the conflict to a massive scale.

Compared to the 1995 conflict, the 1998 violence was significantly broader in scope and intensity. Initially, military intervention failed to control the conflict until local elders from conflicting groups and neighboring ethnic communities intervened. Their role was pivotal in halting the conflict and rehabilitating internally displaced persons who suffered losses during the conflict.

Despite concerted efforts by federal and regional authorities, extensive damage had already been incurred. Countless lives were lost, and numerous individuals were forced to abandon their villages. Regrettably, there was a lack of proactive measures to address the conflict at its early stages. The approach taken was reactive and disorganized, resembling a form of firefighting. Furthermore, there was no consensus on the number of displaced persons, with the Gedeo Zone Administration estimating the figure to be between 25,000-30,000 individuals. However, the Federal Government source reported that there were 100,000 displaced persons, but the opposition of the Gedeo People Democratic Organization (GPDO) put the number to 160,000

individuals.⁴²⁵ This revealed the need for more consistent and precise data on the number of IDPs. The local administration also minimized the number of displaced individuals to avoid the displacement situation associated with the poor local administration.

The significant implication of these conflicts is activating a dividing boundary of 'us' and 'them' between the historically coexistent, economically interdependent, and culturally complementary groups of the Gedeo and Guji communities. Further, the Gedeo-Guji conflict is not a simple horizontal inter-ethnic conflict separated from the state administrative and political policies; however, various actors participated based on their interests in these conflicts.⁴²⁶ These include individuals and groups actively participating in the conflict and those who somehow contributed to its instigation or aggravation.

Some local officials who had different positions in the local government administration are found to have acted mainly behind the scenes and facilitated the way for the violence. The invisible hands of some merchants and investors instigated the violence to take the investment of the others/displaced.⁴²⁷ Conflict entrepreneurs are other principal actors, and they have been directly benefiting from illegal economic activities promoted by violence.

The conflict actors were mainly jobless youths who wanted to become rich quickly by looting the markets, shops, bars, and individuals' houses.⁴²⁸ Opposition political parties like Oromo Liberation Front (OLF) and Gedeo People Democratic Organization (GPDO) members were involved in the violence. The local militias were also involved and took sides with the group they

⁴²⁵ Ibid, p. 223

⁴²⁶ Ibid, p. 225

⁴²⁷ Ibid

⁴²⁸ Ibid

belonged to. Furthermore, ethnic entrepreneurs played a crucial role in organizing and leading these conflicts.⁴²⁹

However, since 1998, almost two decades ago, there have been no vast conflicts or violence between the Gedeo and Guji communities. During these times, the Federal Government was stable and politically centralized. This helped the federal government focus on sustaining peace and security by suppressing the people's identity quest. On the other hand, the relative peace condition during these periods would question whether the quest for separate ethnic identity and the demand for the right to self-determination were the absolute claims of the people or whether it was in the interests of the ethnic entrepreneur.

It was in 2018 that the dormant Gedeo-Guji inter-ethnic conflict erupted again and resulted in massive casualties.⁴³⁰ Nonetheless, tensions over shared borders had long existed between the two groups.⁴³¹ The issues of self-administration and territorial claim are considered the formal causes of the conflict. Implicitly, ethnic entrepreneurs and opposition political parties also exacerbated the situation. Besides, the conflict took the unstable and fragile nature of the federal and regional governments as a favorable condition.

4.2.2 The Scale and patterns of the 2018 Gedeo-Guji conflict-induced internal displacement

Though there were differences in numbers, the violence in mid-April 2018 triggered the displacements of an estimated 200,000 people from both sides along the border between the Gedeo SNNPR and West Guji Oromia Regional Zones.⁴³² Accordingly, within the initial two

⁴²⁹ Ibid

⁴³⁰ Response Plan to Internal Displacement around Gedeo (SNNP) and (West Guji (Ormia) Zone, 2018

⁴³¹ Ibid

⁴³² MSF, Displacement and Humanitarian responses in Ethiopia challenges and dilemmas in complex crises, June 2019, p. 13

weeks of the displacement, the Oromia and SNNP regional authorities agreed to facilitate the return of the IDPs to their respective areas of origin. They attempted to conduct relief and rehabilitation efforts in the areas of origin.

However, despite the peace and reconciliation efforts that the traditional elders made, there were continued reports of secondary displacements of those IDPs who had returned earlier.⁴³³ On top of that, the security situation was challenging, though the Ethiopian National Defense Forces were deployed in the area. As a result, continual human rights violations and the destruction of houses, other assets, and service infrastructure were reported.⁴³⁴

This led to renewed violence and secondary mass displacement of individuals between the end of May and early June 2018. The exact causes of these conflicts remained unclear. However, disputes over borders and the allocation of pastoral and water resources were thought to be instigators and contributed to the sudden escalation of violence. Besides, the reconciliation and peace processes lacked transparency and were dominated by politicians. It did not participate with the conflicting individuals at the grassroots level, accountability mechanisms were not employed, and redress was given to the victims.

The extent and magnitude of the violence were never fully understood, although there were reports of widespread civilian deaths, physical abuse, and destruction of property. Even though the government and non-governmental organizations announced different figures, the conflict led

⁴³³ Ibid

⁴³⁴ Ibid

to the displacement of over 642,152 IDPs in the Gedeo Zone of the SNNPR Region and 176,098 IDPs in the West Guji Zone of the Oromia Region.⁴³⁵

In the Gedeo zone, IDPs were dispersed across the Bule, Dilla area, Gedeb, Kochere, Wonago, Yirgacheffe Districts, and Dilla Town. In West Guji, the IDPs settled around Abaya, Birbirs, Kojowa, Bule Hora, Gelana, Hambela Wamena, and Kercha Districts.⁴³⁶ These IDPs were living in dire conditions in overcrowded collective shelters, in different IDP sites, and some of them with the host communities.⁴³⁷ The affected areas were already among Ethiopia's most densely populated parts, and the current displacement crises have doubled the population of some districts.⁴³⁸

This is also the second large-scale wave of violence in 2018 that hit the area and affected IDPs to live in dire conditions. Whatever the immediate causes were, the violence escalated to ethnic conflict and resulted in the displacement of innocent individuals. For instance, around 33% of the IDPs in West Guji were ethnic Gedeos, and most of them came from Kercha District in West Guji, a district known for its mixed ethnic composition.⁴³⁹

This inter-ethnic conflictual relationship has created a new pattern of conflict and displacement situation in Ethiopian history. Hence, an individual quarrel may sometimes escalate into ethnic conflict and cause mass displacement of individuals because of their identity. There were also incidents in which the displaced individuals were trying to identify their blood relationship with

⁴³⁵ MSF, Displacement and Humanitarian responses in Ethiopia challenges and dilemmas in complex crises, June 2019, p. 13

⁴³⁶ Ibid

⁴³⁷ Ibid

⁴³⁸ Ibid

⁴³⁹ Ibid

some other groups and attempted to use ethnicity as protection and were forced to be displaced to other areas in search of their identities.

This has created conflicts of specific issues exacerbated and escalated to conflict of structural and increased to the sub-structural system. Hence, the unresolved problem of internal displacement exacerbated by ethnicity has created instability and become vicious in different parts of the country.

4.3 Background and Context of Internal Displacement in Oromia and Somali Regional States

Before 1991, conflicts between Oromo and Somali ethnic groups were often considered trivial and localized.⁴⁴⁰ The conflict mainly revolved around territorial competition or disputes over dry grazing areas and water points, which occurred mainly between the pastoralist communities of the Oromo and Somali ethnic groups.⁴⁴¹

During Emperor Haile Selassie and Mengistu Hailemariam Regimes, in which Ethiopia had a unitary state structure, there was no intensive ethnic warfare between these groups except in the 1940 Boran-Garre conflict in the Liban area.⁴⁴² However, after the downfall of the PDRE Regime in May 1991, the Ethiopian administrative provinces were redrawn into ethnic-based regions with the federal state structure.⁴⁴³ Hence, the Oromo and Somali ethnic groups were demarcated as Region Four (Oromia) and Region Five (Somali).⁴⁴⁴

⁴⁴⁰ Conflict Research Programme Research Memo March 2020 Inter-ethnic violence in Ethiopia's Somali Regional State, 2017 - 2018

⁴⁴¹ Ibid

⁴⁴² Ibid

⁴⁴³ Articles 46 and 47 of the FDRE Constitution

⁴⁴⁴ See Article 47 of the Federal Democratic Republic of Ethiopia Constitution, 1995

The Somali and the Oromo communities share a 1400 km border line from Moyale at the Ethio-Kenyan border to the south and the Mieso district in the West Hararghe Zone to the north.⁴⁴⁵ This multi-ethnic corridor is best understood as a cultural frontier in which Oromo, Somali-Oromo, or Oromo-Somali groups interact, coexist, and compete over natural and other resources.⁴⁴⁶ It also created ethnic frontier areas and new identity concerns based on which controversial ethno-territorial claims were created.⁴⁴⁷ Besides, historical processes, institutional environment, and elite actions played a significant role in shaping ethnic schema and cued their activation in this area.⁴⁴⁸ These ethnic-nationalist narratives glossed over the complexity of the existing inter-clan ties, for example, between the Gerri, Jarso, Garre, or Gabra communities. The government officials also engaged in wrangling and often struggled to have political control in the area.

In Ethiopia, since 1991, inter-ethnic conflicts have been ignited and are on the rise; in which there is no exception in the Somali and Oromia Regions. For instance, the conflict between the Gerri, Jarso, Garre, and Gabra communities was frequently happening and brought about human rights violations as well as a vast number of individual displacements in the two regions.

The Gerri–Jarso communities are located in the hilly region that stretches from the eastern Hararge zone of the Oromia Region to Jigjiga in the Somali Region, including localities such as Chinaksen and Tulli Guled.⁴⁴⁹ The federal restructuring of the country and the concomitant

⁴⁴⁵ Supra note 440

⁴⁴⁶ Ibid

⁴⁴⁷ Hale, H. E. (2008). *The foundations of ethnic politics: Separatism of states and nations in Eurasia and the world* (Vol. 304). Cambridge: Cambridge University Press.

⁴⁴⁸ Ibid

⁴⁴⁹ Kefale, A. (2010). Federal restructuring in Ethiopia: renegotiating identity and borders with the Oromo–Somali ethnic frontiers. *Development and Change*, 41(4), 615–635.

process of intra-federal boundary-making led to a re-examination of the relationships between the two groups who share cultural and linguistic affinities.

The Gerri and the Jarso formed their alliance some 150 years ago. They are distinct from many of their Somali neighbors due to their livelihood and sedentary agriculture, as opposed to nomadic pastoralism, and their close association.⁴⁵⁰ Nevertheless, the two groups differ in terms of ethnic origins. The Gerri clan is a genealogical offshoot of the dominant Darood clan family of the Somali. However, the Jarsos originally belonged to the three major Oromo confederacies of the former Hararge province.⁴⁵¹ However, Jarsos, who allied with the Gerri, used the Somali language and the traditional Somali administrative institution/contract *xeer*, known as 'Somalized Oromo'.⁴⁵²

However, ethnic federalism and the EPRDF's redrawing of administrative boundaries changed the inter-group dynamics between and among Somali, Oromo, and mixed Oromo-Somali groups.⁴⁵³ Ethnic nationalist principles were at odds with multi-ethnic flexibility and fluid resource boundaries. Following 1991, inter-ethnic solidarity waned as groups were obligated to affiliate with either the Oromia or the Somali Regional State.⁴⁵⁴

The relationship between the Gerris and the Jarsos emerged after forming an ethnic-based federal state structure characterized by asymmetry.⁴⁵⁵ The former became the local aristocratic clan, while the latter, although the numerically larger group, was reduced to being tenant farmers.⁴⁵⁶

⁴⁵⁰ Ibid

⁴⁵¹ Ibid

⁴⁵² Ibid

⁴⁵³ Ibid

⁴⁵⁴ Ibid

⁴⁵⁵ Ibid

⁴⁵⁶ Ibid

Thus, relations between the Gerri and the Jarso have become more strained and volatile over the last several decades.

The recasting of the Ethiopian state into an ethnic federation and the resultant intra-federal boundary-making process impelled a renegotiation of identity between the two groups.⁴⁵⁷ As a result of this process, the Gerri and Jarso are now divided by the Oromia and the Somali regions. This restructuring and competition over territory have gained new momentum. Thus, local resource disputes between these society groups have effectively turned into a conflict between Oromia and the Somali Regional States.⁴⁵⁸ This allowed the local leaders and ethnonational entrepreneurs to enlist their thoughts and struggle for political power in the area.

4.3.1 Background to the conflict and violence

Tension and conflict between the Oromia and Somali boundaries have become common since the Ethiopian ethnic-based federal state structure was established. However, the pretext and triggering factors are different depending on the circumstances. For instance, the IFLO's (Islamic Front for Liberation of Oromia) opening of a party office and the hoisting of its flag in the small Gerri–Jarso town of Tuli Guled in the vicinity of Jijjiga precipitated a severe outbreak of inter-clan violence in 1992.⁴⁵⁹ This conflict exacerbated and led to the involvement of Oromo armed movements like the IFLO on the side of the Jarso and Darood Somali clans, particularly the Jijjiga-based Jidwak on the side of the Gerri.⁴⁶⁰ The inter-ethnic war was intense; both parties used heavy weapons, such as cannons mounted on vehicles, and ex-soldiers of the disintegrated

⁴⁵⁷ Ibid

⁴⁵⁸ Ibid

⁴⁵⁹ Kefale, A. (2010). Federal restructuring in Ethiopia: renegotiating identity and borders with the Oromo–Somali ethnic frontiers. *Development and Change*, 41(4), 615–635.

⁴⁶⁰ Ibid

armies of Somalia and Ethiopia also participated on both sides.⁴⁶¹ After six months of fighting, in which hundreds died and thousands were displaced, the Jarso gained the upper hand and managed to take control of some areas, including Chinaksen and Qocher.⁴⁶² The Jarsos' hold on Chinaksen gave them control of an important trading route connecting the highlands of Hararge to the ports of Somaliland. The route served as a transit for contraband goods from Somalia to the Ethiopian hinterland and for the distribution of *Khat* to Somalia.⁴⁶³

In mid-1992, the EPRDF reconciled the two groups. Both parties agreed to cease hostilities, and about 15,000 displaced Gerri and Jarso returned to their villages.⁴⁶⁴ The government and international aid agencies assisted in rehabilitating the displaced Gerri and Jarso farmers.⁴⁶⁵ After restoring calm, the process of renegotiating Gerri--Jarso relations in the context of the new Somali and Oromia Regions continued. Jarso ethnic entrepreneurs approached officials of the OPDO and the newly established Oromia Region and demanded their group's inclusion in Oromia because of its Oromo background.⁴⁶⁶ The Jarso 'delegation' met with high-ranking OPDO (Oromo People's Democratic Organization) officials. Reportedly, almost all the OPDO officials told the Jarso delegates that as they are closer in language and culture to the Somali, they should peacefully live in the Somali Region.⁴⁶⁷ Their aspirations to join the Oromia Region spurned, and the Jarsos began to involve themselves in Somali's regional politics. Accordingly, when dozens of Somali clan parties were established in 1992, they created a political party

⁴⁶¹ Ibid

⁴⁶² Ibid

⁴⁶³ Ibid

⁴⁶⁴ Ibid

⁴⁶⁵ Van Brabant, K. (1994). *Bad borders make bad neighbors: the political economy of relief and rehabilitation in the Somali Region 5, Eastern Ethiopia*, Overseas Development Institute.

⁴⁶⁶ Ibid

⁴⁶⁷ Ibid

known as the Jarso Democratic Movement (JDM), which is popularly known as Jehan Jarso.⁴⁶⁸

The party's main goal was to gain a district-level administration for the Jarso within the Somali Region.

Following the reconciliation, the Jarsos participated for the first time in Somali regional elections in 1995 on the ESDL (Ethiopian Somali Democratic League) platform, and the two groups agreed to share the six seats allocated to them for the regional and federal parliament.⁴⁶⁹ Moreover, when the ESDL formed the Somali Regional Government in 1995, it gave some critical positions to politicians of the two groups.⁴⁷⁰ For the first time, the administrative structure of the Somali Region was extended to such Jarso-dominated areas as Chinaksen, which had remained off-limits to the Region since the 1992 conflict.⁴⁷¹ Even after the 1998 merger between the legal ONLF (Ogaden National Liberation Front) and the ESDL to establish the Ethiopian Somali Democratic Party (SPDP), political appointments were given to the Jarso at regional and local levels.⁴⁷²

For almost a decade after 1995, no significant incidents were reported between the Gerri and the Jarso as the two groups steadily rebuilt their battered relationship. Chinaksen and its environs were part of neither the Oromia nor the Somali Region: they were Jarso 'autonomous' enclaves.⁴⁷³

⁴⁶⁸ Ibid

⁴⁶⁹ Ibid

⁴⁷⁰ Ibid

⁴⁷¹ Ibid

⁴⁷² Ibid

⁴⁷³ Focus group Discussion with Oromia-Somali IDPs, Somali regional state, June 2021, Jigjiga

However, Gerri–Jarso relations took a different course in 2004 when the Federal Government organized a referendum to decide on the fate of hundreds of disputed localities along the boundaries of Oromia and Somali Regions.

The decision made by the House of Federation of the Federal Government to carry out a referendum on hundreds of cables of the contested Oromo–Somali boundary in 2004 and the inclusion of eighty-eight cables from the Jigjiga District where the Gerri and the Jarso lived intermingled led to a new phase in the relationship between the two groups.⁴⁷⁴

Initially, both Gerri and Jarso leaders pledged to stand together and campaign for the Somali Region.⁴⁷⁵ Members of the Somali Regional Government were also promised that if Chinaksen (the central Gerri–Jarso town) were awarded to the Somali Region, its status would become the level of a Woreda/District.⁴⁷⁶ Nevertheless, as the actual voting date approached, the two groups' common position began to falter, and some elders and influential personalities within the Jarso saw the referendum as an opportunity to decide conclusively on the land question and their group's subservience to the Gerri.⁴⁷⁷ They began to campaign in favor of joining the Oromia Region. When the referendum result was made public in November 2004, 43 Gerri–Jarso kebeles were assigned to the Oromia Region, while 40 remained within the Somali Region.⁴⁷⁸ More importantly, the town of Chinaksen was allocated to the Oromia Region. The outcome of the referendum shocked not only Gerri but also officials of the Somali Region and other prominent Somalis.⁴⁷⁹ A noted Somali commentator claimed that the whole process was a deliberate policy of 'resizing the Somali Regional State (Region 5) to an ever-shrinking arid area and a shrewd

⁴⁷⁴ Ibid

⁴⁷⁵ Supra note 465

⁴⁷⁶ Ibid

⁴⁷⁷ Ibid

⁴⁷⁸ Ibid

⁴⁷⁹ Ibid

way to satisfy Oromo political demands.⁴⁸⁰ On the other hand, Somali politicians in the Region and the federal government characterized the process as flawed. The referendum did not achieve the elusive task of harmonizing ethnic and regional boundaries.⁴⁸¹ Many Gerris were left within the kebele and transferred to the Oromia Region, while Jarsos continued to live in the kebele that they were assigned to the Somali Region, as well as in other parts of the Somali Region, especially Jigjiga town, where they were engaged in business.⁴⁸²

The situation began to hurt relations between the groups and led to an internal division within the Jarso. While some Jarsos supported the maintenance of Gerri–Jarso localities within the Somali Region, others chose Oromia.⁴⁸³ Thus, the 2004 referendum assigned the disputed localities to the two regions but did not bring peace between the Somali and Oromo groups. It achieved stabilization in the short term, but in the long term, it further separated communities and complicated inter-ethnic relations.

4.3.2 The 2017/18 conflict and displacement situations

The continued volatility of Oromo-Somali relations became apparent in 2017 when clashes along the regional boundary spiraled into mass killings and displacements on both sides. The Gerri lobbied Somali regional state political leaders, particularly fellow Darood, to speak on their interests by accusing the Jarso, including those who remained within the Somali regional state, of being Oromo.⁴⁸⁴ A key motivation for this was to claim control over farmland. Gerri and other Somali clans in Jigjiga considered the outcome of the 2004 referendum as nothing short of an

⁴⁸⁰ Ibid

⁴⁸¹ Ibid

⁴⁸² Ibid

⁴⁸³ Ibid

⁴⁸⁴ Ibid

Oromo theft of Somali-owned territory.⁴⁸⁵ Former Somali regional state president Abdi 'Iley' (2010-2018) made himself the spokesperson of Somali ethnonational interests within Ethiopia and portrayed the Jarso as invaders bent on taking Somali farms and lands.⁴⁸⁶ In 2016, he nominated Tulli Gould, where most Jarso within the Somali regional state live as a district. However, he deprived the Jarso of appointments in the new district instead of appointing Gerri individuals to most offices.⁴⁸⁷ This provoked violent clashes between Gerri and Jarso, during which the Somali regional state special police sided with Gerri.⁴⁸⁸ The special police were also reported to have supported the Gerri in clashes in Chinaksen in September 2017 and other localities on the Oromia side in July 2018.⁴⁸⁹ On the other hand, in August 2018, the Oromo security forces also reciprocated in attacking the Somalis in Tulli Guled.⁴⁹⁰

This has caused over one million people to be displaced to different locations. Both Oromos in the Somali regional state and Somalis in Oromia had to flee to their respective home state for safety.⁴⁹¹ The rapid escalation of this conflict was not the sole outcome of inter-ethnic animosities. The conflict also involved the Oromia and Somali regional states' regional administrations and security forces.⁴⁹² Both regional states spread propaganda and misinformation to mobilize their communities.

⁴⁸⁵ Ibid

⁴⁸⁶ Ibid

⁴⁸⁷ Ibid

⁴⁸⁸ Ibid

⁴⁸⁹ Ibid

⁴⁹⁰ Ibid

⁴⁹¹ Supra note 440

⁴⁹² Ibid

This exacerbated the conflict and left hundreds of thousands of displaced people and many more deaths and injuries.⁴⁹³ This conflict affected nearly all districts along the Oromia-Somali regional borders, including Moyale, Meiso, Babile, Tulli-Guled, Mayu-muluko, Kubi, and Salahad.⁴⁹⁴ According to the National Disaster Risk Management Commission (NDRMC), around 857,000 people have been displaced. The IOM Displacement Tracking Matrix also indicated that around 1 million persons were displaced to different areas of the Oromia and Somali regional states.⁴⁹⁵

The IDPs were settled in 400 locations either in IDP sites, with host communities or in "collective centers" along with the border areas and in major towns of Oromia, Somali, Harar region, and Dire Dawa and Addis Ababa cities.⁴⁹⁶ Around 637,000 IDPs were living in 145 spontaneous or planned camps/sites in the border areas of the Oromia and Somali Regional States. This included 68,000 Somali IDPs between mid-2015 and the end of 2017 who were living in the Qoloji IDP site located in Babile District (Babile Somali) on the Jigjiga-Harar road.⁴⁹⁷ Around 100,000 IDPs lived in government collective centers in the Oromia regional state, where most of the largest sites were located in major towns, for instance, in Addis Ababa (2,500), Dire Dawa (4,700), Harar (4,500), Adama (3,100), and Chiro (4,700). Similarly, around 4,000 Somali IDPs were also located in a youth recreation center in Dire Dawa City Administration.⁴⁹⁸ At least 256,000 IDPs lived amongst host communities or relatives in the

⁴⁹³ Mohamed, A. A. (2018). Assessment of conflict dynamics in Somali national, regional state of Ethiopia. *Journal of public policy and administration*, 2(4).

⁴⁹⁴ Ibid

⁴⁹⁵ Preliminary data¹² of the IOM Displacement Tracking Matrix conducted in November 2017

⁴⁹⁶ Ibid

⁴⁹⁷ Ibid

⁴⁹⁸ Ibid

border areas or dispersed in the two regions, including around 5,000 Oromos displaced from Somali and dispersed in various locations in the Oromia Region.⁴⁹⁹

In both regions, IDPs remained in unsafe conditions, both in terms of their lives and livelihood security. They were entirely dependent on the government, international humanitarian assistance, and the generosity of the host community, and they were often vulnerable to recurrent drought impacts.⁵⁰⁰ The needs of the displaced population significantly varied according to past livelihoods and displacement categories. Whereas those displaced in spontaneous sites like Qoloji were mainly pastoralists, those in transit and collective centers were mainly those displaced from cities and major towns and engaged in various professions. As a result, the conflict and subsequent population displacements across the board generated significant protection concerns.

4.4 Conclusion

Internal displacement is a form of forced migration in which individuals are compelled to leave their homes and seek refuge within the confines of their own nation. This pervasive issue has posed a significant challenge to Ethiopia over time. The country's primary causes of internal displacement include natural disasters, conflict, and development projects. However, inter-ethnic tensions and conflicts have emerged as the principal contributors to this phenomenon in recent years.

⁴⁹⁹ Ibid

⁵⁰⁰ Ibid

The Gedeo-Guji inter-ethnic conflict has recurred at various intervals, with the 2018 incident resulting in extensive displacement, human rights violations, loss of life, and property damage. Internally displaced persons (IDPs) have been compelled to seek shelter in diverse conditions, often without adequate protection and support.

The Oromia-Somali administrative boundary conflict of 2018 resulted in significant displacements in both regions, accompanied by loss of life and destruction of property. This conflict stemmed from disputes within regional states due to ethnic disparities and was further compounded by administrative boundary issues at various levels. Political factors and resource scarcity exacerbated the situation, leading to inter-ethnic conflict and mass displacement. This emerging trend in the history of Ethiopian internal displacement underscores ethnicity as a central factor in these scenarios. Moreover, many of these conflicts revealed the utilization of violence as a means to achieve displacement, often driven by politicians and ethnic leaders seeking to maintain power and control.

Chapter Five: Human Rights Protection of IDPs in Ethiopia: Empirical Insight into Experiences and Lessons from Gedeo-Guji and Oromo-Somali Conflict-induced IDPs

This chapter examines the human rights protection of internally displaced persons (IDPs) in Ethiopia. The study focuses on the experiences and lessons learned from the Gedeo-Guji and Oromia-Somali conflict-induced IDPs. It specifically looks at the protection of conflict-induced IDPs in these areas, focusing on basic human rights. The study seeks to answer the question, 'What were the responses and human rights protections for conflict-induced IDPs in these areas?'

5.1 Introduction

IDPs are individuals of a country, and the state is primarily obligated to ensure and protect their human rights.⁵⁰¹ Notably, in the case of conflict-induced internal displacement, the IDPs become susceptible to different types of human rights violations and are forced to live in dire conditions. During the three phases of the displacement,⁵⁰² IDPs encounter numerous protection concerns. The plight of the IDPs become severe mainly before and during the displacement. In these stages, displaced persons lack protection and become vulnerable to different types of human rights violations. This includes violence, intimidation, killings, looting, property destruction, house burning, and other violations that would force them to flee from their homes and habitual residences.

⁵⁰¹ Africa Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (2009), Uganda, Kampala, article 3, 4 and 5

⁵⁰² Internal displacement has three phases: before, during, and after displacement.

At the displaced sites, IDPs stay under challenging conditions with the overcrowded situation and lack of adequate shelter that could affect the health and privacy of the IDPs.⁵⁰³ In most cases, there is no individual tent, and IDPs are forced to be sheltered communally. Notably, such types of conditions would put women and girls at high risk of sexual and gender-based violence (SGBV).⁵⁰⁴

In the context of conflict-induced internal displacement, governmental authorities, and other relevant actors often violate the civil and political rights, as well as the economic, social, and cultural rights of internally displaced persons (IDPs). While all human rights are interconnected, the researcher has identified the most pressing protection concerns and human rights issues IDPs face in the specified case study areas. These concerns may also reflect broader challenges and limitations in the government's responses to addressing the issues of conflict-induced IDPs within the country.

5.2 Recognition as IDPs and Registration

The Guiding Principles and the Kampala Convention do not define IDPs; however, they provide a general description of who IDPs are and the situation of internal displacement.⁵⁰⁵ These documents give descriptive definitions and do not determine the status of displaced individuals like the refugee convention.⁵⁰⁶ Recognition and registration as IDPs are the initial and most pressing steps to realizing displaced individuals' subsequent needs and rights. The purpose of

⁵⁰³ The Ripple Effect, Multi-Dimensional Impact of Internal Displacement (2018), retrieved on 3/20/2022 from [201810-literature-review-economic-impacts.pdf \(internal-displacement.org\)](#), p.6

⁵⁰⁴ Ibid, p.39

⁵⁰⁵ See Principle 2 of the Guiding Principle on Internal Displacement, 1998, and Article 3 of the Kampala Convention, 2009

⁵⁰⁶ Article 1 of the 1951 Refugee Convention clearly defines refugees, and signatory states also use it to give individuals the status of refugees and acknowledge them.

formal registration and identification of IDPs is not to confer a privileged status but to ensure and supervise that the government and humanitarian partners adequately address the unique needs.⁵⁰⁷

The state has the primary responsibility to identify, recognize, register, and determine the status of displaced individuals as IDPs.⁵⁰⁸ In this context, international organizations, humanitarian agencies, or civil society organizations may support and work with the government to participate in the screening and registration process.⁵⁰⁹ Subsequently, state and international organizations are responsible for protecting the rights of IDPs and addressing their needs.⁵¹⁰

In Ethiopia's federal state structure, the federal and regional governments have the power and a responsibility to protect and give responses for internal displacement that occurred within their territory.⁵¹¹ The federal and regional governments are responsible for establishing institutions that work on identification, registration, and responses to internal displacement.⁵¹²

The research found that many individuals displaced by the Gedeo-Guji ethnic-based conflict did not have the knowledge and transparent information on how and who would register them.⁵¹³ They were displaced because of the conflict, and they fled to the surrounding districts to save their life and to find temporary protection. Accordingly, the number of displaced individuals was massive, and the zonal DRMO of Gedeo and Guji zones began to register the name, the number of families, the area of displacement, and the date of displacement of the individuals rounding

⁵⁰⁷ Crisp, J (2010). Forced displacement in Africa: Dimensions, difficulties, and policy directions. *Refugee Survey Quarterly*, 29(3), 1-27. p.14

⁵⁰⁸ Article 13 (1) of the Kampala Convention, 2009

⁵⁰⁹ Ibid

⁵¹⁰ Articles 3, 4, 5, and 6 of the Kampala Conventions, 2009

⁵¹¹ The regional constitutions are a direct replica of the federal one and impose an obligation on the regional governments to take measures to avert natural and man-made disasters and, in the event of disasters, to provide timely assistance to the victims within their areas of jurisdiction.

⁵¹² Article 2(2) of the Kampala Convention obliged states to designate an authority or body, where needed, responsible for coordinating activities aimed at protecting and assisting internally displaced persons, assigning responsibilities to appropriate organs for protection and assistance, and cooperating with relevant international organizations or agencies and civil society organizations.

⁵¹³ Focus Group Discussion with Gedeo-Guji IDPs, Oromia Regional State, Bule Hora town, June 2021

through the collective site in which the IDPs were temporarily sheltered.⁵¹⁴ The registration process was an essential step in the subsequent response and intervention made by the government and humanitarian partners. It was also a way of government recognition and a status-giving process for IDPs.

However, the ZDRMO needed an explicit criterion for identifying displaced individuals from the host community.⁵¹⁵ During the registration process, the ZDRMO requested that the displaced individuals bring documents, such as a letter from their areas of displacement, identity card, or bank book account, to identify their areas of displacement.⁵¹⁶ Nonetheless, the respondents mentioned that they did not have any documents as the conflict happened suddenly, and they fled in any direction to save their lives. The others also specified that their documents were burned and destroyed during the conflict, challenging their registration process.

Thus, to minimize such gaps, the ZDRMO used the testimony of three elderly individuals living in the areas of displacement as a second option and attempted to identify the displaced persons from others and determine the status of IDPs.⁵¹⁷

In doing so, members of the host community and individuals who attempted to register as displaced persons with forged documents and identity cards challenged the registration.⁵¹⁸ Besides, as time passed, the registration process came into question, leading to bribery and the inclusion of new ineligible beneficiaries in the list. Some of the IDPs who appeared on the beneficiary list were canceled and had no access to humanitarian assistance.⁵¹⁹ This created discrimination in the responses and equal treatment of the IDPs. It also created a vast

⁵¹⁴ Ibid

⁵¹⁵ Ibid

⁵¹⁶ Ibid

⁵¹⁷ Critical Informant Interview with the Head of the Zone Disaster Risk Management and Early Warning Bureau DRMB of West Guji, June 2021, Oromia regional state, Kerch

⁵¹⁸ Focus Group Discussion with Gedeo-Guji IDPs, Oromia Regional State, Bule Hora town, June 2021

⁵¹⁹ Ibid

discrepancy in the IDP list and figures between the government and humanitarian partners and affected the response process.⁵²⁰ The government's master list had more beneficiaries and included different ineligible beneficiaries, while the list sent to the humanitarian partners was limited and had a small number of IDPs. Thus, the government and humanitarian partners have jointly conducted a new registration and verification to minimize the challenges.

Kampala Convention Article 3 obligates states to respect, ensure, and protect the human rights of internally displaced persons, including human treatment, non-discrimination, and equal protection. Besides, Article 13 of the Kampala Convention specified that the government is primarily responsible for creating and maintaining an updated register of all internally displaced persons within its jurisdiction or effective control.

Nonetheless, the research identified the following serious shortcomings. There was no clarity and transparency in the registration process at Gedeo and Guji Zones. This is because of a lack of clear normative frameworks on how and who will register conflict-induced IDPs. There was no precise institution legally empowered to register the IDPs. It was the zone disaster risk management office that attempted to register them. This, in turn, caused mischief, discrimination, and absences of proper recognition and registration stemming from a lack of protection and assistance. This caused the displaced individual to be re-victimized and forced to secondary displacement and live in dire conditions without protection and adequate assistance. Accordingly, the respondents mentioned that some individuals are alleged to be IDPs while they are living with the host community, begging in the town, and some of them sharing food with the one who was registered.⁵²¹

⁵²⁰ Critical Informant Interview with Staff of UNHCR, IDP response team, June 2021, Oromia regional state, Kercha

⁵²¹ Critical Informant Interview with Staff of UNHCR, IDP response team, June 2021, Oromia regional state, Kercha

Concerning the 2018 Oromo-Somali administrative boundary conflict, several individuals were displaced to the surroundings of Oromia and the Somali Regional States.⁵²² The DRMO focal persons in the Bible and Jigjiga zones attempted to register the displaced individuals but failed to manage the process due to the massive influx of individuals and the lack of a proper registration system.⁵²³ Hence, there were displaced individuals who were not registered as IDPs and individuals who were not displaced but registered as IDPs.⁵²⁴

The zonal government also became reluctant to give temporary ID cards to the displaced, which has complicated the responses and protection concerns. For instance, IDPs who were displaced from the Somali Regional State and sheltering in Millennium Park at Dire Dawa did not get an ID card but have been living in the city for more than two years since their displacement in 2018. The same was true for IDPs who were displaced from Oromia Regional State and sheltered in the Qoloji 2 IDP site.⁵²⁵ The IDPs did not get temporary ID cards or vital events registration services, which had a more significant impact on the response process and the human rights protection of displaced individuals. In such massive and complex displacement cases, the government should take different approaches to addressing the plights of the displaced persons. Sometimes, government responses that target all affected populations, including the host community, might be the most practical means of reaching the internally displaced.⁵²⁶ This type of approach can address all IDPs and the host community; however, it demands enormous resources and active humanitarian and government responses.

⁵²² Mohamed, A. A. (2018). Assessment of conflict dynamics in Somali national, regional state of Ethiopia. *Journal of public policy and administration*, 2(4)

⁵²³ Focus Group Discussion with Oromia-Somali IDPs, Somali regional state, Jigjiga town, June 2021

⁵²⁴ Ibid

⁵²⁵ Ibid

⁵²⁶ The Office of the United Nations High Commissioner for Refugees, (2012), *The State of the Worlds Refugees in Search of Solidarities*, retrieved 3/21/2022, from [4444afce0.pdf \(unhcr.org\)](#), p.156

Other approaches might mainly give special attention to disadvantaged groups and actual IDPs who neglect the host communities. This demand for limited resources would enhance the response process and their protection.⁵²⁷ Mainly, focusing and singling out the IDPs would make it easier to call upon governments to assume responsibility for them and to press for international action on their behalf.⁵²⁸ This type of response can directly address the displaced and create responsibility and accountability in the government response process. However, it might create disputes between the IDPs and the host communities because the IDPs are sharing the host community's resources, including land and water.

In the cases of Gedeo-Guji and Oromo-Somali conflict-induced internal displacement, the federal and regional governments chose to specifically focus on the needs of the displaced rather than giving responses for both the host and displaced communities. This is because there were a massive number of IDPs and limited resources, and the government needed help to address even the needs of the IDPs. Accordingly, UN Agencies, international organizations, and Local NGOs have greatly supported the government and distributed essential services to the IDPs. It was the first time that a considerable number of UN Agencies and international organizations participated in the response process and attempted to address the needs of the IDPs.⁵²⁹ However, the IDPs were still considered aid recipients rather than rights holders, and their survival depended on the willingness of the government and humanitarian partners.

Article 13 of the Kampala Convention affirmed that state parties shall be responsible for issuing documents necessary to enjoy and exercise IDP rights, such as passports, personal identification,

⁵²⁷ Ibid

⁵²⁸ Ibid

⁵²⁹ Critical Informant Interview with Staff of UNHCR, IDP response team, June 2021, Oromia regional state, Kercha

civil, birth, and marriage certificates.⁵³⁰ Furthermore, the convention specified that States Parties should facilitate the issuance of new documents or the replacement of documents lost or destroyed during displacement without imposing unreasonable conditions, such as requiring the return to one's area of habitual residence to obtain these or other required documents.⁵³¹ Nonetheless, the prevailing practice was different, and no responsible government authority was authorized to follow up and renew the lost documents of the IDPs.

The government had focused on and intended to return the IDPs and aimed to solve the documentation issues in the areas of return. The returnees at Gedeo and Guji also mentioned that they had registered but still needed their ID cards and lost documents once; the government's failure to issue the ID card greatly affected the right to movement of the IDPs in the displaced areas. They could not freely move from the marketplace to the IDP site and within the host community. This creates a significant impact on the human rights protection of the IDPs, which is against Article 13 of the Kampala Convention. The federal and regional governments needed to register or recognize the displaced correctly. Accordingly, they did not get Identification Cards, their right to movement was restricted, and they could not feed their family.

Therefore, inconsistency in the government registration system and the lack of documentation, including ID cards, have significantly impacted the enjoyment of the subsequent rights of the IDPs and their human rights protection.

5.3 The Right to Safety and Security

Conflict-induced internal displacement often occurs in situations characterized by a breakdown in the rule of law, where national or local authorities may lack the capacity or willingness to

⁵³⁰ Kampala Convention, 2009, Article 13

⁵³¹ Ibid

maintain law and order and ensure the safety and security of individuals.⁵³² In such cases, individuals become subject to displacement, and they will bear the brunt of such violence and human rights violations before, during, and after the displacement. During conflict-induced internal displacement, IDPs frequently lose the protective presence of their homes, families, and communities and lack access to lifesaving assistance and services, including food, shelter, and primary health care services.⁵³³ As a result, they may find themselves at greater risk of such violence, and their ability to recover is also undermined.⁵³⁴

Several provisions in international and regional legal frameworks deal with a person's rights to safety and security, including the rights to life, liberty, and security.⁵³⁵ It is also the state that has the primary obligation to protect the human rights of its citizens, including the IDPs.

The state must ensure that all its relevant authorities and agents respect these rights, protect against third-party violations, and ensure that individuals can access appropriate remedies when violations occur.⁵³⁶ To that effect, national authorities should take all appropriate legislative, administrative, and executive measures to maintain law and order.⁵³⁷

Safety and security are the primary concerns of the IDPs, particularly during and after the displacement. It is also a precondition to ensure effective, durable solutions. In conflict-induced internal displacement, the individuals are displaced because of the threatening peace and security situation in their areas of origin. After displacement, the IDPs might choose one of the durable

⁵³² Global Protection Cluster Working Groups, Handbook for the Protection of Internally Displaced Persons, retrieved 3/21/2022 from [4c2355229.pdf \(unhcr.org\)](#)

⁵³³ Ibid

⁵³⁴ Ibid

⁵³⁵ See the articles on International Covenant on Civil and Political Rights, 1966, Convention against Torture and other inhuman and degrading treatment, 1984, and the African Charter on Human and Peoples Rights, 1981

⁵³⁶ The state has three primary human rights obligations: respect, protect, and fulfill the human rights of individuals.

⁵³⁷ Kampala Convention, (2009), articles 5 and 7

solutions, and they want to live in a sustainable peace that will not force them to a secondary displacement. Hence, the government has the prior responsibility to protect and ensure the peace and security situation of the IDPs and their living environments.⁵³⁸

Because of the lack of peace and security, the Gedeo-Guji IDPs were displaced from their habitual residences and sheltered for months in different parts of the Gedeo and Guji zones. The respondents mentioned that the zone administration assigned security personnel to protect the IDP site. Hence, there was no insecurity situation in the IDP site, and the IDPs were freely moved within and outside it.

However, the returnees mentioned that there were relatively better security situations in the returnee's areas, but it was far from stable and assured in all areas at all times.⁵³⁹ The respondents of this study mentioned a relative reduction in intimidation faced and a better sense of security; however, the returnees did not feel secure and did not know what would happen next.⁵⁴⁰

The government's primary responsibility is to protect its citizen's peace and security and ensure the protection needs of IDPs and returnees.⁵⁴¹ It also must protect and safeguard the IDPs and returnees from different attacks and secondary displacement from the area they have been sheltered and returned to.

Besides, the government ensures reconciliation and creates a peaceful living environment for the returnees and society. To this end, the government should follow the humanitarian-development-peace nexus, address the causes of displacement, protect the returnees' peace and security, and ensure durable solutions.

⁵³⁸ Ibid, article 5

⁵³⁹ Focus Group Discussion with Gedeo-Guji IDPs, SNNP regional state, Dilla, June 2021

⁵⁴⁰ Focus Group Discussion with Gedeo-Guji IDPs, SNNP regional state, Dilla, June 2021

⁵⁴¹ See Article 5 of the Kampala Convention that deals with the obligation of States Parties relating to Protection and Assistance to internally displaced persons, 2009

On the ground, the government and different humanitarian partners attempted to reconcile the Gedeo and Guji communities, and some of the IDPs were returned to their original places.⁵⁴² However, there were incidents, and because of a lack of peace and security in the area, premature return processes resulted in a massive number of secondary displacements.⁵⁴³ Thus, the IDPs did not feel safe, and the returnees were also living in a traumatized condition in fear of what would happen to them next.⁵⁴⁴ Therefore, the IDPs' right to peace and security was compromised and deteriorated from time to time, and the government failed to ensure its obligation.

Besides, the study found a limited number of security personnel and unpredictable peace and security situations in the border areas of the Oromia and Somali Regional States.⁵⁴⁵ Tensions existed between the Gari and Jarso communities, particularly in the Tulugid and Chinaksen areas of the Somali Regional State.⁵⁴⁶ In these areas, a mix of Oromo and Somali ethnic backgrounds was living, and it always became a disputed area. The IDPs were living in a dire situation, lacking government protection. This fragile security situation in the area has increased the number of displaced individuals. This also becomes a threat to the previously displaced individuals not to be returned to their places of residence.

For instance, returnees in Feraa'ad kebele, Tuliguled District, also disclosed that tension existed between the Gerri and Jarso clans residing in the area.⁵⁴⁷ This tension sometimes led to violence and resulted in death and the displacement of individuals. Despite these security issues, the government did not deploy enough security forces to maintain the law and order.⁵⁴⁸ There was

⁵⁴² Focus Group Discussion with Gedeo-Guji IDPs, SNNP regional state, Dilla, June 2021

⁵⁴³ Ibid

⁵⁴⁴ Ibid

⁵⁴⁵ Focus Group Discussion with Oromia-Somali IDPs, Somali regional state, Jigjiga town, June 2021

⁵⁴⁶ Ibid

⁵⁴⁷ Ibid

⁵⁴⁸ Ibid

fear and threat that conflict might erupt and result in massive displacements.⁵⁴⁹ The same was true in Chinaksen District, where the security situation was fragile and caused secondary displacement among the returnees. The scarcity of resources and the prolonged displacement situation also deteriorated the smooth relationship between the IDPs and host communities.⁵⁵⁰ Besides, there was a lack of security in the IDP sites, and the IDPs encountered different types of crime by the IDPs and the host communities.⁵⁵¹ This has challenged the peace and security of the IDPs.

The government is primarily responsible for providing protection and humanitarian assistance to IDPs without discrimination within its territory or jurisdiction.⁵⁵² IDPs in Somali and Oromia regional states were living in dared situations, and the government has failed to address its peace and security concerns. As a result, the IDPs refused to return to their original places. Currently, there are a massive number of IDPs sheltered in different camps and living with the host community in Somali and Oromia regional states. Additionally, some who returned to their habitual residences were subjected to secondary displacements.⁵⁵³

5.4 The Right to House, Land, and Property (HLP)

Forced displacement can be a cause and a consequence of land, home, and other property deprivation.⁵⁵⁴ People are often forced to leave behind valuable land and other property when they flee and seek safety from the effects of armed conflict, human rights abuses, and other

⁵⁴⁹ Ibid

⁵⁵⁰ Critical Informant Interview with Somali Regional State DRMB focal person, June 2021, Jigjiga

⁵⁵¹ Critical Informant Interview with Somali Regional State DRMB focal person, June 2021, Jigjiga

⁵⁵² See article 89 of the FDRE constitution, 1995

⁵⁵³ Critical Informant Interview with Somali Regional State DRMB focal person, June 2021, Jigjiga

⁵⁵⁴ Global Protection Cluster Working Groups, Handbook for the Protection of Internally Displaced Persons, retrieved 3/21/2022 from [4c2355229.pdf \(unhcr.org\)](https://www.unhcr.org/4c2355229.pdf)

events.⁵⁵⁵ In many cases, such property is subsequently damaged or destroyed by fighting or appropriated by parties to a conflict or other persons who may be displaced.

Disputes over land and property are frequently among the root causes of conflict and displacement in many countries and are highly complex and challenging to solve.⁵⁵⁶ Loss of land and property can have severe consequences for the lives and well-being of individuals and the community and expose them to various risks. Without access to land, homes, and property, people are often deprived of their primary source of physical and socioeconomic security, including shelter, water, food, and the ability to earn a sustainable livelihood.⁵⁵⁷

Lack of a home or a fixed residence can also restrict people's access to assistance and services, including education and health care.⁵⁵⁸ As a result, a lack of HLP would affect displaced persons and make them vulnerable to increased poverty, marginalization, harassment, exploitation, and abuse.

International and regional human rights law guarantees several rights that are particularly important for those who have been or are at risk of being deprived of their land and property.⁵⁵⁹

The right to peaceful enjoyment of property includes the right to own, acquire (through purchase, gift, or inheritance), manage, and enjoy the property without discrimination.⁵⁶⁰

The right to restitution and compensation is not conditional on the return to the area where the property is located but remains valid even when a person chooses not to return (often on the

⁵⁵⁵ Ibid

⁵⁵⁶ Ibid

⁵⁵⁷ Ibid

⁵⁵⁸ Ibid

⁵⁵⁹ UDHR, (1948). International Covenant on Civil and Political Rights, 1966; International Covenant on Economic Social and Cultural Rights, 1966; African Charter on Human and Peoples Rights; Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa, 2003

⁵⁶⁰ Ibid

grounds of valid security concerns) but instead opts to resettle and integrate elsewhere.⁵⁶¹ These and other rights are further outlined in the UN Principles on Housing and Property Restitution for Refugees and Displaced Persons (Pinheiro Principles) and in Articles 21 and 29 of the Guiding Principles on Internal Displacement.⁵⁶² The right to adequate housing and property is a fundamental human right for all individuals, including IDPs.

The empirical investigation of the study found that during the conflict, the majority of the IDPs lost most or all of their household items and often fled in haste with nothing more than personal possessions.⁵⁶³ Their houses were fully or partially damaged.⁵⁶⁴ IDPs also lost other assets (farms and livestock) and cash reserves. They could no longer engage in their usual livelihood-generating activities, like farming, and were forced to work as daily laborers.⁵⁶⁵

Although some of the houses were reconstructed with the assistance of humanitarian actors, most returnees in West Guji and Gedeo zones lived in tiny, makeshift houses congested with limited protection from harsh weather conditions.⁵⁶⁶ Besides, the new influxes of IDPs in some areas were nearly doubling the district population and forced IDPs to be sheltered in cramped public buildings, schools, and training centers.⁵⁶⁷

The following table shows the damage and loss assessment conducted by UNHCR, Bule Hora University, and West Guji Zonal Disaster Risk Management Office in selected Districts.

⁵⁶¹ Articles 9 and 11 of the Kampala Convention, 2009

⁵⁶² United Nations Special Rapporteur on Housing and Property Restitution in the Context of the Return of Refugees and Internally Displaced Persons, 2005, Retrieved July 2021, from Housing and Property Restitution in the Context of the Return of refugees and internally displaced persons: (un.org)

⁵⁶³ Focus Group Discussion with Gedeo-Guji IDPs, Oromia regional state, Dilla, June 2021

⁵⁶⁴ Interview with Gedeo zone Disaster Risk Management Bureau Focal Person, Dilla, June 2021

⁵⁶⁵ Focus Group Discussion with Gedeo-Guji IDPs, Oromia regional state, Dilla, June 2021

⁵⁶⁶ Focus group Discussion with Gedeo Guji IDPs, Dilla town, June 2021

⁵⁶⁷ Critical Informant Interview with a focal person of Gedeo zone Disaster Risk Management Bureau Dilla town, June 2021

Accordingly, the study revealed that 78,257 households (508 671 individuals) with an average family size of 6 HH were severely exposed to multiple socioeconomic crises.⁵⁶⁸

Table 5.1: Overview of the overall damages losses incurred following the Gedeo-Guji conflict

Sector & Sub-Sector	Damage	Loss	Ownership
Agriculture			
Crops	33,751,275	211,877,008	Private
Livestock	370,500,000	73,253,397	Private
Total	404,251,275	285,130,405	681,966,143
	Damaged (no.)	Damage	Loss
Social Sectors			
Housing	21,226	497,016,384	17, 867, 500
Education	10	2, 650, 934	94, 200
Health	6	3, 889, 513	0
Others	92	16, 163, 618	1, 287, 400
Religious institution	264	27, 968, 927	2, 449, 200
	Total	547, 689, 376	21, 698, 300
	Grand Total	1, 258, 769, 357	

Note: The Damage and Loss Assessment was conducted by Bule Hora University, UNHCR, and the West Guji Zonal Disaster Risk Management Office, focusing on six Districts (Abaya, B/Kojowa, Bule Hora, Galena, H/Wamana, and Kercha) in the West Guji zone.

The study found that during the Oromo-Somali conflict, the IDPs had lost their house, land, and properties. Most of the IDPs HLPs were partially and fully damaged.⁵⁶⁹ Hence, the government is responsible for establishing an adequate legal framework to provide just and fair compensation and other reparations. It is the government that has the primary responsibility to reinstate these individuals.

⁵⁶⁸ Bule Hora University, UNHCR, and West Guji Zonal Disaster Risk Management Office, Damage and Loss Assessment of Gedeo zone, 2020

⁵⁶⁹ Focus group Discussion with Oromia-Somali IDPs, Somali regional state, June 2021, Jigjiga

However, the government has specified reservations about the Kampala Convention and denied the right to compensation of conflict-induced IDPs, which is against the objective and purpose of the Kampala Convention.⁵⁷⁰

One of the Kampala Convention's primary objectives is to promote and strengthen regional and national measures to prevent or mitigate, prohibit, and eliminate root causes of internal displacement and provide durable solutions. The right to compensation is the essential component of realizing a durable solution.⁵⁷¹ The government's negligence and failure to protect the volatile peace and security of the society resulted in massive displacements and destruction of properties. Thus, the government has the responsibility to restore and rehabilitate the IDPs.

In the collective centers, overcrowding was created, an additional risk, where several people lived and cooked in small spaces. In some places, the IDPs also had to find sticks and other rough materials to construct rudimentary shelters.⁵⁷² Because of a lack of shelter, 15-20 people shared one shelter at one site, and women and men slept in the same room.⁵⁷³ This makes women not to be free and vulnerable to sexual and gender-based violence.

Besides, IDPs in some areas like Awberre and Qoloji 2 lost their landholding documents and feared being deprived of the immovable property they left behind in their place of origin.⁵⁷⁴

Ethiopia is a party of several international and regional human rights instruments that require the state to protect and promote the HLP rights of all its citizens, including the IDPs.⁵⁷⁵ However,

⁵⁷⁰ Proclamation No 1187/2020, Proclamation to ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons In Africa (Kampala Convention, 2009), Article 3

⁵⁷¹ Kampala Convention, (2009). Articles 3, 11 and 12

⁵⁷² Focus Group Discussion with Oromia-Somali IDPs, Somali regional state, June 2021, Jigjiga

⁵⁷³ Ibid

⁵⁷⁴ Ibid

⁵⁷⁵ Ethiopia has ratified basic international human rights instruments, including the International Covenant on Economic, Social, and Cultural Rights. (ICESCR, accession June 11, 1993), the International Covenant on Civil and

the vast majority of IDPs said that they were violently attacked and their properties were stolen in their areas of origin. Most of them mentioned that they would never go back to their place of origin.⁵⁷⁶ Some of them returned to their original places and did not get their properties; they were looted and destroyed, though they did not have clear information on who did it.⁵⁷⁷

IDPs and host community members alike were suffering from poverty. While host communities were willing to have IDPs living with them, they worried that both would suffer unless assistance were given regarding critical needs like housing, water, health, and livelihoods.⁵⁷⁸ The host communities were the first responders and warmly accepted the IDPs; however, when time went on, and the host community understood the shortage of resources, including the increase in house rent, they became reluctant to support the IDPs, and some of the host communities began to harass them.

To put it in a nutshell, it is possible to conclude that common HLP issues like property damage, looting, tenure insecurity, lack of adequate housing, and access to land and natural resources were the common challenges encountered by most conflict-induced IDPs from Somali, Oromia, Gedeo, and Guji areas. HLP is one of the basic needs for individuals' survival; however, some of these IDPs failed to enjoy these rights during and after the displacement and were forced to live in streets, churches, and different makeshift areas.

Political Rights (ICCPR, accession June 11, 1993) and the African Union Convention for the Protection and Assistance of Internally Displaced People (Kampala Convention, ratified February 13, 2020).

⁵⁷⁶ Focus Group Discussion with Oromia-Somali IDPs, Somali regional state, June 2021, Jigjiga

⁵⁷⁷ Ibid

⁵⁷⁸ Ibid

5.5 The Right to Education

Ensuring full and equal access to education in situations of internal displacement is a base and an essential tool for protecting other human rights. Education provides people with access to lifesaving and life-sustaining skills and knowledge.⁵⁷⁹ Education is a means to understand the rights and duties of individuals and an instrument to live peacefully with society.

Education, vocational training, and other learning activities are often disrupted during conflict and displacement.⁵⁸⁰ IDPs face numerous obstacles in accessing proper education because of the brittle security situation and the need for adequate educational facilities. In other words, because of factors like a shortage of student cards, money for registration fees, and scholastic materials, they cannot resume their education in the areas of displacement. There are also circumstances in different parts of the country where the schools were used as shelter by the IDPs, and education was interrupted.

Lack of resources and loss of homes, land, and livelihoods often result in poverty and marginalization. Hence, IDPs may lack the necessary resources to pay for tuition, books, clothing, school supplies, and meals.⁵⁸¹ Children and adolescents, particularly girls, are often required to work or assist with domestic chores, so they may be unable to attend school. Because of the lack of safety and security, children can be exposed to various protection risks inserted into or while attending school. Besides, a lack of safe learning environments in the areas of

⁵⁷⁹ Ambe-Uva, T. N. (2012). The right to education for internally displaced persons in Nigeria through Open and Distance Learning. *Huria: Journal of the Open University of Tanzania*, 13(2), 359–372.

⁵⁸⁰ Global Protection Cluster Working Group (2007), *Handbook for the protection of internally displaced persons*, Global Protection Cluster Working Group, P. 282

⁵⁸¹ Ibid

displacement, frequent conflicts, and displacement undermined the safety of the learning environment in general.⁵⁸²

International and regional human rights law guarantees the right to free and compulsory education for all at the elementary level.⁵⁸³ Besides, the Education for All Framework and the Millennium Development Goals address the right to education, including IDPs. Hence, the right to education is one of the human rights of IDPs, which was endangered during and after the displacement situation. Accordingly, the government is primarily responsible for protecting and ensuring the right to education, which is one of the fundamental human rights of IDPs and an instrument for the enjoyment of other human rights.

The empirical investigation found that internally displaced children were unable to complete their school year because of the Gedeo-Guji conflict in 2018/19. Mainly, those who were expected to sit for the national exams did not take them because of changes in the medium of instruction and the bureaucracy of school registration-related challenges in the areas of displacement.⁵⁸⁴ Those IDP children who have been displaced from the west Guji zone studied their education in the local language of Oromifa, and during their displacement, they were not able to resume it because the education given in Amharic and Gedeofa which is the local language in the Gedeo zone.

⁵⁸² Ibid

⁵⁸³ At the international level, Art. 26 of UDHR; Arts. 24(2)(e) and (f), 28 and 29 of CRC; Arts. 6, 13, and 14 of ICESCR; Art. 18 of ICCPR; Art. 5(e)(v) of ICERD; Arts. 10, 11(1)(c) and 14(2)(d) of CEDAW; the Convention against Discrimination in Education; and Principle 23(3)(4) of the Guiding Principles on Internal Displacement. At the regional level, Art. 17 of AfCHPR and Arts. 4(d) and 12 of its Protocol on the Rights of Women in Africa; Arts. 11 and 20(2)(a) of AfCRWC; Art. 13 of the Additional Protocol to the AmCHR in the Area of Economic, Social and Cultural Rights; Art. 34 of ArCHR; and Art. 2 of Protocol I to ECHR.

⁵⁸⁴ Focus Group Discussion with Gedeo Guji IDPs, Oromia regional state, Gedeb, June 2021,

In addition, because of the displacement situation, the internally displaced children did not have any documents at hand. They barely fled to save their lives.⁵⁸⁵ However, some schools requested student cards and registration fees, and we are unwilling to register internally displaced children. Besides, the security situation did not allow IDPs to return and reintegrate into schools in their areas of origin.

In areas of displacement, some schools' classrooms were burned, school furniture was used as firewood when IDPs sheltered in there, and stationery materials were burned, damaged, and extensively used for sanitation facilities.⁵⁸⁶

Furthermore, the displacement affected not only the right to education of internally displaced children but also challenged the host communities' children as well. Schooling for the host community was disrupted as schools remained occupied and served as shelters for IDPs.⁵⁸⁷ In Wonago and Kercha, schools were closed for more than four months, and the IDPs, as well as the host community children, were not able to attend their education. In some schools, teachers and students were displaced, and IDPs did not return and resumed school at their temporary shelter.⁵⁸⁸ Schools in Gedeb and Bule Hora were closed, and students could not attend.

Moreover, some schools were not occupied by IDPs and continued their education. However, some of the IDP families were not also interested in sending their children to school; instead, they forced them to work as daily laborers to make money to save their lives.⁵⁸⁹ The government's and the humanitarian organization's support needed to be more for survival, and

⁵⁸⁵ Ibid

⁵⁸⁶ Focus Group Discussion with Gedeo Guji IDPs, Oromia regional state, Gedeb, June 2021

⁵⁸⁷ Critical informant interview with the focal person of Gedeb Woreda DRMB, June 2021, Gedeb

⁵⁸⁸ Focus Group Discussion with Gedeo Guji IDPs, Oromia regional state, Gedeb woreda June 2021

⁵⁸⁹ Ibid

the IDPs did not worry about their children's education. Instead, they focused on lifesaving activities and engaged in different income-generating activities.

In the Oromo-Somali conflict-induced displacement, the research found out that most of the IDP children in the IDP sites were not attending school because their parents could not afford to buy them stationery materials as well as uniforms.⁵⁹⁰ Incapacity to cover transportation and uniform costs impeded some IDP children in Chinagsen and Qoloji 2 from attending school. Instead, the children had responsibilities to engage in income-generating activities like daily labor or begging to support their families.⁵⁹¹ Besides, schools were too far from the IDP's site, which was another factor for the IDP's children who failed to attend school. Schools above the 4th Grade were unavailable in Qoloji 2, and children stopped their education. Students were taught only up to the 3rd Grade in Babile IDP's site, and it deprived the children of continuing their education above Grade three.⁵⁹²

During the conflict, some of the schools and houses were burned, and the IDPs lost their educational documents. Hence, the respective regional governments of Oromia, Somali, and Southern Nation Nationalities and People transmitted a circular that would allow the IDPs' children to be registered without further verification and presenting documents.⁵⁹³ Accordingly, the IDP children were registered and resumed their education.

However, there were challenges in that some of the school supervisors have been requesting school cards or enclosures and refused to register the IDP children.⁵⁹⁴ Furthermore, the IDPs who were displaced from Oromia to Somalia and vice versa needed to be more familiar with the

⁵⁹⁰ Focus Group Discussion with Oromia-Somali IDPs, Somali regional state, June 2021, Jigjiga

⁵⁹¹ Ibid

⁵⁹² Ibid

⁵⁹³ Kampala Convention article, (2009). Article 13

⁵⁹⁴ Focus Group Discussion with Oromia-Somali IDPs, Somali regional state, June 2021, Jigjiga

working language of the education systems. IDPs sheltered at Qoloji 2 sites were displaced from Oromia Regional States, and their children were following their education through Oromifa. This challenged the IDP's children to refrain from resuming their education through the Somali language in the areas of their displacement. The same challenge was faced by IDP children who were displaced from the Somali Regional States and resided in Babile Oromia Regional States to resume their education in Oromifa because their education was in the Somali language.

Thus, the research has identified that the conflict has damaged educational facilities and hindered individuals from quickly resuming their education in the areas of their displacement. This has violated the right to education of children, particularly conflict-induced internally displaced children in the specified areas. Hence, children are forced to engage in different coping mechanisms and become vulnerable to addictions.

5.6 The Right to Safe Drinking Water and Sanitation /WaSH/

The human rights to water and sanitation are among the human rights of individuals specified in Article 25 of the Universal Declaration of Human Rights and Article 11 of the International Covenant on Economic, Social, and Cultural Rights. The General Assembly and the Human Rights Council have explicitly recognized the human rights to water and sanitation as two distinct but interrelated human rights.⁵⁹⁵ International human rights law, which always applies, and international humanitarian law, which applies to armed conflict, complement and mutually reinforce the protection of human rights to water and sanitation.⁵⁹⁶

⁵⁹⁵ See Committee on Economic, Social and Cultural Rights, general comment No. 15 (2002) on the water rights. See General Assembly resolution 70/169 and Human Rights Council resolution 33/10.

⁵⁹⁶ United Nations, International Legal Protection of Human Rights in Armed Conflict, Office of the United Nations High Commissioner for Human Rights (OHCHR), New York and Geneva, 2011.

The human right to safe drinking water entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible, and affordable water for personal and domestic use. The human right to sanitation entitles everyone, without discrimination, to have physical and affordable access to sanitation in all spheres of life that is safe, hygienic, secure, socially, and culturally acceptable, and that provides privacy and ensures dignity.⁵⁹⁷

In its general comment No. 15 (2002) on water rights, the Committee on Economic, Social and Cultural Rights confirmed that the International Covenant on Economic, Social and Cultural Rights and the human rights to water and sanitation apply even in times of armed conflict, natural disasters, or other emergencies.

States, therefore, should provide water and sanitation services to forcibly displaced persons who do not have sufficient means, whether they are staying in camps, informal settlements, detention centers, or urban or rural areas. As State capacity may be limited in such situations, international organizations, non-governmental organizations, funders, and other humanitarian organizations can play a crucial role in assisting the state and addressing individuals' human rights.⁵⁹⁸

Thus, according to international human rights law and international humanitarian laws, IDPs have the right to access safe drinking water and sanitation regardless of where they are living and displaced from the same conditions as granted to nationals of the States.

The study's empirical investigation found that before the displacement situation, water and health care services in the Gedeo and Guji zones needed to be increased. The displacement situation

⁵⁹⁷See Committee on Economic, Social and Cultural Rights, general comment No. 15 (2002) on the water rights. See General Assembly resolution 70/169 and Human Rights Council resolution 33/10.

⁵⁹⁸ United Nations General Assembly, Report of the Special Rapporteur on the human rights to safe drinking water and sanitation, Retrieved January 5, 2023, available at [G1823964.pdf \(un.org\)](#)

also exacerbated the accessibility of such types of services.⁵⁹⁹ For instance, safe and adequate water supply within households reached in Gedeo District (which hosted the most significant number of IDPs in SNNP, over 300,000) was only 21% ahead of the IDP's flow, with flooding further contaminating some of the limited clean water sources.⁶⁰⁰ There were hand-pumped water wells in IDP areas like Kercha Inshe and Hera Lipitu kebeles; however, in other areas like Deko kebele, the IDPs were forced to use river water for drinking.⁶⁰¹ As a result, the IDPs, in particular children, were exposed to diarrhea and other waterborne diseases. Besides, IDPs in Kersa Mele struggled to buy a bucket of water for 10 birrs by traveling for two hours on foot.⁶⁰² This raised another challenge for internally displaced women to become vulnerable to SGBV cases.⁶⁰³

The same challenge was also identified in the case of Oromo-Somali conflict-induced IDPs. There was a shortage of water and WaSH materials for IDPs who were living at the Qoloji IDPs' site, as well as IDPs who were living with the host community at Jigjiga town. There is a water shortage, and it is difficult to get safe drinking water. The women and children are forced to fetch water in the remote areas, and others are forced to buy one Jericane drop of water with 10 Ethiopian beers.

At the Qoloji IDP site, some of the women have received dignity and sanitation kits from the humanitarian partners; however, it is not enough, and there are not enough sanitation facilities in the IDP site. On the other hand, IDPs who are living with the host community in Jigjiga and

⁵⁹⁹ Interview with West Guji zone Disaster Risk Management Bureau Focal Person, Kercha, June 2021

⁶⁰⁰ Ibid

⁶⁰¹ Ibid

⁶⁰² Ibid

⁶⁰³ Ibid

Legetafo town needed more support from the government and humanitarian partners. They are forced to buy water and sanitation kits from the market.

Thus, the research finds that more water and WaSH facilities are needed in both case study areas. The government and humanitarian partners attempted to cover the gaps; however, they needed help to address the needs of the IDPs. This has compromised the right to safe drinking water and sanitation of conflict-induced IDPs in the case study areas.

5.7 The Right to Food

The right to food is a human right that allows individuals to live in dignity, free from hunger, food insecurity, and malnutrition. It is not about charity but about ensuring everyone can feed themselves with dignity.

The right to food is protected under international human rights and humanitarian law, and the correlative state obligations are well-established under international law. The right to food is recognized in Article 25 of the Universal Declaration on Human Rights and Article 11 of the International Covenant on Economic, Social, and Cultural Rights (ICESCR).

The obligation to respect requires governments not to take any measures that arbitrarily deprive people of their right to food, for example, by measures preventing people from having access to food.⁶⁰⁴ The obligation to protect means that states should enforce appropriate laws and take other relevant measures to prevent third parties, including individuals and corporations, from violating the right to food of others.⁶⁰⁵ The obligation to fulfill, facilitate, and provide entails that governments proactively engage in activities intended to strengthen people's access to and

⁶⁰⁴ Ibid

⁶⁰⁵ Ibid

utilization of resources to facilitate their ability to feed themselves.⁶⁰⁶ As a last resort, states should fulfill that right directly whenever an individual or group cannot enjoy the right to adequate food for reasons beyond their control.⁶⁰⁷

Furthermore, under Articles 2(1), 11(1), and 23 of the ICESCR, States agree to maximize their available resources to realize the right to adequate food progressively fully. States also acknowledged the essential role of international cooperation and assistance in this context. Under Article 2(2) of the ICESCR, governments have agreed to guarantee that the right to food will be exercised without discrimination on the grounds of race, color, sex, language, age, religion, political or other opinions, national or social origin, property, birth or another status.⁶⁰⁸

Food is one of the fundamental rights for an individual's survival, but it is always compromised during a displacement situation. At the time of the displacement, individuals fled to save lives; however, during and after displacements, they needed food for their lives to continue.

In the case study areas in Gedeo and West Guji zones, the IDP's harvest was destroyed during the conflict, and newly planted crops were not ready for sale or consumption, which led to a massive shortage of food in the area.⁶⁰⁹ The IDPs received only government assistance, which was 15 kg of wheat and 0.45 liters of oil per individual month. This assistance was not always given and was inadequate to meet the needs of households.⁶¹⁰ Moreover, the type of food assistance was a partial package, and the IDPs needed money to grind the wheat or use it for

⁶⁰⁶ Ibid

⁶⁰⁷ Ibid

⁶⁰⁸ See UDHR article 2

⁶⁰⁹ Focus Group Discussion with Gedeo-Guji IDPs, Dilla town, June 2021

⁶¹⁰ Interview with West Guji zone Disaster Risk Management Bureau Focal Person, Bule Hora, June 2021

other purposes. IDP sites like Siminto and Kersa Mele Kebeles of West Guji also need more assistance with food.⁶¹¹

Delays in government food assistance were common, and sometimes, the IDPs still needed to receive their support for more than four months. The government justified the delays by pointing out delays in transportation at the federal and regional levels.⁶¹² This had a high impact on the living conditions of the IDPs and made them vulnerable to dire conditions.

At Babile and Qoloji 2 IDP sites, the food security situation of the IDPs was very severe. There was a considerable food gap in terms of availability and access.⁶¹³ The conflicts caused thousands of persons, primarily women, children, and older adults, to flee to save their lives, leaving behind their property. The displacement was happening as tensions continued in the border areas. IDPs arrived in places where there was already a food shortage. The initial government response was deficient and inadequate. Later, the humanitarian partners supported the government, and some developments occurred in the response process.⁶¹⁴

Goods and other services were rarely available or missed at the sites as transportation flow and trade movement in the areas were limited. The origin of livelihoods for the IDPs was pastoralism, dominated by goats and camels, although some depended on small petty trade in semi-urban areas. People were heavily dependent on livestock sales and production for their income and food purchases. However, the impact of the conflict caused a complete loss of properties and assets. The conflict disrupted people's access to food and livelihood activities and

⁶¹¹ Focus Group Discussion with Gedeo-Guji IDPs, Dilla town, June 2021

⁶¹² Ibid

⁶¹³ Focus Group Discussion conducted with Oromia-Somali IDPs, Babile, August 2021

⁶¹⁴ Focus Group Discussion conducted with Oromia-Somali IDPs, Babile, August 2021

worsened their nutrition conditions.⁶¹⁵ The delay of rain exacerbated the situation and threatened the lives of both the host and IDPs. Widespread animal deaths happened in many places.⁶¹⁶

There was also a challenge in the timely delivery and distribution of food assistance. There was no timely rationing of food, and in most cases, there was a lack of supplementary foods for pregnant and lactating women.⁶¹⁷ During the research period, IDPs living in the Qoloji 2 site only got government food support for three months, and the same happened to IDPs living at Legetafo, Dilla, Bule Hora, and Kerch IDP sites. IDPs who were returned to their original places like Bule Hora, Kercha, and Babile did not get government food support. However, the support promised to continue for six months until the returnee was rehabilitated.⁶¹⁸

The government provided only 15 kgs of wheat and 0.45 liters of oil, if any, monthly per individual.⁶¹⁹ However, its distribution was not transparent, which created favorable conditions for mischief at the time of distribution. The respondents mentioned that there were fictitious beneficiaries who were visible at the time of food distribution but who were not living in the Qoloji 2 IDP site or who were not IDPs living with the host community.⁶²⁰

Therefore, the research finds that there were challenges and significant gaps in government food assistance and distribution in the two case study areas. There was a shortage in quantity, quality, delay, transparency, and supplemental foods for vulnerable groups. This has compromised the right to adequate food for IDPs, who are the country's most vulnerable citizens because food is their primary need and the only means of survival.

⁶¹⁵ Interview conducted with DRMB focal persons of Somali regional state Jigjiga zone August 2021

⁶¹⁶ Focus Group Discussion conducted with Oromia-Somali IDPs Babile August 2021

⁶¹⁷ Focus Group conducted with Oromia-Somali IDPs Babile August 2021

⁶¹⁸ Ibid

⁶¹⁹ Interview conducted with the National Disaster Risk Management Commission Early Warning and Response Directorate, Jun 2021

⁶²⁰ Focus Group Discussion with Oromia-Somali IDPs Babile August 2021

5.8 The Right to Health

The right to health is expressly provided in some international human rights instruments, including Article 25 (1) of the 1948 Universal Declaration of Human Rights and Article 12 (1) of the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR). Besides, the 1946 World Health Organization (WHO) Constitution mentioned that "The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, and political belief, economic or social condition."⁶²¹ These legal documents have required the states to take the necessary measures to protect the right to health of individuals.

IDPs are a vulnerable group of society and their right to health needs due attention from the state. At the time of the displacement, IDPs encountered different health-related challenges. In case of conflict-induced internal displacement, the IDPs were injured and became the victims of SGBV. Conflict-related sexual violence also occurred in cases of conflict-induced internal displacement. Children and the elderly travel long distances on foot and become vulnerable to critical health conditions.

The psychological impact of conflict-induced internal displacement attracts less attention from the humanitarian partners and the government. These organizations mostly attempted to address the physical needs of the IDPs and related health problems. The psychological trauma and health-related problems of the IDPs cannot be healed even after return, relocation, and integration.

⁶²¹ See the Preamble of the 1946 World Health Organization (WHO) Constitution.

In both the IDP sites of Gedeo and Guji Zones, the International Organization for Migration (IOM) and the regional government health bureau deployed health workers. However, the health posts were not properly providing basic health care services due to a shortage of human resources and medical supplies.⁶²² The number of partners who made health interventions in the areas diminished, and even those who continued to provide essential health care services like reproductive health services reduced their intervention because of the government's premature return process.⁶²³

During the conflict, IDPs went through different psychological traumas; nonetheless, there was limited psycho-social support at the IDP sites.⁶²⁴ Some of the IDPs were highly traumatized and needed psycho-social support from the government and humanitarian partners.⁶²⁵

The regional governments of SNNP and Oromia allowed IDPs to access free healthcare services, and the IDPs benefited from that.⁶²⁶ However, the challenge was a scarcity of medicine at the health posts, and IDPs were requested to purchase a health insurance book at the annual cost of 240 birr/person, which took much work for them to buy the insurance policy.⁶²⁷ Furthermore, the shortage of health posts forced women to deliver at the IDP sites, and it had critically impacted patients.⁶²⁸ Besides, there were shortages of medication for IDPs who had chronic diseases.

⁶²² Interview with Gedeo zone Disaster Risk Management Bureau Focal Person, Dilla, June 2021

⁶²³ Ibid

⁶²⁴ Interview conducted with IOM staff member who is working on emergency responses at Dilla, June 2021

⁶²⁵ Focus Group Discussion with Oromia-Somali IDPs Babile August 2021

⁶²⁶ Interview conducted with DRMO focal person of Dilla zone, June 2021

⁶²⁷ Interview with Gedeo zone Disaster Risk Management Bureau Focal Person, Dilla, June 2021

⁶²⁸ Focus Group Discussion with Gedeo Guji IDPs, Gedeb, June 2021

The same challenge was faced by IDPs who sheltered at the Qoloji 2 IDP camp of Somali Regional State. IOM administered a mobile clinic; however, there was not enough medication, and the IDPs were forced to buy it from private clinics.

Thus, the research identified gaps in the health conditions of IDPs living in both study areas. There were not enough healthcare facilities and health professionals, and there was a shortage of medical services. This has compromised the right to health of conflict-induced IDPs who are sheltering and residing in the specified areas.

5.8.1 The Impact of COVID-19 and the Government Responses

On March 13, 2020, Ethiopia confirmed its first COVID-19 case, and on July 28, COVID-19-positive cases were identified in the Qoloji 2 IDP site in the Somali Region of Ethiopia, which was home to approximately 78,000 IDPs.⁶²⁹ This was the first case identified at the IDP site, and it was expected to impact thousands of IDPs in the country disproportionately.⁶³⁰ However, there was no proper screening in most IDP sites, and there was no precise figure of COVID-19-positive cases.

When COVID-19 occurred in Ethiopia, there were 1.7 million IDPs who lived in more than 1,200 semi-formal and informal settlements.⁶³¹ These at-risk groups remained in need of significant human rights protection and humanitarian and development support, among which the prevention of COVID-19 was paramount.

⁶²⁹ COVID-19 Protection Risks & Responses Situation Report No. 7, 2020

⁶³⁰ TASSC, A Silent Majority: Internally Displaced People in Ethiopia — Torture Abolition and Survivors Support Coalition International tassc.org

⁶³¹ IOM, IOM Report: Ethiopia Records More Than 1.8 Million Internally Displaced in 2020 | International Organization for Migration

They could also not adhere to preventive measures and guidelines prescribed by authorities and health experts as they needed more access to the basics or essentials to prevent the spread of COVID-19, such as soap, water, face masks, and alcohol or hand sanitizers. Overcrowded settings and families with multiple numbers who shared shelters, bathrooms, and cooking facilities were challenges that made IDPs highly susceptible to the spread of COVID-19.⁶³²

Even before the spread of the COVID-19 pandemic in Ethiopia, IDPs had been confronted with a range of challenges, such as loss of assets and psychological trauma, communal conflicts, limited access to rights and services (like health and education), and numerous risks.⁶³³

There was poor access and scarcity of medical equipment that COVID-19 patients needed when they developed complications such as ventilators. Besides, IDPs struggled with underlying health conditions like malnutrition, psycho-social stress, and different infectious diseases, which made them more vulnerable to the COVID-19 pandemic.

Since the first case of COVID-19 was reported in Ethiopia and until the end of October 2021, over 3,663 817 million samples were tested, close to 363 240 confirmed cases were recorded, and 6,393 deaths were recorded. The positive cases and deaths were recorded in all regional states, with the majority of the cases being in Addis Ababa.

Though there was no precise number of deaths, recoveries, and positive cases, the pandemic highly impacted the day-to-day activities of conflict-induced IDPs in the research areas. Before the pandemic, the lives of the IDPs mainly depended on humanitarian support and responses from international, non-governmental, and governmental organizations. However, COVID-19

⁶³² Addis Standard, Analysis: The impact of Covid-19 on the Somali Region: the case of displaced people - Addis Standard

⁶³³ Addis Standard, Analysis: The impact of Covid-19 on the Somali Region: the case of displaced people - Addis Standard

diverted the attention of these organizations and restricted their movements. Moreover, those agencies that worked on health and COVID-19 issues should have paid more attention to IDPs. Travel restrictions, the state of emergency, and the stigma against foreigners at the initial stages of the pandemic all contributed to limited and reduced assistance to IDPs who were dependent on the support of humanitarian partners and the government to survive.

These affected the life and physical well-being of conflict-induced IDPs. There was an increased socioeconomic vulnerability due to the loss of livelihoods. There was social tension and stigma, and the IDPs were perceived to be affiliated with the disease, resulting in discrimination by the host communities because of their frequent contact with humanitarian partners. The research found that there was an increased level of stress and anxiety in the research areas. There were particular challenges for persons with disabilities, the older, and those with chronic illness in accessing essential or critical health care services and COVID-19 prevention materials due to lack of accessibility.

The movement restrictions and measures that the federal and regional governments imposed were directly impacting the daily lives and circumstances of conflict-induced IDPs. Livelihoods were being interrupted, and IDPs became victims of different challenges.

DTM Ethiopia's report revealed that COVID-19 negatively impacted the livelihoods of displaced persons in 77 percent of 1,297 sites.⁶³⁴ More than 1,150 of the survey sites reported a shortage of food, while 87 of the sites reported a shortage of hygiene kits. Inadequate non-food items and medicine were reported in 73 and 64 percent of the sites, respectively.⁶³⁵

⁶³⁴ COVID-19 Mobility Impacts Update Series, [Impact on IDPs Update 24 Sept PDF.pdf \(reliefweb.int\)](#)

⁶³⁵ Ibid

These figures and findings imply that IDPs need an immediate and holistic approach and immediate responses from the government and international organizations. Besides, the impact felt by these communities increases the humanitarian need by exacerbating the already existing and complex barriers for conflict-induced IDPs to seek redress.

However, the respondents mentioned that recently, the government and humanitarian organizations massively vaccinated different IDP sites and areas of IDPs living in the host community. Hence, COVID-19 is not the primary concern of conflict-induced IDPs in the case study areas.

5.9 Durable Solutions (Return, Relocation, and Reintegration)

Displacement is a life-changing event, and it creates chaos in the lives of the displaced. Though the traumatic experience of displacement cannot be undone, internally displaced persons (IDPs) need to be able to resume everyday life by achieving a durable solution. Durable solutions are one of the rights of IDPs, which would help them minimize future risks and lead their lives sustainably and peacefully. Ensuring protection for internally displaced persons ultimately entails ensuring a durable solution to their plight. This needs the support and rigorous efforts of multiple government actors, international and non-governmental organizations, and, most importantly, IDPs.

Article one of the Kampala Convention and Guiding Principles 28-30 set out the rights of IDPs to durable solutions, the responsibilities of national authorities, and the role of humanitarian and development actors to assist durable solutions. The state has the primary duty and responsibility to establish conditions and provide the means that allow IDPs to return voluntarily, in safety and

with dignity, to their homes or places of habitual residence or to resettle voluntarily in another part of the country. However, durable solutions must be understood as returning more than just to one's former home and re-establishing the status quo before displacement.

There is no IDP cessation clause in the Kampala Convention and the Guiding Principles. However, a durable solution is achieved when IDPs no longer have specific assistance and protection needs linked to their displacement and can enjoy their human rights without discrimination resulting from their displacement.

The Inter-Agency Standing Committee durable solution framework has specified eight criteria for a durable solution for internally displaced persons. IDPs who have achieved a durable solution enjoy long-term physical safety and security, an adequate standard of living without discrimination, access to employment and livelihoods, access to effective mechanisms for timely restitution of their housing, land, and property, access to personal and other documentation without discrimination, family reunification, participation in public affairs without discrimination and accesses to effective remedies and justice.⁶³⁶ These criteria serve as parameters to evaluate the return processes; reintegration or relocation is based on the best interests of the IDPs. Besides, such choices of durable solutions need to be made at the household level because sometimes the causes and situations of displacement might inversely affect the IDPs.

However, the practices that governments, humanitarian partners, and international actors have all emphasized return as the most desired settlement option, and yet often, the possibilities for return

⁶³⁶ Inter-Agency Standing Committee, 2010, Project on Internal Displacement, Durable Solution Frameworks for Internally Displaced Person, retrieved December 2022 from [IASC Framework on Durable Solutions for Internally Displaced Persons, April 2010.pdf \(interagencystandingcommittee.org\)](https://interagencystandingcommittee.org/wp-content/uploads/2010/04/IASC-Framework-on-Durable-Solutions-for-Internally-Displaced-Persons-April-2010.pdf)

are still being determined.⁶³⁷ The government determined a durable solution for the IDPs, and the IDPs, as well as the humanitarian partners, did not have a say. Instead, they were forced to accept the government's decision and requested to participate in the return process. Because of the political underpinning, the humanitarian partners did not want to object to the government's forced and premature returns processes. They did not want to squabble with the government, which would potentially affect their humanitarian services in the country.

The government was engaged in forced and premature return processes. Besides, the government promised to support the returned IDPs for a maximum of six months until they recovered and reinstated their original positions.⁶³⁸ However, the practice revealed that once the government returned the IDPs, the support of the government and humanitarian partners was interrupted and did not last for more than three months. Furthermore, the security situation of the returned IDP area needed to be secured and protected by the government.⁶³⁹ This makes the returned IDPs to be vulnerable to secondary displacement and to find another relatively safe place.

In the Gedeo-Guji conflict-induced internal displacement case, the government took return as a durable solution and returned most of the IDPs, while some of them were premature ones.⁶⁴⁰ Most Gedeos who were IDPs had returned to their habitual residence in Guji, while most Guji IDPs did not return nor planned to return to Gedeo, where authorities responded by providing land, shelter, and other accommodation measures.⁶⁴¹

⁶³⁷ The Guardian. (2019). *Go, and we die; stay, and we starve*; the Ethiopians are facing a deadly dilemma. Retrieved 10/2/2019 from <https://www.theguardian.com/global-development/2019/may/15/go-and-we-die-stay-and-we-starve-the-ethiopians-facing-a-deadly-dilemma>

⁶³⁸ Focus Group Discussion with Gedeo Guji IDPs, Gedeb, June 2021

⁶³⁹ Ibid

⁶⁴⁰ Ibid

⁶⁴¹ Focus Group Discussion with Gedeo-Guji IDPs, Bule Hora, June 2021

IDPs' participation is important, and they must choose one of the three options (return, integrate, or relocate) to find a durable solution.⁶⁴² Nonetheless, the federal and regional governments should have consulted the IDPs and accepted their consent individually.⁶⁴³ They forced them to return to their original place, which was against the basic principles of the Kampala Convention and the Guiding Principles. Besides, the research found that the government needs to keep its promise regarding durable solutions in the place of return.⁶⁴⁴ For instance, the returnees stated that though the government promised to assist them, they have yet to receive any support, including shelter, from the government to sustain them in their place of origin. On the other hand, the returnees' properties have been looted or destroyed during the conflict.

The same applied to IDPs who have been displaced because of the Oromo-Somali internal boundary administrative conflict. The government chose to return as a durable solution and forced IDPs to be returned to their original places. Nonetheless, the IDPs have been refused and opted for relocation to other places. Thus, the government relocated IDPs who sheltered at Millennium Park in some zones of the Somali Regional State and different zones of the Oromia Regional State, including the outskirts of Addis Ababa. The respondents mentioned that the government promised support until they start a sustainable life. Nonetheless, after the mere return and relocation, the government support was interrupted; hence, the IDPs engaged in daily labor and were forced to start their life from scratch.⁶⁴⁵ Besides, some are forced into secondary displacement and live in dangerous conditions.

⁶⁴² See article 11 of the Kampala Convention and section V of the Guiding Principles.

⁶⁴³ Focus Group Discussion with Gedeo-Guji IDPs, Bule Hora, June 2021

⁶⁴⁴ Ibid

⁶⁴⁵ Focus Group Discussion with Oromia-Somali IDPs Babile August 2021

Furthermore, the research found that there is a small number of IDPs at Bule Hora, Dila, and Jigjiga town who were living with the host community and become integrated because of fear of not being returned because of the security situation in the area of their residences.

One durable solution for the IDPs is that they need effective protection by the national and local authorities. This includes protection from threats that caused the initial displacement or may cause renewed displacement. However, the security situation is fragile, and those IDPs refused to be returned to their original places.

IDPs who have achieved a durable solution enjoy, without discrimination, an adequate standard of living, including, at a minimum, shelter, health care, food, water, and other means of survival. IDPs who found a durable solution also have access to employment and livelihoods. IDPs who have achieved a durable solution have access to effective mechanisms for timely restitution of their housing, land, and property, regardless of whether they integrate locally or settle elsewhere in the country. IDPs who have achieved a durable solution have access to the personal and other documentation necessary to access public services, reclaim property and possessions, vote, or pursue other purposes linked to durable solutions. IDPs who wish to reunite with family members from whom they were separated have been able to do so and can seek a durable solution together. IDPs who have achieved a durable solution can exercise the right to participate in public affairs at all levels on the same basis as the resident population and without discrimination owing to their displacement. IDPs who have been victims of violations of international human rights or humanitarian law, including arbitrary displacement, must have complete and non-discriminatory access to effective remedies and access to justice, including,

where appropriate, access to existing transitional justice mechanisms, reparations, and information on the causes of violation.

Thus, the research found a gap in the durable solution selection process; IDPs did not participate, and the humanitarian partners became silent. Hence, the government's political decision has dominated the durable solution, and most of the IDPs are forced to be returned to their original place. However, some IDPs who have been displaced from the Oromia-Somali conflict relocate to different places. There needed to be government integration processes. However, the research found that IDPs who were living in the host community were integrated and commenced their living in the place of displacement.

5.10 Conclusion

The state has the primary responsibility of protecting its citizens. IDPs are citizens of a country who are forced from their habitual residence because of natural and man made disasters. During the three phases of the displacement, IDPs become vulnerable to different types of human rights violations. Besides, the impact will be increased when the cause of the displacement is related to conflict, and the government cannot fulfill its obligations. The Guiding Principles on Internal Displacement and the Kampala Convention give protection and assistance to IDPs. These documents assert that IDPs have a right and that the government has an obligation before, during, and after the displacement. These rights started with registration and ended with a durable solution for IDPs. The state must adequately register and determine the status of IDPs and provide the necessary protection and assistance until a durable solution is achieved.

In the past decades, Ethiopia has been affected by different types of internal displacements, and in recent years, the country has become the center for a vast number of conflict-induced IDPs.

The Gedeo-Guji and Oromo-Somali conflict-induced internal displacement was one of the first massive influxes of IDPs in the country, which occurred in 2017 and 2018. Accordingly, the government and humanitarian partners were engaged in the response process and attempted to provide humanitarian assistance and protect the human rights of IDPs.

However, there were gaps from the registration to durable solutions of the IDPs. It took time for the government to correctly identify the IDPs from the host communities /ineligible ones/. The government support was full of discontinuities and shortages in providing food, water, and health care services. There were challenges in protecting the peace and security of the IDPs. Moreover, the responses of the government and humanitarian partners were stuck on a need-based approach rather than focusing on a right-based approach, and this made the IDPs to be aid dependent rather than self-reliant. On top of this, the government focused on forced and premature returns as a means of durable solutions, which is against the Guiding principles and the Kampala Convention.

Chapter Six: Institutional Mechanisms for the Protection and Assistance of Internally Displaced Persons: the practice and assessment of the national experience in Ethiopia

This chapter discusses the institutional mechanisms for protecting and assisting internally displaced persons in Ethiopia. The study has examined the national and regional institutional mechanisms, gaps, and challenges in addressing the human rights protection of IDPs. It also examined the coordination approach and the prevailing response mechanisms between the national and international organizations. Hence, it has answered the question of "How the Ethiopian federal and regional government's institutional arrangements are adequate and coordinated in response to conflict-induced IDPs in the country?" It also addressed the following questions: "What are the responses, coordination approaches, political underpinning, prevailing practices, gaps, and challenges in protecting the rights of conflict-induced IDPs in the country and the study areas in particular?"

6.1 Overview of International Institutional Frameworks

It was in the early 1990s that internal displacement became the subject of argument on the international agenda and was recognized as an essential issue of global concern.⁶⁴⁶ The preparation of the Guiding Principles on Internal Displacement considered the need for the institutional structure and different ways of arrangement.⁶⁴⁷ In 1992, the new representative, Francis M. Deng⁶⁴⁸ was assigned to study the existing legal and institutional frameworks and to

⁶⁴⁶ Internal Displacement Monitoring Center, An Institutional History of Internal Displacement, retrieved on 6/13/2022, available at, [An institutional history of internal displacement | IDMC \(internal-displacement.org\)](https://www.internal-displacement.org/institutional-history)

⁶⁴⁷ Ibid

⁶⁴⁸ In 1992, in response to the growing international concern about the large number of internally displaced persons throughout the world and their need for assistance and protection, the Commission on Human Rights, through

provide possible recommendations to address the gaps in the protection and responses of IDPs.⁶⁴⁹ Accordingly, the representative has examined the existing laws and institutional structures and suggested three alternatives to institutional arrangements for dealing with problems related to the human rights protection of IDPs.⁶⁵⁰

The first option was to establish a new organization, but this was not realized because of political and financial constraints.⁶⁵¹ Legally and politically, states have the primary responsibility to their citizens, and the issue of sovereignty becomes the primary concern of states and the subject of contestation at the international level. IDPs are citizens of the states, and the state is primarily responsible for assisting and protecting their rights. International organizations have a secondary role in supporting the states' responsibility. Hence, the establishment of a new organization at the international level was considered a challenge to state sovereignty. Besides, because of the increasing number of IDPs, the establishment of a new institution demands vast resources, and this was inconceivable and financially challenging.⁶⁵² Thus, establishing a new institution became impossible, and the international community began to find other options.

The second suggestion was to hand over the protection and responsibility of IDPs to an existing UN agency.⁶⁵³ The UNHCR was the potential and suggested agency to take up the responsibility to protect the displaced population.⁶⁵⁴ The UNHCR has experience with refugees' responses. IDPs also encounter similar challenges as refugees, though they are sheltering within the territory

resolution 1992/73, requested the United Nations Secretary-General to appoint a representative on internally displaced persons and Francis M. Deng was appointed.

⁶⁴⁹ Brun, Research guide on internal displacement, retrieved on 6/13/2022, available at [Possible topics and framework for a research guide on internal displacement \(mnstate.edu\)](#) p.8

⁶⁵⁰ Ibid

⁶⁵¹ Ibid

⁶⁵² Ibid

⁶⁵³ Ibid

⁶⁵⁴ Ibid

of the state. However, because of the large number of IDPs around the globe, which has doubled the number of refugees, it was argued that the organization would need more institutional capacity to provide assistance and protection to IDPs.⁶⁵⁵ Besides, the increasing number of IDPs dreaded challenging the main objective of the UNHCR.

The third and most feasible option, approved and agreed to be applied, was developing a collaborative approach among different relevant agencies to be coordinated by a central mechanism.⁶⁵⁶ To this end, the Inter-Agency Standing Committee for Internal Displacement was established, and in 1997, an Emergency Relief Coordinator was appointed as the focal point to coordinate the UN agencies on issues related to internal displacement.⁶⁵⁷ Accordingly, all UN agencies are supposed to work jointly, coordinated by the UN Emergency Relief Coordinator (ERC) at headquarters. The Resident/Humanitarian Coordinators (HR/RC) in the field are expected to address the needs of the internally displaced.⁶⁵⁸

The Collaborative Approach worked from 1999 to 2005 and did not go further. It faced different challenges and could have been more successful in assisting the IDPs. The response was conducted in a dispersed manner, and the approach resulted in no accountability mechanisms for IDPs.⁶⁵⁹ The coordinator and the authority became challenged and often needed more coordination, which led the agencies to respond effectively to IDPs.⁶⁶⁰ This is because there were no consistencies in coordinating and managing displaced people, including internal

⁶⁵⁵ Ibid

⁶⁵⁶ Ibid

⁶⁵⁷ Dennis McNamara, (2006). Humanitarian reform and new institutional responses, Putting IDPs on the map: achievements and challenges in commemoration of the work of Roberta Cohen, Forced migration review special issues, P.9

⁶⁵⁸ Ibid

⁶⁵⁹ Supra note 649, P. 9

⁶⁶⁰ Ibid

displacement. There were overlapping mandates and an absence of organizations with an explicit mandate to assist or protect IDPs. This makes the response to IDPs more cohesive and adequate.⁶⁶¹

Thus, in 2005, the Inter-Agency Steering Committee (IASC) decided to establish a new system based on clusters intended to cover the gaps in the Collaborative Approach and provide practical assistance and protection.⁶⁶²

However, until now, the main challenge has been the need for more international institutional responsibility, and no single UN agency has a specific mandate to work only on IDPs. Hence, many UN agencies are working and responding to IDPs without compromising their core mandates, which has challenged the IDPs' response process and concerns about protection.

Similar to the situation in the international arena, there has yet to be any specialized institutional mechanism for the protection and assistance of IDPs in Africa. However, institutions within the refugee protection and human rights frameworks have taken steps to address it in a fragmented and tentative manner.⁶⁶³ Furthermore, the international framework for national responsibility prepared by the Inter-Agency Standing Committee is crucial. It sets out 12 steps for governments to take to ensure IDPs' protection and assistance.⁶⁶⁴ This framework asserts that each branch of the government is responsible for protecting and participating in the response process.

⁶⁶¹ Ibid

⁶⁶² Elizabeth Ferris & Sarah Deardorff Miller (2020). Institutional Architecture Does the International System Support Solutions to Internal Displacement, Research Briefing Paper UN Secretary-General's High-Level Panel on Internal Displacement, P.2

⁶⁶³ Abebe, A. M. (2017). *The emerging law of forced displacement in Africa development and implementation of the Kampala Convention on internal displacement*, Routledge,

⁶⁶⁴ Ibid

Article 8 of the Kampala Convention also imposed an obligation to the Africa Union to work in cooperation and share information on issues of internal displacement with the African Commission on Human and People's Rights and the Special Rapporteur of the African Commission on Human and People's Rights for refugee, returnees, IDPs and Asylum seekers.⁶⁶⁵ Therefore, though Africa has enacted a binding convention, the gaps at the international level are reflected in the region.

6.2 National Institutional Mechanisms

The state is primarily responsible for maintaining law and order and ensuring full and equal access to justice for everyone within its jurisdiction.⁶⁶⁶ This includes ensuring that all institutions and agents of the State, the executive, legislative, and judiciary, have a responsibility to respect and protect the human rights of individuals and IDPs. To this effect, states are required to take all appropriate legislative, administrative, and other activities to prevent violations of rights, investigate violations effectively, and prosecute or take other action against those allegedly responsible for such violations.⁶⁶⁷

The Guiding Principles on Internal Displacement and the Kampala Convention emphasize that the primary responsibility for protecting and assisting IDPs lies within the national governments.⁶⁶⁸ These documents and other international human rights instruments obliged states to ensure that IDPs can benefit from practical, appropriate, and sustainable protection and

⁶⁶⁵ See Article 8 of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), 2009

⁶⁶⁶ The Brookings Institution-University of Bern Project on Internal Displacement, 2005, Addressing internal displacement a framework for national responsibility, available at [Framework_fin.qxp \(internal-displacement.org\)](#),

⁶⁶⁷ Ibid

⁶⁶⁸ See article 5 of the Kampala Convention and principle 3 of the Guiding Principles on Internal Displacement.

assistance. The international community is also responsible for supporting the national government in building its capacity to prevent, protect, and respond to internal displacement situations and assisting them in early recovery efforts following humanitarian crises.

The executive authorities of the government have the primary responsibility for directing all protection and assistance activities toward the IDPs.⁶⁶⁹ This responsibility mainly involves preventing conditions that lead to internal displacement, protecting citizens and habitual residents of the country against arbitrary displacement, mitigating the adverse effects of displacement, and working on durable solutions.⁶⁷⁰ The executive is also responsible for designating a national focal point or the lead agency for internal displacement and allocating specific tasks to the national and local government institutions and different government departments.⁶⁷¹ National executive authorities are responsible for mobilizing and allocating sufficient resources to address the needs of IDPs and ensuring that government staff and policymakers are adequately trained on the rights of IDPs and the government's responsibility.⁶⁷²

On the other hand, the legislative authority is responsible for reviewing and adopting legislation, approving the budget, and generally overseeing the government's response to internal displacement.⁶⁷³ The judicial authorities are also responsible for ensuring that domestic, regional, and international laws relating to IDPs are correctly applied and that those responsible for violating these laws are brought to justice.⁶⁷⁴

⁶⁶⁹ Supra note 666

⁶⁷⁰ Ibid

⁶⁷¹ Ibid

⁶⁷² Ibid

⁶⁷³ Global Protection Cluster Working Groups, 2006, Handbook for the Protection of Internal Displacement, P. 68

⁶⁷⁴ Ibid

Furthermore, the national human rights institutions and CSOs are responsible for working with the government and other humanitarian partners to address the needs of IDPs. These institutions will participate in different aspects, such as monitoring, investigation, and advocacy, to support the government response process and protect the rights of IDPs.

In some countries, responsibility for the internally displaced is added to the mandate of an existing executive government agency, such as the government body charged with refugee issues or the Department of Social Welfare.⁶⁷⁵ In other countries, a separate body is designated to focus exclusively on IDPs.⁶⁷⁶ In other cases, a government committee, working group, or task force on IDPs regularly brings officials from the relevant ministries to discuss IDP needs, facilitate coordination with the international community, and develop strategies for ensuring effective response.⁶⁷⁷

However, whichever institutional option is selected, the institution must have a mandate for both protection and assistance. Besides, its staff should be trained and be aware of IDPs related laws including the Guiding Principles and the Kampala Convention.⁶⁷⁸

6.3 Institutional Arrangement and Responses at the Federal Level

Designating a national institutional focal point on internal displacement is essential to have comprehensive responses and facilitate coordination within the government and between local

⁶⁷⁵ Ibid

⁶⁷⁶ Ibid

⁶⁷⁷ Ibid

⁶⁷⁸ Ibid

and international partners.⁶⁷⁹ There are different designations of institutional structures and options for the protection and responses of IDPs.⁶⁸⁰

Ethiopia has preferred and adopted the establishment of a single institution responsible for the protection and responses of IDPs, the Ethiopian Disaster Risk Management Commission. Nonetheless, this institution mainly focuses on assistance rather than the protection of IDPs, and it does not have total mandates on all types of internal displacement.

6.3.1. The Practice in Institutional Preparedness and Responses

Ethiopian Disaster Risk Management Commission

The first formal government disaster management institute, the Disaster Relief and Rehabilitation Commission (DRR), was established in 1974 and mandated to provide relief assistance to internal displacement.⁶⁸¹ Ethiopia had a unitary state structure at the time, and this national institution was responsible for protecting and assisting internal displacement at the national level. However, the commission's response focused on relief and rehabilitation and was limited to natural disaster displacement.

In 1993, the government enacted the first National Policy Directives on Disaster Prevention and Management (NPDPM), and in 1995, the National Disaster Preparedness and Prevention

⁶⁷⁹ Ibid, P. 18

⁶⁸⁰ Ibid

⁶⁸¹ The Relief and Rehabilitation Commission was established in June 1974 following the famine outbreak in Ethiopia's two northern provinces, Wollo and Tigray. It was given the mission of preventing disasters by tackling their root causes - Prevention, building in advance the capacity necessary to reduce the impact of disasters - Preparedness, ensuring the timely arrival of necessary assistance to victims of disasters, and working on emergency response.

Commission (DPPC) was established. This institution is mandated to provide relief supplies and prevent disasters by linking relief to development.⁶⁸²

The FDRE Constitution also obligates the government to take necessary measures to avert natural or man-made disasters and to provide timely assistance to victims.⁶⁸³ In this regard, the NDRMC was established as an autonomous federal government office with the prime responsibility of protecting and responding to the needs of IDPs.

This institution went through different institutional structures, and in 2004, it was named the Disaster Prevention and Preparedness Authority (DPPA). It focuses on emergency responses and is practically relief-oriented.⁶⁸⁴ In 2009, following the Business Process Re-engineering (BPR) study, which was conducted by the Ministry of Agriculture and Rural Development (MoARD), the Disaster Risk Management and Food Security Sector (DRMFSS) was established. The DRMFSS, which consists of the Early Warning and Response Directorate (EWRD) and the Food Security Programme Directorate, is responsible for the overall coordination and leadership towards implementing the Disaster Risk Management (DRM) approach.⁶⁸⁵ In 2015, the sector changed to the National Disaster Risk Management Commission. It mandated full DRM pillars, including prevention, mitigation, preparedness, responses, recovery, and rehabilitation, under the supervision of the Prime Minister.⁶⁸⁶

⁶⁸² Proclamation no. 10/1995, a Proclamation to provide for the establishment of the Disaster Prevention and Preparedness Commission

⁶⁸³ Article 89 of Proclamation No. 1/1995 Proclamation of the Constitution of the Federal Democratic Republic of Ethiopia

⁶⁸⁴ Proclamation No. 383/2004, Disaster Prevention and Preparedness Commission Establishment /Amendment Proclamation

⁶⁸⁵ Ibid

⁶⁸⁶ Regulation No. 363/2015, National Disaster Risk Management Commission Establishment Council of Ministers Regulation

In addition, following the official declaration of a disaster, it is empowered to mobilize resources from domestic and international sources, utilizing secured resources for emergency responses such as during and after displacement.⁶⁸⁷ It also establishes national and local structures of internal displacement governance, ranging from the Federal to the Woreda/District level.⁶⁸⁸ During and after displacement, the Commission has been empowered to assist IDPs by mobilizing resources from domestic and international sources and utilizing secured resources such as food and non-food items.⁶⁸⁹

The Commission is empowered to collect data related to IDPs by leading and coordinating the development and revision of displacement risk profiles.⁶⁹⁰ It also serves as a national information center for displacement risk management and supports similar repositories at the regional level. The commission, in cooperation with the International Organization for Migration Displacement Tracking Matrix, collects displacement-related data and invites the international community to participate in the response process.

Generally, the Commission undertakes and coordinates all types of studies and assessments conducted at the national level in different stages of the displacement period. Because of these functions, despite the roles of other institutions within the nation, the Commission plays a pivotal role in the responses of IDPs in all phases of displacement.

In 2018, the commission was restructured under the Ministry of Peace⁶⁹¹ Again, in 2021, it became under the Prime Minister and was renamed the Ethiopian Disaster Risk Management

⁶⁸⁷ Ibid Article 6 of the Proclamation Power and Duties of the Commission

⁶⁸⁸ Ibid

⁶⁸⁹ Ibid

⁶⁹⁰ Ibid

⁶⁹¹ Proclamation No.1097-2018 is a Proclamation to provide for the Definition of the Powers and Duties of the Executive Organs

Commission.⁶⁹² However, there has been no significant change in the organizational structure regarding conflict-induced IDPs. The Early Warning and Emergency Response Directorate and the Disaster Risk Reduction and Rehabilitation Directorate are the fronts in the responses to internal displacement. A partner cooperation and resources mobilization directorate is also responsible for coordinating the international and national actors in the responses to internal displacement.

There is a Disaster Risk Management Council composed of different ministries led by the Deputy Prime Minister that would intervene and give directions when mass displacement occurs. This council is expected to have bi-annual meetings to evaluate the works of the EDRMC.

Practically, the EDRMC, along with its Regional, Zonal, and Woreda/District collaboration centers, has provided various humanitarian assistance for IDPs in the nation.⁶⁹³ As a result, the Commission has provided different food and non-food items, including household equipment, to IDPs situated in different parts of the country, including the States of Amhara, Tigray, Afar, Oromia, Somali, Benshangul/Gumuz, SNNPs, and Dire Dawa City Administration.⁶⁹⁴

The Commission provided various assistance, including food and non-food items, such as fifteen kilograms of wheat per month for everyone, 0.45-liter oil, supplementary food for children, clothes, soap, sanitary pads, plastic shelters, blankets, bed sheets, and different household equipment.⁶⁹⁵

⁶⁹² Proclamation No. 1263/2021 Definition of Powers and Duties of the Executive Organs Proclamation

⁶⁹³ An interview was conducted with a National Disaster Risk Management Commission member on February 21, 2021, in Addis Ababa.

⁶⁹⁴ An interview was conducted with a National Disaster Risk Management Commission member on February 21, 2021, in Addis Ababa.

⁶⁹⁵ An interview was conducted with a National Disaster Risk Management Commission member in Addis Ababa on February 21, 2021.

The Commission focuses mostly on response, recovery, and rehabilitation activities among the six basic pillars of disaster management.⁶⁹⁶ It hardly works on preparedness, prevention, and mitigation activities and focuses less on conflict-related internal displacement. The commission is mandated for all types of displacement and is responsible for coordinating, following up, and evaluating disaster risk reduction, disaster response, and rehabilitation programs for disaster victims.⁶⁹⁷

The commission's early warning and emergency response directorate mainly focuses on natural disaster displacement rather than addressing the plights of conflict-induced IDPs. There is no visible practice of an early warning system for conflict-induced internal displacement.

In Ethiopia, conflict-induced internal displacement mainly occurred because of ethnic or territorial conflict and the issue became politicized. The commission needed extensive experience with conflict-induced internal displacement and effective response processes. The protection and assistance of conflict-induced IDPs need strong coordination of different government organizations and the support of humanitarian partners. Mainly, when the displacement has occurred between two regional governments, it needs the political will of the two regional governments and the federal government to ensure a durable solution for conflict-induced IDPs. Thus, in addition to the participation of IDPs, politics has an immense role in realizing a durable solution for IDPs.

In response to the 2018 massive conflict-induced internal displacement as a result of the Gedeo-Guji and Oromo-Somali ethnic and territorial conflicts, the council organized a ministerial task

⁶⁹⁶ An interview was conducted with a National Disaster Risk Management Commission member in Addis Ababa on February 21, 2021.

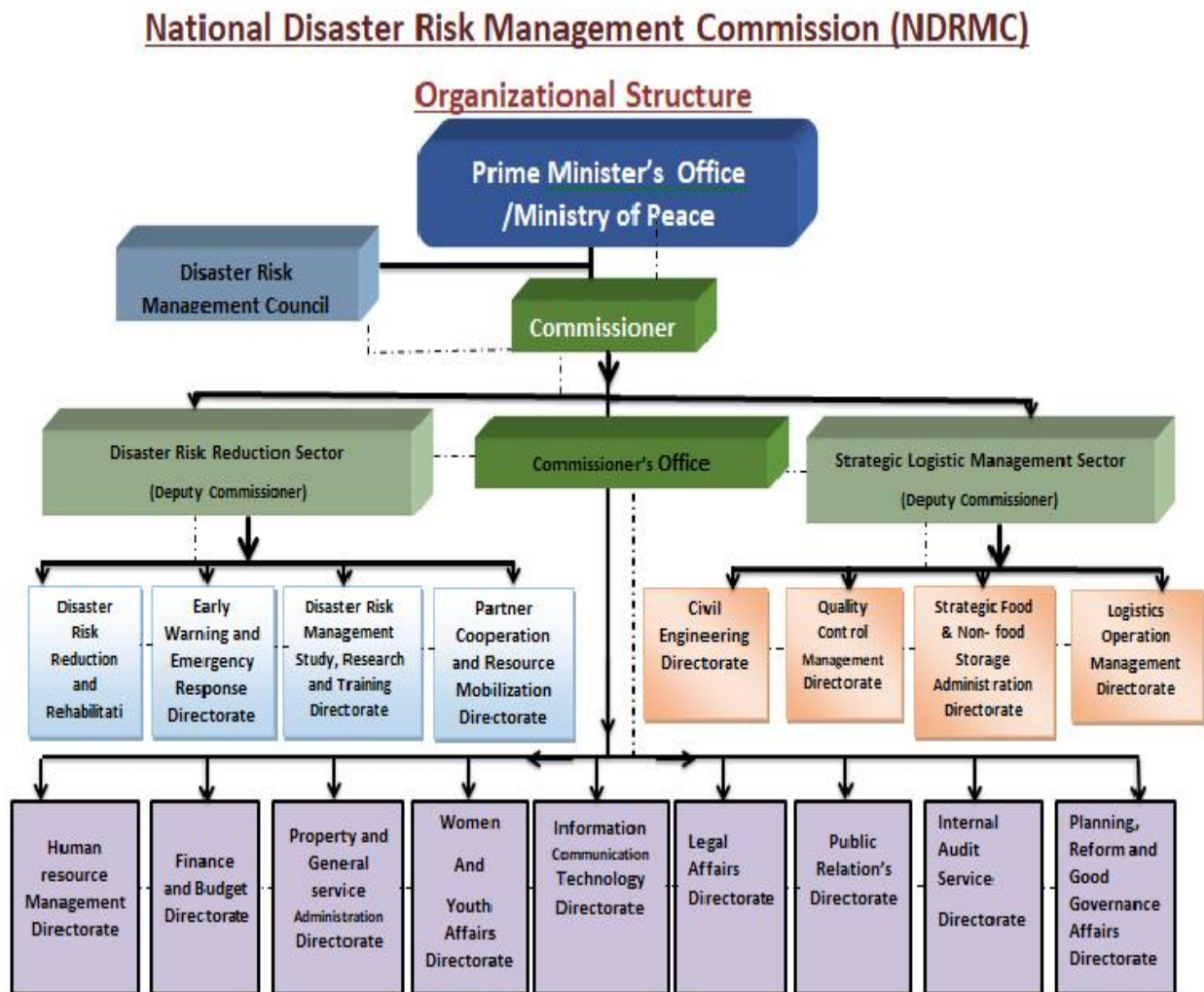
⁶⁹⁷ Proclamation No. 383/2004, Disaster Prevention and Preparedness Commission Establishment /Amendment Proclamation

force and attempted to address the plight of the IDPs. However, it lacked coordination and primarily focused on the premature return process.⁶⁹⁸ Thus, the responses of the Commission towards the Gedeo-Guji and Oromo-Somali conflict-induced internally displaced persons were challenged by a lack of experience and political commitment.⁶⁹⁹ The Commission encountered for the first time a massive number of IDPs and the political system was not stable. This has affected the Commission to give effective responses and address the needs of IDPs.

⁶⁹⁸ An interview was conducted with a National Disaster Risk Management Commission member in Addis Ababa on February 21, 2021.

⁶⁹⁹ An interview was conducted with a National Disaster Risk Management Commission member in Addis Ababa on February 21, 2021.

Figure 6.1:



The Ministry of Peace

The Ministry of Peace is the newly established executive organ of the government. The ministry comprises different commissions and agencies that work on issues related to peace and security in general.⁷⁰⁰ It is responsible for collaborating with the relevant regional organs, facilitating the

⁷⁰⁰ See Articles 9 and 13, Proclamation No.1097-2018, a Proclamation to provide for the Definition of the Powers and Duties of the Executive Organs.

protection of citizens, and factors that serve as causes of conflict.⁷⁰¹ The ministry is mandated to participate in pre-emptive protection mechanisms and prevent any form of internal displacement by providing training and raising public awareness of the positive and negative aspects of displacement and the rights and duties of every individual within the country.⁷⁰² Furthermore, it is responsible for protecting individuals from arbitrary displacement, creating a sense of equality among the nation's citizens, and protecting them from any form of discrimination.⁷⁰³ It also manages the appropriate preparations for natural and man-made disasters and facilitates the resolution of disputes.⁷⁰⁴

Within the Ministry of Peace, an Early Warning and Recovery Directorate is responsible for assessing and responding to precipitating conflicts.⁷⁰⁵ This Directorate mainly focused on conflict-induced internal displacement and attempted to address the causes of the conflict and work on reconciliation and peace process.⁷⁰⁶ Though it was a newly established institution, the Ministry of Peace practically undertook different tasks. It visited IDPs and discussed the issues of effective response and protection with relevant government and international organizations. It led and coordinated the provision of humanitarian assistance through the NDRMC.⁷⁰⁷

Thus, the Ministry of Peace is the principal institution within the nation regarding the protection of the rights and freedoms of IDPs. Its broad mission is to bring peace and stability across the

⁷⁰¹ causeIbid

⁷⁰² Ibid

⁷⁰³ Ibid

⁷⁰⁴ Ibid

⁷⁰⁵ An interview was conducted with a member of the Early Warning Directorate at the Ministry of Peace on February 17, 2021, in Addis Ababa.

⁷⁰⁶ An interview was conducted with a member of the Early Warning Directorate at the Ministry of Peace on February 17, 2021, in Addis Ababa.

⁷⁰⁷ Ibid

nation by collaborating with the regional and federal governments as well as other concerned organizations.⁷⁰⁸

Nonetheless, the ministry became futile in addressing and preventing the recurrent conflict-induced internal displacement in the country. The task of the NDRMC was also limited to the responses to the humanitarian needs of the IDPs rather than protections. This has challenged the coordination and response process.⁷⁰⁹ There needs to be a clear jurisdiction between the works of the Early Warning Directorate of the Ministry of Peace and the Early Warning and Emergency Responses Directorate of the Commission.⁷¹⁰ This has created a conflict of interest between the NDRMC and the Ministry of Peace and challenged the coordination processes. In such cases, IDPs become out of protection and are forced to live in dangerous conditions.

In 2021, the government restructured the Council of Ministers, and the National Disaster Risk Management Commission became independent of the Ministry of Peace and directly responsible to the Prime Minister, being renamed the Ethiopian Disaster Risk Management Commission.⁷¹¹ Hence, the Ministry of Peace was restructured with new arrangements, though it has the power to work on identifying causes of conflicts among local communities that would probably force them into displacement.⁷¹² The Ministry works for the prevention and protection of conflict-induced internal displacement. Besides, the Ministry has issued durable solution initiatives in 2020 and currently working with other agencies and humanitarian partners on the domestication of the Kampala Convention.

⁷⁰⁸ Ibid

⁷⁰⁹ Ibid

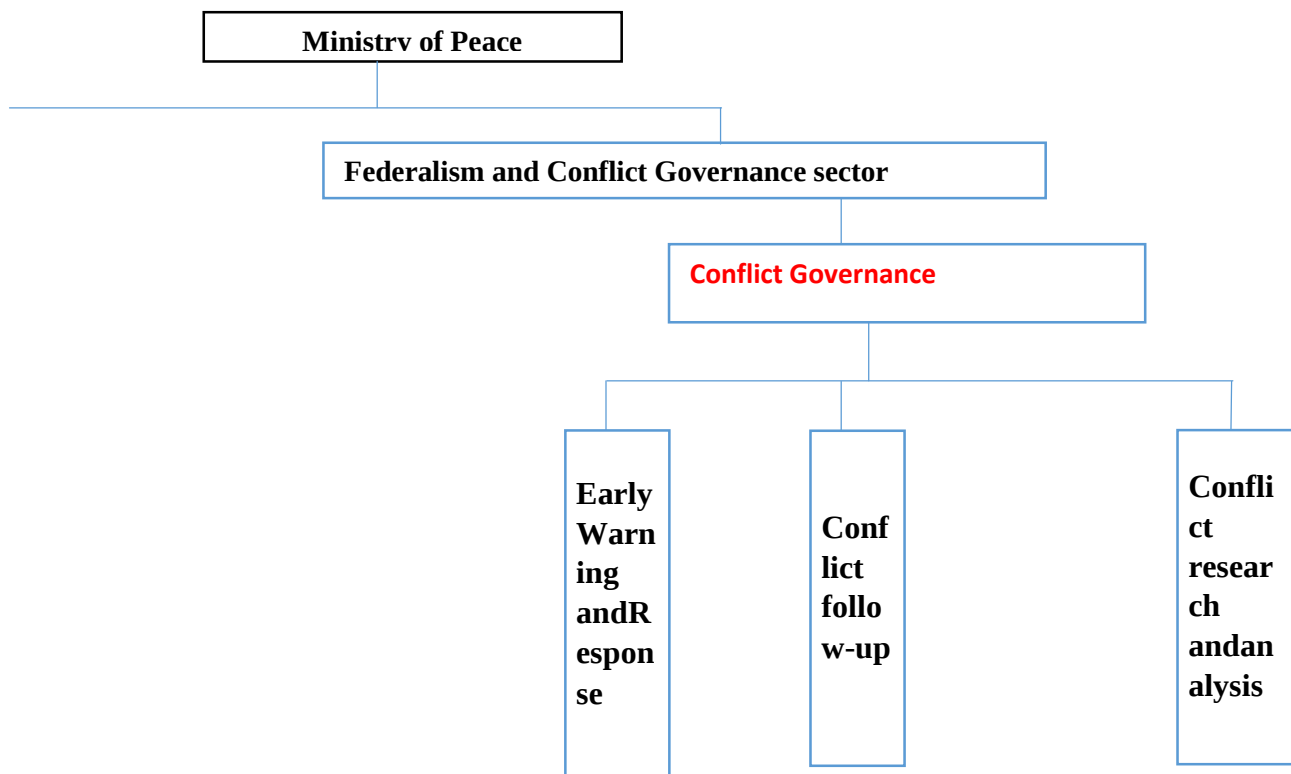
⁷¹⁰ Ibid

⁷¹¹ Proclamation No. 1263/2021 Definition of Powers and Duties of the Executive Organs Proclamation

⁷¹² Proclamation No. 1263/2021 Definition of Powers and Duties of the Executive Organs Proclamation

Nonetheless, the task of the Commission and the Ministry focused on reactive response, recovery, and rehabilitation rather than prevention and mitigation. Besides, the Ministry of Peace was challenged to work on protection, and its task mainly relied upon reconciliation and peace-building after a considerable number of internal displacements occurred.

Figure 6.2 Ministry of Peace Partial Organizational Structures



Hence, by understanding such institutional and protection gaps, recently based on the recommendations of the Ethiopian Human Rights Commission and Office of the High Commissioner for Human Rights, the government has established Inter-ministerial task forces to

oversee redressed accountability measures in response to conflict-induced internal displacement and the human rights violations committed in the northern part of Ethiopia.⁷¹³

The task force set up four committees, namely investigation and prosecution, refugees and IDP affairs, sexual and gender-based violence, and resource mobilization committees, and commenced its task. Accordingly, one of the tasks of the Refugees and IDP Affairs Committee has been to draft a comprehensive legislative framework that addresses the protection and institutional shortcomings of the existing scheme in the country. The draft is advanced, and consultations are ongoing. The enactment of the proclamation is assumed to solve the gaps in the normative frameworks and institutional structures.

National Human Rights Institutions

The other organizations responsible for protecting and responding to IDP-related matters are the National Human Rights Institutions (NHRIs). NHRIs may take the form of Human Rights Commissions, Ombudsmen, or specialized national institutions assigned to protect a specific group at risk.⁷¹⁴ These bodies have received their mandate and power from governmental authorities; however, they are also expected to be independent.⁷¹⁵

These institutions have a broader mandate based on universal human rights standards to promote and protect all human rights at the national level. The state must provide them with adequate resources to allow them to serve as a bridge between civil society and the government.⁷¹⁶ NHRIs' unique position gives them credibility and access to information not often available to

⁷¹³ Ethiopian News Agency [Gov't Establishes Inter-Ministerial Task Force to Oversee Human Rights Violations in Northern Ethiopia | Ethiopian News Agency \(ena. et\)](#)

⁷¹⁴ Supra note 662

⁷¹⁵ Ibid

⁷¹⁶ Ibid

government officials or NGOs.⁷¹⁷ As national institutions, they understand the country well and the social and political environments within which they operate and are critical national actors.⁷¹⁸ Depending on their mandates, NHRIs can play several roles in protecting IDPs. They are responsible for monitoring, conducting inquiries on serious human rights violations, following up on early warnings of displacement, creating awareness, and advocating for better human rights protection of IDPs.⁷¹⁹

After Prime Minister Abiy Ahmed took power in Ethiopia, the reshuffle of the Ethiopian Human Rights Commission was one part of the reform. The Commission restructured thematically with one commissioner, deputy commissioner, and three commissioners mandated on Civil, political, and socio-economic rights, women and children's and disability rights, and the rights of older persons. The issue of internal displacement has become one of the primary concerns of the Commission, and a new directorate has been established and mandated to work on issues of refugee, internally displaced persons, and migrants' rights.

Thus, the Commission conducted different human rights monitoring activities and investigated IDPs' alleged human rights violations. The Commission also created awareness of the rights of IDPs. It advised the government to ratify the Kampala Convention and advocate for the domestication process.⁷²⁰ It also works on a durable solution for IDPs and conducts different consultative workshops with stakeholders, government organizations, and humanitarian partners. It is also currently working with other partners on the issues of restorative justice and

⁷¹⁷ Global Protection Cluster Working Groups, Handbook on the protection of Internally displaced persons, available at [Handbook for the Protection of Internally Displaced Persons \(internal-displacement.org\)](https://www.internal-displacement.org/publications/handbook-for-the-protection-of-internally-displaced-persons) p. 71

⁷¹⁸ Ibid

⁷¹⁹ Supra note 662

⁷²⁰ Interviews were conducted with staff of the Ethiopian Human Rights Commission Refugee, returnee, and IDP Directorate on February 21, 2022, in Addis Ababa.

reconciliation. Furthermore, it is currently participating in the domestication processes of the Kampala Convention and advocating for the better protection of IDPs in the country and issues of durable solutions.⁷²¹

However, until recently, the commission was not proactive and rarely worked on identifying signals of early warning of displacements. It focused on retroactive after the occurrence of conflict-induced internal displacement. These were evident in the case of Gedeo-Guji and Oromo-Somali conflict-induced internal displacement. The commission released a press statement and conducted monitoring activities after the conflict and massive displacement.

The Ethiopian Human Rights Council is a Civil Society Organization that extensively works on the realization, protection, and promotion of human rights in Ethiopia. Since its establishment in 1991, the Council has remained the only human rights monitoring and reporting CSOs in the country. The council has extensive experience and a good reputation in its human rights monitoring and reporting activities.⁷²²

However, in terms of conflict-induced internal displacement, the task of the Ethiopian Human Rights Council is limited and mainly focuses on reactive activity. The council only went further than releasing statements and conducting research on the dared condition of conflict-induced IDPs in the country. The council did not have an active presence in conflict-induced IDP areas and was limited to closely working with government organizations and humanitarian partners. It mainly releases press statements at the Addis Ababa level and lacks an active regional presence in different parts of the country.

⁷²¹ Ibid

⁷²² Interview conducted with a staff of the Ethiopian Human Rights Council on February 2022 in Addis Ababa.

6.3.4 The Legislative Body and IDPs

The legislative branch of the government is the responsible organ for enacting different internal displacement-related laws and checking out the work of the other branches of the government. The legislative authority (national parliament), is responsible for reviewing and adopting legislation, approving budget, and overseeing the government's response to internal displacement in general.⁷²³

There is a gap in the international normative frameworks, and the enactment of national legislation is the essential cure for better protection and assistance of IDPs.⁷²⁴ In this regard, the national parliaments play a crucial role in protecting internally displaced citizens through legislative action. The legislator is also responsible for lobbying the government (or executive) to sign the relevant treaties and incorporate the standards into a specific IDP law.⁷²⁵ Therefore, developing a national IDP law should be a national priority. This can ensure not only that IDPs are better protected and assisted but also that the country complies with its international obligations to provide such protection and assistance.⁷²⁶

In Ethiopia, the House of People's Representatives is the national legislative body responsible for enacting different national laws. Nonetheless, IDP-specific laws have yet to be enacted by the House. It has been over a decade since the House approved the ratification of the Kampala Convention, which has yet to be domesticated. There is a Legal and Justice Committee in the House; however, its work was limited to visiting the IDP sites and did not advise the House to

⁷²³ Global Protection Cluster Working Groups, Handbook on the protection of Internally displaced persons, available at [Handbook for the Protection of Internally Displaced Persons \(internal-displacement.org\)](https://www.internal-displacement.org/publications/handbook-for-the-protection-of-internally-displaced-persons) P. 69

⁷²⁴ Handbook for Parliamentarians No 20 – 2013, Internal Displacement: Responsibility and Action

⁷²⁵ Ibid

⁷²⁶ Ibid

enact IDP related legislation. Besides, the issue of conflict-induced internal displacement is politicized and needs more legislative attention by the House. On top of this, the HPRs failed to examine the executive responses toward conflict-induced IDPs in the country and to enact proper normative frameworks.⁷²⁷ It also became negligent to question the work of the executive organ on the responses and protection of conflict-induced IDPs in the country. The task of the House mainly focused on retroactively rather than identifying and minimizing the root causes of conflict-induced internal displacement in the country and enacting legislation.

6.3.5 Mandates and Role of the Judicial Branch and IDPs

The judiciary plays a vital role in protecting and adjudicating conflict-induced internal displacement cases. Access to justice is a fundamental right and a key means of defending other human rights and ensuring accountability for crimes, violence, and abuse. Justice plays a vital role in combating impunity, ending discrimination and poverty, and paving the way for peace and national reconciliation.⁷²⁸ Efforts to strengthen the rule of law and ensure full and equal access to justice for all, including internally displaced persons (IDPs), should form part of the humanitarian response from the outset of an emergency.⁷²⁹ In most cases, IDPs encounter challenges in accessing justice because of their displacement situations. Beyond the humanitarian response to strengthen the rule of law, a specific response to promote access to justice for IDPs should also be planned as early as possible.⁷³⁰

⁷²⁷ Interview conducted with a member of the legal drafting and disseminating directorate at the Ministry of Justice, February 2021

⁷²⁸ Global Protection Cluster Working Groups, Handbook on the protection of Internally displaced persons, available at [Handbook for the Protection of Internally Displaced Persons \(internal-displacement.org\)](https://www.internal-displacement.org/publications/handbook-on-the-protection-of-internally-displaced-persons) p. 71p. 312

UNACCEPTABLE LEVEL OF USE SOURCES; CORRECT; DIVERSIFY;

⁷²⁹ Ibid

⁷³⁰ Ibid

Accessing justice is essential to combat impunity and prevent and respond to protection risks and concerns.⁷³¹ IDPs and other affected populations, however, often lack or have limited access to justice owing to several factors.

First, Armed conflict, generalized violence, and collapse of institutions and infrastructure frequently resulted in a breakdown in the rule of law and access to justice.⁷³² In some cases, the functioning justice system remained out of reach for displaced individuals and communities owing to discrimination, marginalization, and poverty.⁷³³ Having fled their homes and lost their livelihoods as well as the protective presence of their families and communities, IDPs found themselves at an increased risk of violence, exploitation, and abuse. At the same time, their access to justice and other remedies was curtailed because of the displacement.⁷³⁴

Second, the need for clarity of the legislation in terms of prosecuting persons involved in creating the IDP situation is a challenge in the prosecution and adjudication processes. The Kampala Convention specified that states have a responsibility to ensure individuals' responsibility for acts of arbitrary displacement. The state should criminalize arbitrary internal displacement and make accountable those who have participated and violated the human rights of the IDPs. In doing this, the state may use domestic or international criminal laws.

Ethiopian criminal law lacks deficiency, and there is no explicit provision that prohibits arbitrary displacement or holds individuals responsible for their violations. This has affected the effectiveness of investigations and prosecutions of persons involved in displacement-linked crimes and complicated vindications availed to IDPs themselves.

⁷³¹ Ibid

⁷³² Ibid

⁷³³ Ibid

⁷³⁴ Ibid

The judiciary in Ethiopia has a slight role in protecting internally displaced persons. Until now, no issues have been brought before a court of law, and they serve as landmark cases. Besides, the gap in the normative frameworks and institutional structure affects the judiciary in the protection of conflict-induced IDPs in the country, and the lack of explicit criminal provision also exacerbates the situation. As a result, there is the question of accountability, and in most cases, conflict-induced internal displacement ended with reconciliation, and the perpetrator failed to be accountable. The response process is mainly dominated by political decisions, and accountability is neglected.

Thus, all these institutional responses were disorganized and failed to address the root causes of the displacement because of gaps in the normative and institutional frameworks. The response processes were sporadic primarily, focused on retroactive, and politically dominated.

This has caused the displacement situation to continue in different parts of the country. For the last decades, Ethiopia has been hampered by natural disaster displacement, caused mainly by drought. These days, conflict has become the main driver of displacement, and the displacement situation has remained vicious in the country.

To summarize, until this research was carried out, no comprehensive institution was responsible for responding to and protecting conflict-induced IDPs. The Kampala Convention ratification proclamation has empowered the Ministry of Peace to domesticate the convention.⁷³⁵ However, there were disputes between the Ethiopian National Disaster Risk Management Commission and the Ministry of Peace, the latter of which is primarily responsible for the human rights protection and responses of internally displaced persons.

⁷³⁵ Article 4, Proclamation No. 1187/2020 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation

The ratification proclamation of the Kampala Convention has empowered the Ministry of Peace to domesticate and enact subsidiary laws. However, after the ratification process, the Ministry of Peace was restructured and needed clear mandates. Besides, the Ethiopian National Disaster Risk Management Commission was included in the Ministry of Peace and became responsible to the Prime Minister.⁷³⁶ In the middle of these gaps, though there is a process, the Kampala Convention has not been domesticated yet, and the dire living condition of conflict-induced IDPs continues in different parts of the country.

6.4 The Regional Government Institutional Structure and Responses

Regional and local governmental authorities have closer contact with IDPs sheltering in their region than the central government, and they are in a better position to understand the problems they are facing.⁷³⁷ In most cases, national policy decisions are made at the central level, and the involvement of local government authorities is essential for implementing and coordinating protection and assistance activities on the ground.⁷³⁸ The local administration also plays a critical role in allowing access to IDPs and other civilian populations at risk.⁷³⁹ Moreover, in decentralized States, or where national authorities lack sufficient capacity, provincial, regional, or local government authorities may be the main interlocutor for humanitarian agencies.⁷⁴⁰

In Ethiopia's federal state structure, there is a National Disaster Risk Management Commission that is responsible for protecting the country and responding to internal displacement. At the local level, each regional government has its Disaster Risk Management Office/Bureau/ Agency

⁷³⁶ See Article 79 Proclamation No. 1263/2021 Definition of Powers and Duties of the Executive Organs Proclamation

⁷³⁷ Global Protection Cluster Working Groups, Handbook on the protection of Internally displaced persons, available at [Handbook for the Protection of Internally Displaced Persons \(internal-displacement.org\)](https://www.internal-displacement.org/publications/handbook-for-the-protection-of-internally-displaced-persons) p. 69

⁷³⁸ Ibid

⁷³⁹ Ibid

⁷⁴⁰ Ibid

and/or Authority. Some of the offices are responsible for the Regional Presidents, while others are under the regional Agriculture Bureau.⁷⁴¹

In the Somali regional state, the disaster risk management bureau is under the structure of the President, and the structure is extended to the woreda/district level.⁷⁴² The Somali region has experience of IDP management, particularly in response to disaster-induced displacement.

The region is the only and the first one that has enacted a regional durable solution strategy in 2017 and revised it in 2022.⁷⁴³ During the Oromo-Somali conflict-induced internal displacement, the bureau was highly engaged in the protection and response process. It was the Early Warning Directorate that was primarily responsible for and engaged in the protection and assistance of the IDPs. Thus, in coordination with the federal EDRMC, the Office addressed the needs of the IDPs and tried to work on durable solutions.

The disaster risk management bureau was responsible for the President in Oromia and SNNP regional states. The structure was also established at the zonal and woreda/district levels.

During the Gedeo-Guji conflict, it was the zone and woreda/district disaster risk management focal point that was highly engaged in the response and protection process. The zone administration also had an early warning and response team primarily responsible for responding to the IDPs.⁷⁴⁴ However, it rarely engages in conflict-induced internally displaced persons, and most of its activity is related to natural disaster displacement.

⁷⁴¹ Interview conducted with a member of the National Disaster Risk Management Commission, February 21, 2021, Addis Ababa

⁷⁴² Interview conducted with DRMB focal persons of Somali regional state Jigjiga zone August 2021

⁷⁴³ Somali Region Durable Solutions Strategy 2017-2022

⁷⁴⁴ Interview conducted with Gedeo Zone DRMA focal persons Dila town June 2021

6.5 Challenges and Gaps in the Institutional Responsibilities

The gaps in the normative frameworks are also reflected in the institutional structure. The National Disaster Risk Management Commission is established as the primary institution for protecting and responding to IDPs in the country. The commission was restructured, and its name was amended at different times.

The commission was established in 1974 primarily to respond to the displacement caused by natural disasters that occurred at that time. However, most of the Commission's recent activities are also dominated by natural disaster displacement. The task of the commission mainly focuses on responses, and there needed to be more in the human rights protection of the IDPs.

The Commission works as a national institution, and the regional governments also have their regional disaster authority, bureau, or office. Some of these regional organizations are responsible for the regional President, while others are under the structure of the Agricultural Bureau. These affected the comprehensive responses and coordination between the federal and regional governments. Besides, these regional organizations mainly focused on natural disaster displacement, and the issue of conflict-induced internal displacement was an appeal to rare attention.

Furthermore, there is no regional disaster risk management authority in some regional states, particularly in towns. The structure mainly exists at the Zone and District levels. This impacted the response process in towns that needed the structure and the experiences in protecting and responding to IDPs.

More attention needs to be paid to the task of CSOs and national human rights institutions. These institutions have the primary role in the protection of the IDPs; however, most of them

participated retroactively, and it was limited to giving press statements and issuing letters. They needed to properly engage in monitoring activities and identify the prevailing gaps on the ground. Thus, these disparities at the institutional level have been challenging the protection and assistance of IDPs in the country and the case study areas.

6.6 Protection Approach and Coordination: Global and National

Globally, there is no institution solely established for the protection and response to IDPs. The task was assigned to different UN agencies to take the responsibilities and engage in the response process.

In 1997, the UN assigned the overall responsibility for coordinating the protection and assistance of internally displaced persons to the emergency relief coordinator, the senior UN humanitarian official.⁷⁴⁵ In December 1999, the IASC adopted a policy expressly prepared for protecting IDPs that sought to spell out the process for implementing collaborative responses at headquarters and in the field.⁷⁴⁶ In the beginning, the collaborative approach was preferred by the international community because it allows for a comprehensive and holistic response involving various agencies and spanning all phases of displacement.⁷⁴⁷ Hence, all UN agencies should work jointly, coordinated by the UN Emergency Relief Coordinator (ERC) at headquarters and the Resident/Humanitarian Coordinators (HR/RC) in the field.

⁷⁴⁵ Dennis McNamara, (2006). Humanitarian reform and new institutional responses, Putting IDPs on the map: achievements and challenges in commemoration of the work of Roberta Cohen, Forced migration review special issues, P.9

⁷⁴⁶ Ibid

⁷⁴⁷ Ibid

However, the approach could have been more successful in assisting IDPs. Instead it faced several critical voices in the ongoing debate over its management.⁷⁴⁸ There was particular concern about the absence of predictable leadership and accountability in critical sectors or areas of responsibility. Guidance needed to be implemented more effectively, agencies continued to pick and choose areas of involvement, and the Humanitarian Coordinator was frequently unable to identify reliable actors in critical sectors.⁷⁴⁹ This led to ad hoc and under-resourced responses. The severe problem of coordination persisted, and many IDPs continued to fall through the cracks, leaving their pressing needs severe and unmet questions unanswered.⁷⁵⁰

Consequently, in response to these widely publicized deficiencies, the ERCs' office in December 2005 came up with a sectorial approach called the Cluster Approach, commonly known as cluster leads, under which different agencies would be expected to carve out areas of responsibilities based on their expertise and carry them out regularly in emergencies.⁷⁵¹ This was approved by the Inter-Agency Standing Committee (IASC) (chaired by the ERC and composed of the heads of the major UN humanitarian and development agencies). The agencies agreed to designate global cluster leads, especially for humanitarian emergencies in nine sectors/areas of activity that in the past either lacked predictable leadership or where there was a need to strengthen leadership and partnership with other humanitarian actors (such as between NGOs,

⁷⁴⁸ Ibid

⁷⁴⁹ Ibid

⁷⁵⁰ Ibid

⁷⁵¹ 'IASC Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response,' IASC 2006, <https://interagencystandingcommittee.org/working-group/documents-public/iasc-guidance-note-using-clusterapproach-strengthen-humanitar>

international organizations, the International Red Cross and Red Crescent Movement, and UN agencies).⁷⁵²

The main rationale of this approach is to strengthen the partnership and ensure more predictability and accountability in international responses to humanitarian emergencies, by clarifying the division of labor among organizations and defining their roles as well as responsibilities within the key sectors of the response.⁷⁵³ Moreover, it would enable these key actors to act as the provider of last resort.

Table 6.1: Clusters and leading agencies

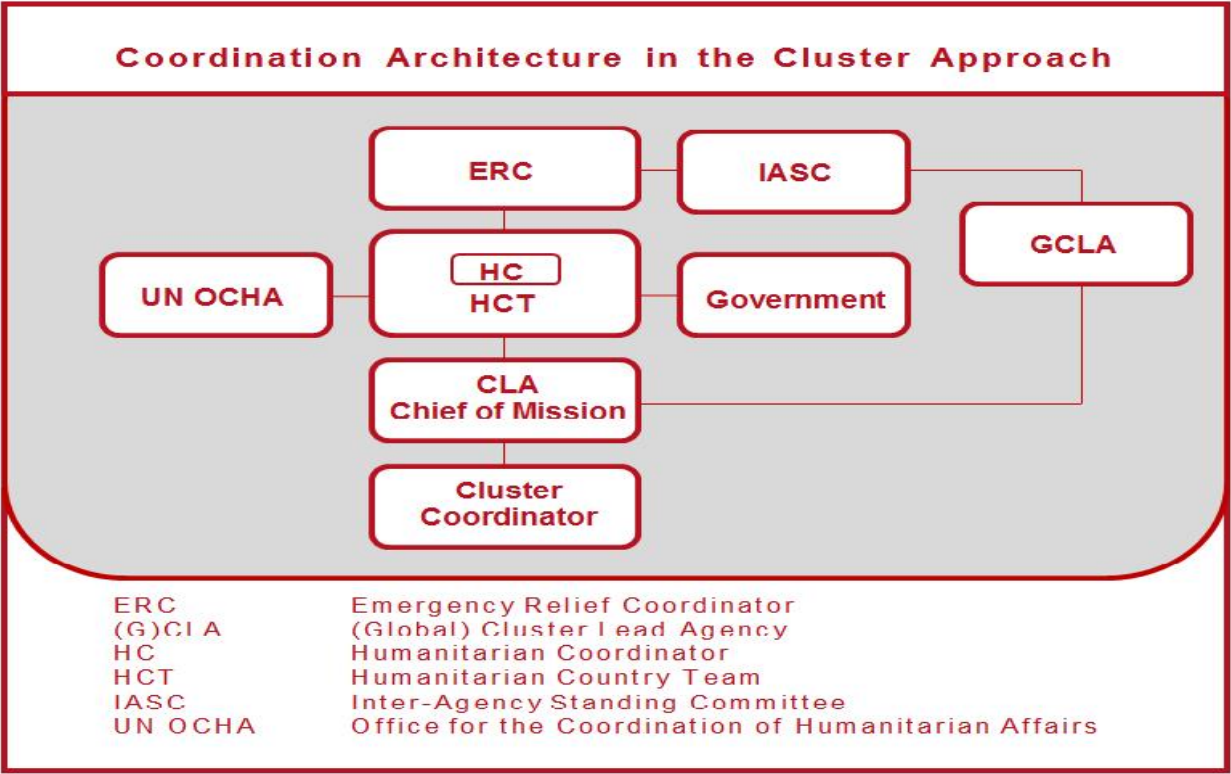
	Clusters	Lead Agencies
1.	Logistics	World Food Program
2.	Emergency telecommunications	Office for the Coordination of Humanitarian Affairs • OCHA (Process Owner) • UNICEF (Common data service) • WFP (Common security telecommunication)
3.	Camp coordination and management	UNHCR for conflict-generated IDPs IOM for natural disaster-generated IDPs
4.	Emergency shelter	International Federation of Red Cross/Crescent IFRC
5.	Health	World Health Organization
6.	Nutrition	UNICEF
7.	Water, sanitation, and hygiene	UNICEF
8.	Early recovery	UNDP
9.	Food Security	WFP and FAO
10.	Education	UNICEF and Save the Children
11.	Protection	UNHCR for conflict-generated IDPs UNHCR, UNICEF, and the office of the UN High Commissioner for Human Rights (OHCHR) for natural disaster-generated IDPs

⁷⁵² Ibid

⁷⁵³ Ibid

The above table portrays the responsibility of each cluster and lead agencies. For instance, access logistics is expected to be provided by the World Food Program, while emergency and telecommunications services are delivered by different agencies like OCHA, UNICEF, and WFP.

Figure 6.3: Global Coordination Architecture in the Cluster Approach



Source; UNHCR, Cluster Approach (IASC), [Cluster Approach \(IASC\) - UNHCR|Emergency Handbook](#)

The cluster approach is about transforming a may-respond into a must-respond attitude.⁷⁵⁴ It is about achieving more strategic responses, improved prioritization, and available resources by

⁷⁵⁴ Dennis McNamara, (2006). Humanitarian reform and new institutional responses, Putting IDPs on the map: achievements and challenges in commemoration of the work of Roberta Cohen, Forced migration review special issues, P.9

clarifying the division of labor among organizations and better defining their roles and responsibilities.⁷⁵⁵ The approach would be applied in all countries with humanitarian crises, both in conflict-related humanitarian emergencies and disaster situations.⁷⁵⁶ However, the cluster approach may not constitute radical reform, such as the establishment of a new UN agency with a specific mandate for protecting and assisting IDPs.⁷⁵⁷

Protection Approach and Coordination in Ethiopia

Ethiopia has primarily experienced the role of humanitarian partners/aid agencies since the 1970s when drought displaced many IDPs in the country. At this time, the government also established the first Relief and Rehabilitation Commission.⁷⁵⁸ Since then, different UN agencies, INGOs, and NGOs have participated in the response process to conflict and natural disaster displacement. However, establishing the Ethiopian Humanitarian Fund (EHF) in 2006 has played a significant role in financing different humanitarian partners and advancing responses to natural and artificial disasters.

In response to the 2018 mass conflict-induced internal displacement, the Ethiopian government collaborated with the international humanitarian community, setting up Emergency Operations Centers (EOCs) in the affected areas, particularly in the Gedeo and Guji zones.⁷⁵⁹ Hence, sectorial clusters led by the government and co-led by international organizations responded to the critical needs of displaced persons, including food, nutrition, health, protection, and non-food

⁷⁵⁵ Ibid

⁷⁵⁶ Ibid

⁷⁵⁷ Ibid

⁷⁵⁸ Ethiopian Humanitarian Fund, retrieved January 1, 2023, available at [About EHF November 15, 2022\[33\] \(unocha.org\)](#)

⁷⁵⁹ Refugees International The crises below the headlines CONFLICT DISPLACEMENT IN ETHIOPIA

items.⁷⁶⁰ Additionally, the International Organization for Migration (IOM) and the government conducted displacement tracking of IDPs.⁷⁶¹ The government was willing to work collaboratively with the UN, donor governments, and international non-governmental organizations (INGOs) on the response processes.⁷⁶² Nonetheless, there were challenges during the response process. For instance, a few humanitarian organizations are working on developments based in southern Ethiopia at the onset of the Gedeo-Guji conflict-induced IDPs.⁷⁶³ Government permissions for such groups to operate were required at the local levels, and the lines of communication between these levels of government were only sometimes clear.⁷⁶⁴ Many aid organizations that worked in Ethiopia were oriented towards long-term development assistance and responded to slow-onset crises like droughts.⁷⁶⁵ There were no experiences in protecting and responding to conflict-induced IDPs. Besides, EOCs were only created in climate-induced emergencies based in Addis Ababa; they have never been deployed at the local or regional level.⁷⁶⁶ Notwithstanding, the establishment of EOC at Gedeo-Guji conflict-induced was the first.

The EOCs in Gedeo and West Guji provided an invaluable opportunity for daily engagement and coordination between government officials, UN representatives, and non-governmental organizations (NGOs) staff to discuss priority needs, available resources, and plans for targeted

⁷⁶⁰ Ibid

⁷⁶¹ An interview was conducted with a National Disaster Risk Management Commission member in Addis Ababa on February 21, 2021.

⁷⁶² Supra note 759

⁷⁶³ Ibid

⁷⁶⁴ Ibid

⁷⁶⁵ Interview Conducted with Office of High Commissioner for Human Rights East Africa Regional Office, Somali Filed Office, August 2021

⁷⁶⁶ Ibid

response efforts transparently and inclusively.⁷⁶⁷ The meeting was conducted interchangeably twice weekly in the Gedeo and Guji Zones of Dilla and Bule Hora towns, respectively.⁷⁶⁸ However, the EOC meetings that previously served as essential information-sharing opportunities have yet to prove valuable.⁷⁶⁹ It was intended to be held Bi-weekly interchangeably at Dila, which is Gedeo town, and Bule Hora, which is Guji town. However, when the displacement situation prolonged and the funds of humanitarian partners ceased, the role of the EOC needed more consistency, and different humanitarian partners needed to participate.

Protection Approach and Durable Solutions

Durable solutions are one of the human rights of IDPs. They help them minimize future risks and lead their lives sustainably and peacefully. There are three options for durable solutions: return, relocation, and re/integration.⁷⁷⁰ It is the government's primary responsibility to seek long-lasting solutions to the problem of displacement by promoting and creating satisfactory conditions for the best durability solutions. The humanitarian partners have a secondary role in supporting the government in realizing a durable solution for the IDPs. IDPs are the center for choosing the best durable solution. Based on the support of government resources and humanitarian partners, the rights of the IDPs will be protected.

In the case of Gedeo Guji's conflict-induced internal displacement, particularly on the issue of a durable solution, the EOC was not able to hear the voices of humanitarian partners. Instead, it

⁷⁶⁷ Interview conducted with National Disaster Risk Management Commission Early Warning and Response Directorate and Chair Person of the Gedeo-Guji EOC

⁷⁶⁸ Ibid

⁷⁶⁹ Interview Conducted with Office of High Commissioner for Human Rights East Africa Regional Office, West Guji Filed Office, February 2021

⁷⁷⁰ Kampala Convention 2009, Article 11

was engaged in implementing government-forced and premature return plans.⁷⁷¹ As a result, humanitarian partners working on the ground needed clarification as to why the government shifted abruptly to conduct forced returns. The government's return plan became disconnected at every level between the NDRMC and the EOCs, as well as between humanitarian actors and the government.⁷⁷² Hence, by late September 2019, the government had already moved to return most of the IDPs in Gedeo and West Guji; however, most of them were in secondary displacement sites near their home areas at that time.⁷⁷³

On the other hand, in the Somali Region of Ethiopia, a durable solutions working group was established in 2014.⁷⁷⁴ The group was mainly established in response to natural disaster displacement. When conflict-induced internal displacement occurred in 2018, the regional and federal governments used such a platform to attempt to protect and assist the IDPs.⁷⁷⁵ Furthermore, contrary to the Gedeo-Guji cases, in the Oromo-Somali conflict-induced IDPs, the Federal and Oromia Regional Governments opted for relocation rather than return as a durable solution.⁷⁷⁶ Hence, the Oromia regional government relocated the IDPs to areas on the outskirts of Addis Ababa, such as Legetafo, Sululta, Sebeta, and Kuye Feche.⁷⁷⁷

Besides, among the IDPs who were displaced from Oromia to the Somali Regional State, most of them were sheltering at the Qoleji IDP site, which is located in the Somali Regional State, and at

⁷⁷¹ Ibid

⁷⁷² Ibid

⁷⁷³ Focus Group Discussion with Gedeo-Guji IDPs, Oromia Regional State, Bule Hora town, June 2021

⁷⁷⁴ Interview conducted with Somali regional state DRMO focal person, Jigjiga, August 2021

⁷⁷⁵ Interview conducted with Somali regional state DRMO focal person, Jigjiga, August 2021

⁷⁷⁶ Interview conducted with Oromia regional state DRMO Bule Hora town, June 2021

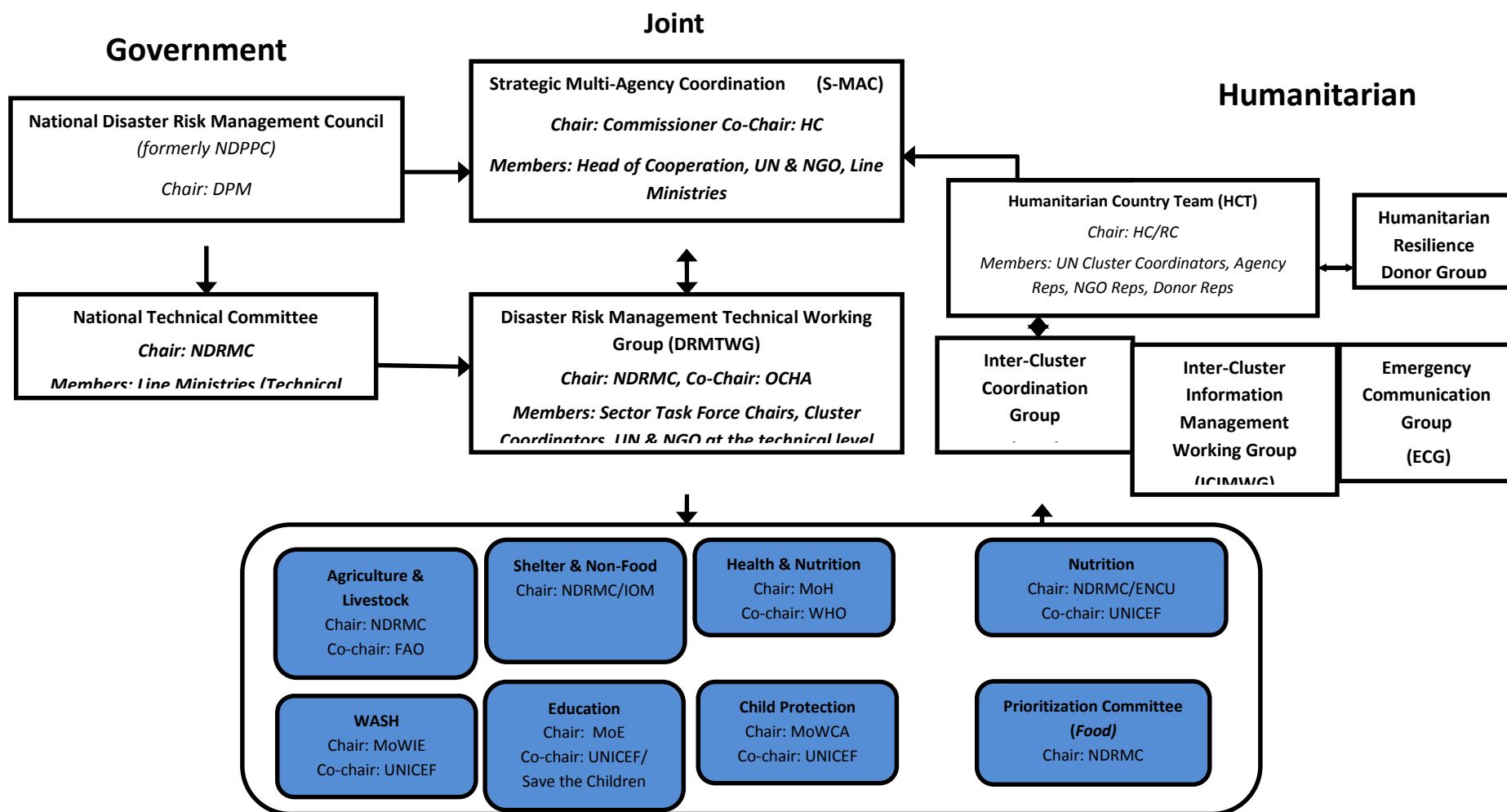
⁷⁷⁷ Interview conducted with Oromia regional state DRMO Bule Hora town, June 2021

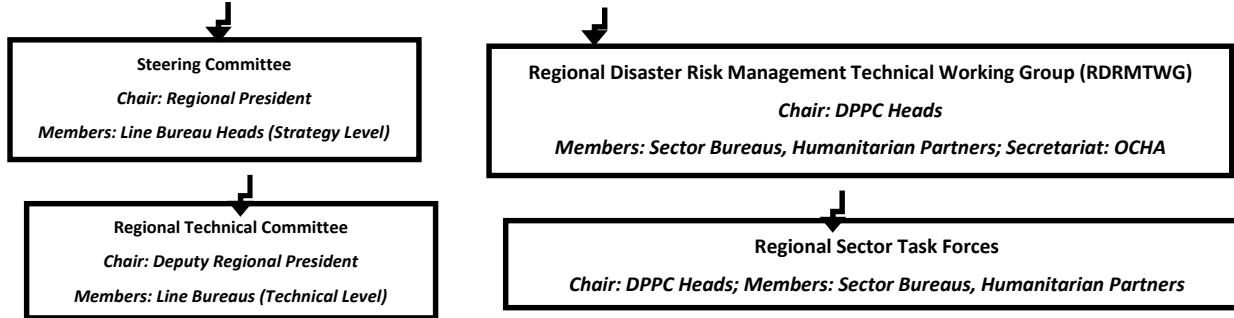
the Millenium Park Dire Dawa town, while others were living with the host community in different parts of the Somali Regional State.⁷⁷⁸

⁷⁷⁸ Interview conducted with Somali regional state DRMO focal person, Jigjiga, August 2021,

Figure 6.4

Ethiopia's humanitarian response coordination structure





6.7 Challenges in the Responses Process and the Prevailing Practices

The gaps in the normative frameworks and institutional structure affected the response process. This was evident in the response to Gedeo-Guji conflict-induced IDPs. IDP registration was the base for the subsequent protection and support system. In the response to IDPs, there were challenges in identifying the real and the exact number of IDPs. This was reflected because of the need for a straightforward registration process and the need for well-established organizations. A different zone administrator ordered the registration process of the IDPs in the Gedeo and Guji zones, and there were only transparent verification processes recently when they were jointly made with the humanitarian partners.⁷⁷⁹

This has created discrepancies between the government authority and humanitarian partners. There were also fictitious beneficiaries whose names were indicated in the master list but could not be identified by the humanitarian partners. There were also incidents where the local administration canceled the real beneficiary from the master list without any due cause.⁷⁸⁰

Furthermore, there was no precise data on the number of IDPs at the national level. The number of IDPs sheltering in the IDP site was small, and most of them lived with the host community.⁷⁸¹ These IDPs should have been addressed and included in the response process because most humanitarian partners needed visibility and chose the IDP camps to provide their services. Additionally, the humanitarian partner primarily focused on providing assistance rather than human rights protection.⁷⁸² They followed a need-based rather than a rights-based approach,

⁷⁷⁹ Critical Informant Interview with the Head of the Zone Disaster Risk Management and Early Warning Bureau DRMB, June 2021, Oromia regional state, Kerch

⁷⁸⁰ Focus Group Discussion with Gedeo-Guji IDPs, Oromia Regional State, Bule Hora town, June 2021

⁷⁸¹ Critical Informant Interview with the Head of the Zone Disaster Risk Management and Early Warning Bureau DRMB, June 2021, Oromia regional state, Kerch

⁷⁸² Critical Informant Interview with the Head of the Zone Disaster Risk Management and Early Warning Bureau DRMB, June 2021, Oromia regional state, Kerch

forcing IDPs to depend on humanitarian support. There was a protection cluster that has tried but also challenged to address the overall protection gaps of the IDPs.⁷⁸³

There was a lack of coordination between the federal and regional governments and the humanitarian partners. Though there was a cluster approach with eleven clusters, they mainly focused on their activities, and OCHA was also challenged to coordinate and give effective responses.

The complex displacement flow and new displacement patterns became another challenge for the humanitarian partner and the government. The number of IDPs increased periodically, challenging the response process.

The government was highly engaged in the premature return process. There were a few numbers of humanitarian partners who were working on a durable solution, peace-building, and reconciliation.

The Ministry of Peace, IOM, agreed on a peace strategy and attempted to tackle internal displacement in Ethiopia. Hence, IOM has intervened and contributed to the resolution of displacements driven by inter-ethnic and inter-regional conflicts in Oromia-Somali and Oromia-SNNPR clusters. Besides, it has done activities that support local initiatives, including training and capacity building for community representatives and regional leaders to facilitate peace dialogues.⁷⁸⁴

The IDP returnees mentioned that the reconciliation process was not genuine and participatory of all affected communities. Instead, it was politically motivated and conducted by the political

⁷⁸³ Critical Informant Interview with the Head of the Zone Disaster Risk Management and Early Warning Bureau DRMB, June 2021, Oromia regional state, Kerch

⁷⁸⁴ IOM UN Migration, Peace Strategy Aims to Tackle Internal Displacements in Ethiopia, 2019, Retrieved December 2022 available at Peace Strategy Aims to Tackle Internal Displacements in Ethiopia | International Organization for Migration (iom. int)

administration with the participation of some elderly and religious leaders. This does not address the root causes of the displacement, and there is fear that the conflict will erupt again and cause mass displacement.

The government considered that returning IDPs was the only choice of durable solutions without ensuring peace and security in the area. Hence, the government has forced IDPs to return to their original places. There needed to be proper participation in the return process, and to some extent, government support in the return areas was considered a means to return the IDPs. Besides, the government also forced humanitarian partners to provide their services in the returnee areas, and IDPs were forced to be returned to support without ensuring the peace and security of the area.

There also needed to be more transparency in government food distribution. According to government support, the IDPs were expecting to receive 15 kg of wheat and 0.45 liters of oil; however, they have received only 15 kg of wheat, which is not on a regular basis. Besides, support was given by volunteer individuals and different organizations, albeit the respondents mentioned that they had received a small amount of that support and did not have any idea where this support was going.

There was no exceptional support for vulnerable groups like women, children, and persons with a disability. The displacement and the response process affected these groups of individuals.

Thus, the challenges affected the protection and responses of IDPs in the case study area and the country.

Chapter Seven: Summary of Findings, Conclusions, and Recommendations

7.1 Summary of the Findings

The study aimed to explore the normative frameworks and institutional responses towards conflict-induced internally displaced persons in Ethiopia. In line with this general objective, the study has examined the government, NGOs, and humanitarian partners' protection and responses to conflict-induced IDPs, mainly focusing on the cases of Gedeo-Guji and Oromo-Somali conflict-induced IDPs which occurred in 2018 and 2017, respectively. The study has employed qualitative research methodology and human rights-based theoretical frameworks. Hence, it has examined the available normative frameworks, institutional structure, and prevailing practices in response to conflict-induced internally displaced persons in the country and specific to the cases of Gedeo-Guji and Oromo-Somali conflict-induced IDPs. Thus, a summary of the findings on the normative frameworks, the institutional structure, and prevailing practices is presented as follows.

7.1.1 Normative Frameworks

The results of the normative framework analysis indicated that the 1995 FDRE constitution attempts to address human rights protection and the responses to internal displacement and conflict-induced internal displacement in two ways. Some human rights provisions generally apply to IDPs as ordinary citizens of the country. In addition, some specific provisions of the constitution deal with internal displacement. Article 89 of the constitution is the visible social policy of the government specified to avert any displacement and to provide immediate responses. Nonetheless, there was no specific provision that dealt with conflict-induced internal displacement and IDPs. Provisions like Articles 44 and 45 deal with natural disasters and development-induced internal displacement.

The 2013 NDRMP attempted to address all types of internal displacement, although the policy focused less on conflict-induced internal displacement.

In 2020, the federal government enacted a durable solution strategy. However, it intended to address the needs of the IDPs after displacement, and no provision dealt with the government response and human rights protection before and during the displacement.

Furthermore, the government has ratified the Kampala Convention; however, some reservations and declarations are against the convention's objectives, and it was not domesticated until the research was conducted.

These legal lacunas have compromised human rights protection and the responses towards conflict-induced internally displaced persons in the country. Hence, the response processes are mainly dominated by the political willingness of the government rather than grounded by the normative frameworks. This has also created challenges in the institutional establishment towards conflict-induced internal displacement in the country.

7.1.2 Institutional Structure

It was in the 1970s that Ethiopia established an institutional structure in response to the internal displacement that occurred at that time. The main objective of the establishment was to avert the then-natural disaster displacement and to provide relief and rehabilitation services. Since then, the institution has been restructured at different times, and currently, there is the Ethiopian Disaster Risk Management Commission. Nonetheless, the institutional structure resembles natural disasters, and its responses also mainly focused on natural disasters, such as internal displacements, and lacked attention and experience in conflict-induced internal displacement.

Regionally, there is a different institutional arrangement. Some of the disaster management bureaus are under the direct supervision of the regional presidents, while others are part of the

agriculture bureau. Besides, some towns have no disaster risk management bureau, which significantly impacts coordination, human rights protection, and the response to conflict-induced internal displacement.

The newly established Ministry of Peace is another organ responsible for human rights protection and responses to internal displacement in the country. However, it failed to respond promptly before and after the displacement. Instead, conflict-induced internal displacements increased after this institution was established. There is an early warning directorate. However, it needs to be better structured at regional levels, though most of the conflicts originated regionally.

The role of the parliament, CSOs, and national human rights institutions was limited. They acted retroactively and focused on condemning and releasing press statements on the alleged human rights violations. They did not have a solid institutional structure for dealing with conflict-induced internally displaced persons and internal displacement in general.

The Ethiopian Human Rights Commission recently established a directorate that works on migration, refugee, and internal displacement. However, it needs to be expanded and better structured at a regional level.

This has implied that there is a dispersed institutional structure at the federal and regional levels. More organizational mandates and institutional structures are needed. Some institutions, like the Ethiopian Disaster Risk Management Commission, the principal responsible organ, needed clear mandates for human rights protection and early warnings regarding conflict-induced internal displacement in the country. At the same time, others, like the Ministry of Peace, needed clear organizational structures and response mechanisms at regional levels. These and other related factors have an impact on human rights protection and the prevailing practices towards conflict-induced IDPs in the country.

7.1.3 The Prevailing Practices

The study has also focused explicitly on Gedeo-Guji and Oromia-Somali conflict-induced IDPs and attempted to assess the prevailing practice of the government, NGOs, and humanitarian organizations' responses to the protection and assistance of IDPs in the country.

The results show that gaps in the normative frameworks and institutional mandates and structures also affected the responses of the government and humanitarian partners.

Hence, after three decades, conflict-induced internal displacement became the central issue in the country. It has created a new pattern of individual conflict; sometimes, specific conflict can escalate to structural conflict and cause a massive number of internal displacements.

There are immediate causes. However, the leading causes of conflict-induced internal displacement emanated from the quest for self-administration and territorial claims supported by a different hidden agenda of politicians and ethnic entrepreneurs.

The task of the government and humanitarian partners mainly depends on life-saving activities rather than working on the root causes of conflict-induced internal displacement and providing a durable solution. This made the IDPs live in congested living conditions, poor health care services, and to be vulnerable to different types of human rights violations.

There were loose coordination mechanisms and approaches within the federal and regional governments and between the humanitarian partners. The responses followed a need-based approach and failed to consider IDPs as rights holders. It did not follow the humanitarian-development-peace nexus. The government and humanitarian partners were mainly focused on emergency and sporadic responses.

This made conflict-induced IDPs to be aid dependent rather than self-resilient. Besides, in most cases, the government was focused on the premature and forced return process. This has caused

the IDPs to be secondarily displaced and to live in dire conditions. Furthermore, the conflict and displacement situation has become cyclic and recurrent in different parts of the country.

7.2. Conclusion

Internal displacement is one of Ethiopia's challenges at different times, and the problem has remained pervasive throughout the country's history. Natural disasters, conflict, and developmental projects are identified as the leading causes of internal displacement. Until recent years, conflict was not a significant factor in displacements. Instead, Internal displacement was mainly driven by natural disasters and characterized as spontaneous and short-term. However, since 2017, internal displacement in Ethiopia has significantly increased.

The displacement situation has affected all regions, and the 2018 Gedeo-Guji and Oromia-Somali territorial and inter-ethnic conflict resulted in a massive number of conflict-induced IDPs in the country. Such a sudden influx of IDPs compromised and hugely impacted their fundamental human rights. The government and humanitarian partners' response was limited, and complex political, legal, and institutional inadequacies intensified the displacement. Besides, the role of the legislative, judiciary, NGOs, and CSOs was also sporadic and limited to reactive activities.

Therefore, the following inputs are suggested as possible recommendations for the government, humanitarian partners, and CSOs to consider and work toward realizing their practical implementation. This will help provide an adequate response and enhance the protection of human rights against conflict-induced internal displacement in the country, particularly in the specific case study areas.

7.3 Recommendations

Based on the findings of this research and the lesson drawn, it is recommended from the normative frameworks, institutional mandates, and prevailing practices that the following be undertaken to remedy the shortfalls and enhance the effectiveness of the protection and responses to conflict-induced IDP in the country.

- i.* The study revealed that there needs to be more FDRE constitutional provisions on the human rights protection of conflict-induced IDPs in the country. Hence, a constitutional amendment should be made to Articles 44(2), and the FDRE Constitution needs to constitutionally accommodate the right of compensation to victims of conflict-induced internal displacements. There is an explicit constitutional provision for protecting the human rights of refugees, but not for internally displaced persons. Thus, the FDRE constitution should mention the response of the federal and regional governments towards internal displacement in the country. The regional constitutions also need to do it accordingly.
- ii.* The 2013 National Disaster Risk Management policy has a gap. The government should revise it, ensure its compliance with the basic tenets of the Kampala Convention, and inculcate the Human Rights-Based Approach while dealing with the security, economic, social, political, and cultural demands of conflict-induced IDPs. The policy must be comprehensive and framed based on the humanitarian-development-peace nexus.
- iii.* The government should enact different laws to domesticate the Kampala Convention. The Kampala Convention needs to be translated into a different language, disseminated, and made accessible to the right holders. The government must also reconsider and evade the reservations and declarations made to the Kampala Convention. The government should enact inter-regional laws on the responsibility, responses, and coordination of the federal and regional governments towards protecting conflict-induced IDPs. There is a durable solution strategy in the Somali

regional states. Hence, the Oromia and Southern Nation Nationality and People regional states and all regional states need to enact durable solution laws and strategies in response to conflict-induced internal displacement. Furthermore, criminalization of arbitrary displacement and making individuals responsible would enhance the human rights protection of the IDPs and avoid a vicious cycle of internal displacement. Hence, the government should criminalize arbitrary displacement, forced conscription of children, denial of humanitarian services, and other related crimes within the criminal code or separately.

iv. Conflict-induced IDPs need special attention and the participation of different international NGOs and federal and regional governments. The government should strengthen the coordination mechanisms between humanitarian partners and follow a right-based approach and a humanitarian-development-peace nexus model. The government is primarily responsible and should ask for international assistance when required.

v. The federal and Oromia, Somai, and SNNPR regional governments should stop the forced and premature return process that makes IDPs vulnerable to secondary displacement and other human rights violations. The government and humanitarian partner responses must address the root causes of the displacement and minimize the recurrent effect of the displacement. Besides, in cases of conflict-induced internal displacement, having normative frameworks and institutional structures is not enough; instead, the political decision has a significant role in ensuring a durable solution for the IDPs. Hence, the government should make the responses to internal displacement a political priority and should avoid a premature and forced return of conflict-induced IDPs.

vi. The federal and regional governments should designate an institutional focal point to provide meaningful protection and assistance to IDPs, revisit the structural arrangement, and mandate responsibility for human rights protection and assistance to conflict-induced internal

displacement. The institutional mandates for protecting conflict-induced internal displacement must be clear and undertaken at regional levels.

vii. The federal and regional governments should devote adequate financial and human resources to address internal displacements and should work on the reconciliation and peace-building process. Besides, the government and international organizations need to establish accountability and redress mechanisms for the human rights violations of IDPs. The inter-ministerial task force needs to strengthen its task and establish marked precedents in the country's human rights protection of conflict-induced internal displacement.

viii. The federal and regional governments should support the work of national human rights institutions that protect the human rights of IDPs. These institutions should work intensively to identify the root causes of displacement and prioritize a durable solution.

ix. Local CSOs and international NGOs working on IDPs should mobilize and exert more efforts on advocacy and awareness creation to sensitize the rights of IDPs and identify the root causes of displacement. These organizations should work on translating key international instruments on the human rights protection of IDPs, including the Kampala Convention, the Guiding Principles, and other documents into the local languages and needs to disseminate to all stakeholders and the public.

x. UN Agencies, Local CSOs, and International NGOs working on the human rights protection of IDPs should conduct independent investigations and monitor the protection and assistance of IDPs in the country. CSOs and National Human rights institutions should participate in the protection and responses of IDPs and should focus on early warning rather than reactive responses to IDPs.

xi. Local CSOs and International NGOs working on the human rights protection of IDPs should provide free legal aid services, support IDPs in bringing their cases before the courts, and lead all

campaigns in the country's human rights protection against conflict-induced internal displacement.

xii. The government and humanitarian partners should closely collaborate on registration, compiling up-to-date and accurate data collection, and finding durable solutions to conflict-induced IDPs in the country.

xiii. In all government and humanitarian activities and responses, conflict-induced IDPs need to be at the center of every decision.

Bibliography

Books, Book Chapters, and Journal Articles

- Abebe, A. (2017). *The emerging law of forced Displacement in Africa, development, and implementation of the Kampala Convention on internal Displacement*. Routledge, Taylor, and Francis Group London/New York
- Abdi, M. (2020). The Protection of Internally Displaced Persons (IDPs) in Ethiopia: The Analysis of Legal and Institutional Frameworks, (LL.M Thesis, International Law, Ethiopian Civil Service University)
- Adam G. Lichtenheld, (2015). *The Identity Politics of Displacement in the Middle East, Rethinking Nation, and Nationalism*, Project on Middle East Political Science
- Adam G. Lichtenheld (...) *Rethinking Durable Solutions to Forced Displacement Global Trends and New Realities*
- Amebae-Uva, T. N. (2012). The right to education for internally displaced persons in Nigeria
- Andrew Solomon, (2010). African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, *International Legal Materials*, Vol. 49, No. 1
- Arbour, M. (2018). *The role of the African Union in addressing the lack of legal protection afforded to internally displaced persons in Ethiopia* (MA thesis, Tilburg University, the Netherlands),
- Asebe Regassa, (2007). Ethnicity and Inter-ethnic Relations: The 'Ethiopian Experiment' and the Case of the Guji and Gedeo,
- Bercovitch, J., & DeRouen Jr, K. (2004). Mediation in internationalized ethnic conflicts: Assessing the determinants of a successful process. *Armed Forces & Society*, 30(2),
- Bohnet, H., Cottier, F., & Hug, S. (2018). Conflict-induced IDPs and the spread of conflict, *Journal of Conflict Resolution*, 62(4), 691-716

- Brun, C. (2005). Research guide on internal Displacement, *NTNU Research Group on Forced Migration Department of Geography Norwegian University of Science and Technology (NTNU), Trondheim, Norway*,
- Carrillo, A. C. (2009). Internal Displacement in Colombia: humanitarian, economic, and social consequences in urban settings and current challenges. *Int will Rev. Red Cross*, 91, 527.
- Cathrine Braun, *Research guide on internal Displacement*, NTNU Research Group on Forced Migration,
- Costantini, I., & O'Driscoll, D. (2020). Practices of exclusion, narratives of inclusion: Violence, population movements, and identity politics in post-2014 northern Iraq. *Ethnicities*, 20(3),
- Creswell, J. W., & Creswell, J. D. (2017). '*Research design: Qualitative, quantitative, and mixed methods approach*,' Sage Publications, 2014
- Crisp, J (2010). Forced Displacement in Africa: Dimensions, difficulties, and policy directions. *Refugee Survey Quarterly*, 29(3), 1–27.
- Dagne Shibru, (2013). Conflict and Conflict Resolution Mechanisms in Ethiopia: The Case of Gedeo and Guji Ethnic Groups
- Da Costa, K., & Pospieszna, P. (2015). The relationship between human rights and disaster risk reduction revisited: Bringing the legal perspective into the discussion. *Journal of International Humanitarian Legal Studies*
- Deng, Fr. M. (1995) *Sovereignty, Responsibility and Accountability: A Framework of Protection, Assistance and Development for the Internally Displaced Concept Paper for the Brookings Institution Refugee Policy Group Project on Internal Displacement*. Brookings Institution
- Dennis McNamara, (2006). Humanitarian reform and new institutional responses, Putting IDPs on the map: achievements and challenges in commemoration of the work of Roberta Cohen, Forced migration review special issues,

- Ding, A. (2017). *Protecting internally displaced persons: The value of the Kampala Convention as a regional example*. *International Review of the Red Cross*, 99 (904)
- Elizabeth Ferris & Sarah Deardorff Miller (2020). Institutional Architecture Does the International System Support Solutions to Internal Displacement, Research Briefing Paper UN Secretary-General's High-Level Panel on Internal Displacement,
- Esparza, D., Lucas, J., Martinez, E., Meernik, J., Molinero, I., & Nevarez, V. (2020), Movement of the people: Violence and internal Displacement. *International Area Studies Review*
- Flavia Zorzi Giustiniani (2011). *New Hopes and Challenges for the Protection of IDPs in Africa: The Kampala Convention for the Protection and Assistance of Internally Displaced Persons in Africa*,
- Girum Kinfemichael (2014). The Quest for Resolution of Guji-Gedeo Conflicts in Southern Ethiopia: A Review of Mechanisms Employed, Actors and Their Effectiveness, *EJOSSAH Vol. X, No. 1*, 2014
- Habte, B., & Kweon, Y. J. (2018). 'Addressing internal displacement in Ethiopia,' *Forced Migration Review*, (59)
- Habtu, A. (2003). 'Ethnic Federalism in Ethiopia: Background, Present Conditions, and Future Prospects'
- Richard Oloruntob & Ruth Banomyong (2018). Humanitarian logistics research for the care of refugees and internally displaced persons A new area of research and a research agenda, *Journal of Humanitarian Logistics and Supply Chain Management Vol. 8 No. 3*
- Hale, H. E. (2008). *The foundations of ethnic politics: Separatism of states and nations in Eurasia and the world* (Vol. 304). Cambridge: Cambridge University Press.
- Hussein, Jeylan Wolyie. "Analysis of dynamics of politicized collective identity in post-Dergue Ethiopia: A sociological and social-psychological analysis." *International Area Studies Review* 18, no. 4 (2015): 382–402.

Ingvild Bode (2014). Francis Deng and the Concern for Internally Displaced Persons: Intellectual Leadership in the United Nations, *Global Governance*, Vol. 20, No. 2

Jimenez-Damary, C. (2018). 'Foreword: The 20th anniversary of the Guiding Principles—building solidarity, forging commitment', *Forced Migration Review*, (59),

Jon Abbink (2011). Ethnic-based federalism and ethnicity in Ethiopia: reassessing the experiment after 20 years, *Journal of Eastern African Studies*, 5:4, 596–618, DOI: 10.1080/17531055.2011.642516

Kefale, A. (2010). Federal restructuring in Ethiopia: renegotiating identity and borders with the Oromo–Somali ethnic frontiers. *Development and Change*, 41(4), 615–635.

Kosher, K. (2007). Addressing internal Displacement in peace processes, peace agreements, and peacebuilding. *IDP Newsletter*,

Ladan, M. (2015). Strategies for adopting the national policy on IDPs and domesticating in Nigeria the African Union Convention for the Protection and Assistance of IDPs in Africa

Lobo Teferi (2012). The post-1991 'inter-ethnic conflicts in Ethiopia: An investigation,

Luke T. Lee, (1992). Legal Status of Internally Displaced Persons, 86 Am. Soc'y Int will L. Pros. 630

Lune, H., & Berg, B. L. (2016). *Qualitative research methods for the social sciences*, Pearson Higher Ed., 2017,

Meir A. Dugan, (1996). *A nested theory of conflict, A leadership journal: women in leadership-sharing the vision*, Vol.1

Maria Stavropoulou (1998). Displacement and Human Rights: Reflections on UN Practice, *Human Rights Quarterly*, Vol. 20, No. 3

Maru Taddele (2017). *Causes, dynamics, and consequences of internal Displacement in Ethiopia*, Working paper

Mesfin Araya, (2007). Post-conflict internally displaced persons in Ethiopia, Mental distress and quality of life about traumatic life events, coping strategy, social support, and living conditions, *Department of Psychiatry, Faculty of Medicine, Addis Ababa University, Addis Ababa, Ethiopia*

Meskele Ashine, E. (2021). The Adequacy of Law and Policy Frameworks on Internal Displacement in Ethiopia: A Critical Appraisal. In: Adeola, R. (Eds) National Protection of Internally Displaced Persons in Africa. Sustainable Development Goals Series. Springer, Cham.

Mohamed, A. A. (2018). Assessment of conflict dynamics in Somali national, regional state of Ethiopia. *Journal of public policy and administration*, 2(4)

Mooney, E. (2005). 'National responsibility and internal displacement: a framework for action,' *FMR Special Issue*, 11-14

Muggah, R. (2000). Through the Developmentalist's Looking Glass: Conflict-Induced Displacement and Involuntary Resettlement in Colombia¹. *Journal of Refugee Studies*, 13(2),

Neuman, W. L. (2014). Social Research Methods: Qualitative and Quantitative Approaches: Pearson New International Edition

Nicolau, I., & Pagot, A. (2018). 'Laws and policies on internal Displacement: global adoption and gaps' *Forced Migration Review*, (59),

Okoro Paul Mmahi, (2016). The Impact Of Internal Displacement On Women And Children In Nigeria, *International Journal of Innovative Research and Advanced Studies (IJIRAS)*,

Opara, L. C., Erasmus, D., & Ndimouwuri, L. (2019). 'Enhancing the protection of internally displaced persons through domestic law and policy', *Nnamdi Azikiwe University Journal of International Law and Jurisprudence*, 10(2), 77-84

Orchard, P. (2018). Protecting Internally Displaced Persons: The Role of National Legislation and Policies, St Lucia, Australia: Asia Pacific Centre for the Responsibility to Protect.

Persons, I. D. (2000). 'The Mandate and Role of the International Committee of the Red Cross', *International Review of the Red Cross*, (838)

- Pitarokoili, V. M. (2014). 'The internally displaced persons and the need for a normative framework' *International Journal of Human Rights and Constitutional Studies*, 2(4),
- Regassa, T., & Ababa, A. (2004). State constitutions in Federal Ethiopia: a preliminary observation, In *a Conference on 'Federalism and Sub-national Constitutions,' Rockefeller Center, Bellagio, Italy*, [http://camlaw.Rutgers.Audio/state con/sub papers/reggae. Pdf](http://camlaw.Rutgers.Audio/state%20con/sub%20papers/reggae.Pdf).
- Roberta Cohen (2003). A Public Lecture on Sovereignty as Responsibility: The Guiding Principles on Internal Displacement, *Jadavpur University, Calcutta*,
- Roberta Cohen (2006). Strengthening Protection of IDPs: The UN's Role, *Georgetown Journal of International Affairs*, Vol. 7, No. 1
- Roberta Cohen (2003). *A Public Lecture on Sovereignty as Responsibility: The guiding principles on internal Displacement, Jadavpur University, Calcutta*.
- Ruth Delbaere, (2017). *Internally Displaced Persons In The African Human Rights System, An Analysis of the Kampala Convention*, Faculty of Law Ghent University, Master's Thesis
- Saxena, P. (2012). Internally Displaced Persons-Lack of Legislation and Empathy
- Shaban, R. (2009). Robert K. Yin, Case Study Research: Design and Methods, Applied Social Research Methods, Volume 5, *Sage Publications Incorporated*
- Solomon, A., Gandhi, M., & King Jr, M. L. (2009). Justice, accountability, and the protection of displaced persons *Documento presentado en Annual Course on Forced Migration Mahanirban Calcutta Research Group*
- Sonja Fransen and Katie Kuschminder, (2009). Migration in Ethiopia: History, Current Trends, and Future Prospects
- Steel at Esparza, D., Lucas, J., Martinez, E., Meernik, J., Molinero, I., & Nevarez, V. (2020), Movement of the people: Violence and internal Displacement. *International Area Studies Review*,

Tesfaye Tola (2019). State Obligation for the Protection of the Rights of IDPs: In Case of Oromo People Displaced from the Ethiopian Somali Region, (LL M Thesis Addis Ababa University College of Law and Governance study, School of Law)

Tobias Hagmann and Mustafe Mohamed Abdi (2018). Inter-ethnic violence in Ethiopia's Somali Regional State

Van Brabant, K. (1994). *Bad borders make bad neighbors: the political economy of relief and rehabilitation in the Somali Region 5, Eastern Ethiopia*, Overseas Development Institute.

Wakgari Kebeta (2019). The Protection of Internally Displaced Persons in Ethiopia: Leave No One Behind Journal of Internal Displacement, Volume 9, Issue 1

Walter Kälin, (2008). Guiding Principles on Internal Displacement Annotations,

Wanninayake, S. (2015). Finding a Residence Place; IDPs Remaining in Host Communities: A case of Sri Lanka. In *3rd International Conference on Innovation Challenges in Multidisciplinary Research Practices* (Vol. 3, pp. 87–96)

Wanninayake, S. A Brief Conceptual Analysis on Conflict Induced Internal Displacement, Return, and Resettlement,

Yigzaw, Gedifew and Abitew, Endalsas, (2019). Causes and impacts of internal Displacement in Ethiopia,

Yin R. K. (2003). *Case study research design and methods*. Sage Publication, third edition,

Yin, R. K (2015). *Qualitative research from start to finish* Guilford Publications

Human Rights Instruments and Legislations

Convention on the Elimination of all Forms of Discrimination Against Women 1979

Committee on Economic, Social and Cultural Rights, general comment No. 15 (2002) on the water rights.

General Assembly resolution number 70/169 and Human Rights Council resolution number 33/10

International Covenant on Civil and Political Rights was adopted and opened for signature, ratification, and accession by General Assembly resolution 2200 A (XXI) on 16 December 1966.

The International Covenant on Economic, Social, and Cultural Rights was adopted and opened for signature, ratification, and accession by General Assembly resolution 2200 A (XXI) on 16 December 1966.

Constitution of the World Health Organization 1946

The African Charter on Human and Peoples' Rights was adopted on 27 June 1981 by the 18th Assembly of Heads of State of the Organization of African Unity in Nairobi and entered into force on 21 October 1986.

African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), 2009

The Guiding Principles on Internal Displacement 1992

International Convention on the Rights of Refugees 1952

Disaster Risk Management and Food Security Sector Ministry of Agriculture, Disaster Risk Management Strategic Programme and Investment Framework, 2013,

Ethiopian Durable Solution Strategy, 2020

Proclamation No. 1/1995 Proclamation of the Constitution of the Federal Democratic Republic of Ethiopia

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

Proclamation No. 1263/2021 Definition of Powers and Duties of the Executive Organs Proclamation

Proclamation No. 383/2004, Disaster Prevention and Preparedness Commission Establishment Amendment Proclamation

Proclamation No.1097-2018 is a Proclamation to provide for the Definition of the Powers and Duties of the Executive Organs.

Regulation No. 363/2015, National Disaster Risk Management Commission Establishment
Council of Ministers Regulation

The 2019 Federal Government's Strategic Plan to Address Internal Displacement and a Costed Recovery/Rehabilitation Plan

The Durable Solution Strategies of Somali Regional State, 2017-2020

The Durable Solution Strategy of Somali Regional State, 2022-2024

The Oromia Regional State Constitution, 2001

The Revised Ethiopian Criminal Law, 2004

The Somali Regional State Constitution, 2001

The Southern Nation Nationality and People States Constitution, 2001

Universal Declaration of Human Rights 1948

Ethiopian Durable Solution Strategy, 2020

Internet Source and Other Materials

Bruin, Research guide on internal Displacement, [Possible topics and framework for a research guide on internal Displacement \(mnstate.edu\)](#)

COVID-19 Mobility Impacts Update Series, [Impact on IDPs Update 24 Sept PDF.pdf \(reliefweb.int\)](#)

Doctors without border Displacement and humanitarian and dilemmas challenge-response in Ethiopia: in complex crises, 2019, https://reliefweb.int/sites/reliefweb.int/files/resources/report_-_displacement-and-humanitarian-response-in-ethiopia_-_challenges-and-dilemmas-in-complex-crises.pdf.

Ethiopian Durable Solution Initiative [Durable Solutions Initiative | United Nations in Ethiopia](#)

Ethiopian Humanitarian Fund, [About EHF 15 November 2022\[33\] \(unocha.org\)](#)

Ethiopian Humanitarian Needs Overview 2019,

https://reliefweb.int/sites/reliefweb.int/files/resources/ethiopia_humanitarian_needs_overview_2019.pdf,

Ethiopian News Agency [Gov't Establishes Inter-Ministerial Task Force to Oversee Human Rights Violations in Northern Ethiopia | Ethiopian News Agency \(en. it\)](#)

Ethiopian News Agency, [Top Official of TPLF Admits Attacking Northern Command | Ethiopian News Agency \(ena it\)](#)

Ethiopian Observer, Ethnically-motivated attacks in Shashemene and elsewhere, [Ethnically-motivated attacks in Shashemene and elsewhere - Ethiopia Observer](#)

Global Facility for Disaster Reduction and Recovery report on Ethiopia.

<https://www.gfdrr.org/en/ethiopia>

Global Protection Cluster (2016). "Regulatory Frameworks on Internal Displacement, Global, Regional and National

Developments,"<https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCR-GPC-Reg-Framework-IDP.pdf>

Global Protection Cluster Working Groups, Handbook on the Protection of Internally Displaced Persons, [Handbook for the Protection of Internally Displaced Persons \(internal-displacement.org\)](#)

IASC Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response,' IASC 2006, <https://interagencystandingcommittee.org/working-group/documents-public/iasc-guidance-note-using-clusterapproach-strengthen-humanitar>

Inter-Agency Standing Committee (2010) IASC Framework on durable solutions for internally displaced persons, In *IASC Framework on durable solutions for internally displaced persons*.

The Brookings Institution, University of Bern, Project on Internal Displacement

<https://www.unhcr.org/50f94cd49.pdf>

Inter-Agency Standing Committee, 2010, Project on Internal Displacement, Durable Solution

Frameworks for Internally Displaced Person, [IASC Framework on Durable Solutions for](#)

[Internally Displaced Persons, April 2010.pdf \(interagencystandingcommittee.org\)](#)

Internal Displacement Monitoring Center (2017) *Africa report on internal Displacement.*

<https://reliefweb.int/report/world/2017-africa-report-internal-displacement>

Internal Displacement Monitoring Center (2018) *Mid-Year*

figures <https://reliefweb.int/report/world/idmc-mid-year-figures-internal-displacement-2018>

Internal Displacement Monitoring Center (2019 and 2022), *Global report on internal*

Displacement, [IDMC GRID 2022 LR.pdf \(internal-displacement.org\)](#)

Internal Displacement Monitoring Center (2019) *Global report on internal*

Displacement [http://www.internal-](http://www.internal-displacement.org/sites/default/files/publications/documents/2019-IDMC-GRID.pdf)

[displacement.org/sites/default/files/publications/documents/2019-IDMC-GRID.pdf](http://www.internal-displacement.org/sites/default/files/publications/documents/2019-IDMC-GRID.pdf)

Internal Displacement Monitoring Center, (2018) Global report on internal Displacement.

http://www.internal-displacement.org/sites/default/files/publications/documents/201805-final-GRID-2018_0.pdf

Internal Displacement Monitoring Center, (2018), *Mid-Year figures*,

<https://reliefweb.int/report/world/idmc-mid-year-figures-internal-displacement-2018>,

Internal Displacement Monitoring Center, *An institutional history of internal Displacement*,

<http://www.internal-displacement.org/internal-displacement/history-of-internal-displacement>

Internal Displacement Monitoring Center, Global Report on Internal Displacement, 2019,

Ethiopia, <https://www.internal-displacement.org/sites/default/files/publications/documents/2019-IDMC-GRID.pdf>

Internal Displacement Monitoring Center, <http://www.internal-displacement.org/internal-displacement/history-of-internal-displacement>

International Conference on African Development Archives Paper 57.

https://scholarworks.wmich.edu/cgi/viewcontent.cgi?article=1078&context=africancenter_icad_archive

International Organization for Migration *Placing IDPs on the map in Ethiopia and beyond*.

<https://weblog.iom.int/placing-idps-map-ethiopia-and-beyond>

OCHA Services, Ethiopia Displacement - Northern Region Tigray -IDPs - Site Assessment -

[IOM DTM], [Ethiopia Displacement - Northern Region Tigray -IDPs - Site Assessment - \[IOM DTM\] - Humanitarian Data Exchange \(humdata.org\)](#)

OCHA services, relief web Responses, Humanitarian-development-peace (HDP) nexus in

Cameron, [Cameroon: Humanitarian-Development-Peace \(HDP\) Nexus in Cameroon | ReliefWeb Response](#)

OCHA services, relief web Responses, the Humanitarian-development-peace nexus: what does it

mean for multi-mandated organizations? [The Humanitarian-Development-Peace Nexus: What does it mean for multi-mandated organizations? - World | ReliefWeb](#)

OCHA Understanding the issue. <https://www.unocha.org/ending-protracted-internal-displacement/understanding-issue>

OHCHR, IASC Framework on Durable Solutions for Internally Displaced Persons, [UNHCR - IASC Framework for Durable Solutions for Internally Displaced Persons](#)

The Brookings Institution-University of Bern Project on Internal Displacement, 2005,

Addressing internal Displacement a framework for national responsibility, [Framework fin.qxp \(internal-displacement.org\)](#)

The Guardian (2019) *Go and we die, stay and we starve*; the Ethiopians face a deadly dilemma.

<https://www.theguardian.com/global-development/2019/may/15/go-and-we-die-stay-and-we-starve-the-ethiopians-facing-a-deadly-dilemma>

The Office of the United Nations High Commissioner for Refugees, (2012), *The State of the Worlds Refugees in Search of Solidarities*, [4444afce0.pdf \(unhcr.org\)](#),

The Ripple Effect, Multi-Dimensional Impact of Internal Displacement (2018), [201810-literature-review-economic-impacts.pdf \(internal-displacement.org\)](#),

Tom Gardner, Shadow falls over Ethiopia reforms as warring's of crises go unheeded *The Guardian*. https://www.theguardian.com/global-development/2019/mar/14/shadow-falls-over-ethiopia-reforms-warnings-of-crisis-ignored-abi-ahmed?CMP=share_btn_tw

UNHCR (2008) *Community-based approach*. [DocHdl1OnPTR1tmpTarget \(unhcr.org\)](#)

UNHCR, (2008), *Community-based approach*, [UNHCR - A Community-based Approach in UNHCR Operations](#)

United Nations General Assembly. (2018). *Report of the special rapporteur on the human rights of internally displaced persons*.

<https://reliefweb.int/sites/reliefweb.int/files/resources/G1810255.pdf>

United Nations High Commissioner for Refugees, With 1 human in every 113 affected, forced Displacement hits record high, <https://www.unhcr.org/news/press/2016/6/5763ace54/1-human-113-affected-forced-displacement-hits-record-high.html>,

United Nations Higher Commissioner for Refugees, *UNHCR Welcomes Ethiopia's law granting more rights to refugees*. <https://www.unhcr.org/news/press/2019/1/5c41b1784/unhcr-welcomes-ethiopia-law-granting-rights-refugees.html>

United Nations Office for the Coordination of Humanitarian Affairs (2018) *Ethiopia video-west guji displacement crises*, situation update no.8.

https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/situation_update_no8_gedeo_and_west_guji.pdf

United Nations Office for the Coordination of Humanitarian Affairs, (2019) Gedeo and West Guji Zones Reference Map.

https://reliefweb.int/sites/reliefweb.int/files/resources/reference_map_of_gedeo_west_guji_a0_k_ebelledetails_grid.pdf

United Nations Office for the Coordination of Humanitarian Affairs, (2018), *Ethiopia video-west goji displacement crises*, situation update no.8.

https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/situation_update_no8_gedeo_and_west_guji.pdf

United Nations Office for the Coordination of Humanitarian Affairs, (2019), Gedeo and West Guji Zones Reference Map,

https://reliefweb.int/sites/reliefweb.int/files/resources/reference_map_of_gedeo_west_guji_a0_k_ebelledetails_grid.pdf

Other Documents

Bule Hora University, UNHCR, and West Guji Zonal Disaster Risk Management Office,
Damage and Loss Assessment of Gedeo zone, 2020

Conflict Research Programme Research Memo March 2020 Inter-ethnic violence in Ethiopia's Somali Regional State, 2017 - 2018

Cynthia Grant and Azadeh Osanloo, Understanding, selecting, and integrating a theoretical framework in dissertation research: creating the blueprint for your house.

Development for the Internally Displaced *Concept Paper for the Brookings Institution Refugee Policy Group Project on Internal Displacement*. Brookings Institution,

Global Protection Cluster Working Group (2007), *Handbook for the protection of internally displaced persons*, Global Protection Cluster Working Group,

Global Protection Cluster Working Groups, 2006, Handbook for the Protection of Internal Displacement,

International Federation of Red Cross and Red Crescent Societies, Law and Regulation for the Reduction of Risk from Natural Disasters in Ethiopia, A National Law Desk Survey August 2012

International Federation of Red Cross and Red Crescent Societies, Ethiopia: Country Case Study Report, How Law and Regulation Supports Disaster Risk Reduction, April 2013,

International Organization for migration displacement tracking matrix, Ethiopia national displacement Report round 18

IOM, DTM, (2021). Ethiopian National Displacement Report 10, Site Assessment Round 27 & Village Assessment Survey Round 10

MSF, Displacement and Humanitarian responses in Ethiopia challenges and dilemmas in complex crises, June 2019, [Displacement and humanitarian response in Ethiopia | MSF](#)

Refugees International The crises below the headlines CONFLICT DISPLACEMENT IN ETHIOPIA

Response plan to Internal Displacement around Gedeo (SNNP) and (West Guji (Oromia) zone, 2018, <https://reliefweb.int/report/ethiopia/response-plan-internal-displacement-around-gedeo-snnpr-and-west-guji-oromia-zones-22>

TASSC, A Silent Majority: Internally Displaced People in Ethiopia, <https://www.tassc.org/news-blog/2019/8/13/a-silent-majority-internally-displaced-people-in-ethiopia>

The Brookings Institution – the University of Bern Project on Internal Displacement, (2010), IASC Framework on Durable Solutions for Internally Displaced persons, [IASC Framework on Durable Solutions for Internally Displaced Persons \(brookings.edu\)](#)

The United Nations Refugee Agency (2013), Internal Displacement Responsibility and Action, Handbook for Parliamentarians,

https://www.globalprotectioncluster.org/old/assets/files/tools_and_guidance/Internal%20Displacement/IPU_Internal%20Displacement_2013_EN.pdf

UNICEF Ethiopia Humanitarian Situation Report No. 7, Retrieved March 2023, available at [Ethiopia Humanitarian Situation Report No. 7, July 2022.pdf \(unicef.org\)](#)

IOM, DTM, (2021). Ethiopian National Displacement Report 10, Site Assessment Round 27 & Village Assessment Survey Round 10, P.11, available at [Ethiopia National Displacement Report 10 - Site Assessment Round 27 & Village Assessment Survey Round 10: August - September 2021 - Ethiopia | ReliefWeb](#)

Brookings, sovereignty as responsibility, conflict management in Africa, retrieved November 2022, available at [Sovereignty as Responsibility \(brookings.edu\)](#)

Appendixes.

I. Data Collection Guide and Questions

This data-gathering guide and questions have four parts. The first part sets the general rules that the researcher has followed in the data collection process during key informant interviews and focus group discussions (FGD). The second part outlines the structured and semi-structured interview questions for key informants and focus group participants. The third part provides general open-ended questions and sub-questions to guide the FGD. Lastly, the researcher has indicated the observation checklists that the researcher used to examine the responses to conflict-induced IDPs in the specified case study areas.

Part I: Data Gathering Procedures

- First, the researcher greeted the participants and thanked them for their time and for showing interest in participating in the study.
- The researcher introduced himself and asked them to introduce themselves.
- The researcher emphasized that the participants were selected because their insights and experiences are crucial in understanding and addressing the country's responses to conflict-induced internal displacement. Their knowledge is highly valued and integral to this research.
- The researcher told them that the interview and FGD conducted in Amharic, and if they had difficulty communicating, they are provided with an interpreter. Thus, before starting the interview and FGD, the researcher has explained to them the rules of interview/FGD as:-

► *It's important to note that everything shared during the interview/FGD is and will be kept strictly confidential. This is to ensure that participants feel safe and comfortable sharing their stories.*

► *The interview/FGD does not aim to collect personal information; it is just for educational research.*

► *Be honest in telling the researcher your stories or the stories of others without hiding or adding facts.*

► *The researcher has taken notes and used a recorder. This helped to remember what participants have said, and if you are not comfortable recording your voice, I will only take notes.*

► *If something makes you feel uneasy during the interview/FGD process and if you feel uncomfortable, you can stop the interview/FGD at any time.*

• Lastly, the researcher introduced the purpose of the research as follows:-

Over the past few years, Ethiopia has witnessed more conflict-induced involuntary movement of individuals within its territory. And inter-ethnic violence, which was one of the major causes of internal displacement, has occurred in a different part of Ethiopia. The violence and conflict caused a considerable number of conflict-induced internally displaced persons within and out of the region. The Oromia-Somali internal boundary conflict and Gedeo-Guji inter-ethnic conflict were some of the major incidents that resulted in a vast number of conflict-induced internally displaced persons within and outside of the regions.

This research aims to examine the responses of the governmental and non-governmental organizations in protecting and addressing the needs of conflict-induced internally displaced persons in the selected case study area. The findings and recommendations of this study, which are based on the valuable insights shared by the participants, will serve as a source of information for policy and decision-makers at different government and non-governmental organizations tiers. This can potentially lead to more effective responses and protection of conflict-induced IDPs in the country, making the participants' contribution meaningful and impactful.

THANK YOU FOR YOUR CONSENT AND TIME

Part II: Interview Questions for Key Informants

➤ Federal Government Institutions

▶ Ministry of Peace

1. How do you see the magnitude of conflict-induced internal displacement in the country, and what are the triggering factors?
2. How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
3. Who has an institutional responsibility to respond to internal displacement and conflict-induced internal displacement in particular?
4. What are your organizational mandates and responses toward conflict-induced internal displacement in the country?
5. How do you coordinate with federal government organizations, regional government organizations, and international organizations, and which approach do you follow?
6. How do you respond to conflict-induced IDPs who shelter within the region and out of the region who flee to another region?
7. What makes the Gedeo-Guji and Oromia-Somali conflict-induced internal displacement different?
8. What were the immediate causes in both displacement situations, and what is the current condition of the IDPs?
9. What is your organization's role in addressing the needs and protecting the rights of Gedeo-Guji and Oromia-Somali conflict-induced internally displaced persons?
10. Which durable solution is preferably used, and when does the support of national and international organizations cease?
11. What is the role of politics in the response process?

► **Ministry of Labor and Social Affairs**

1. What was your organization's response towards Gedeo-Guji and Oromia-Somali conflict-induced IDPs?
2. Which laws and policies are applicable in response to conflict-induced internal displacement in the country?
3. How do you address the needs of conflict-induced IDPs in your policy development?
4. How do you coordinate with national and international organizations in response to conflict-induced internal displacement?
5. How do you protect the right to employment and other human rights of Gedeo-Guji and Oromia-Somali conflict-induced IDPs?

► **Ministry of Women, Youth and Children Affairs**

1. What was your organization's response towards Gedeo-Guji and Oromia-Somali conflict-induced IDPs?
2. Which laws and policies are applicable in response to conflict-induced internal displacement in the country?
3. How do you address the needs of conflict-induced IDPs in your policy development?
4. How do you coordinate with national and international organizations in response to conflict-induced displacement?
5. How do you protect the human rights of Gedeo-Guji and Oromia-Somali conflict-induced women, youth, and children IDPs?

► **Ministry of Health**

1. What was your organization's response towards Gedeo-Guji and Oromia-Somali conflict-induced IDPs?
2. Which laws and policies are applicable in response to conflict-induced internal displacement in the country?

- 3.How do you address the needs of conflict-induced IDPs in your policy development?
- 4.How do you coordinate with national and international organizations in response to conflict-induced displacement?
- 5.How do you protect the right to health and other human rights of Gedeo-Guji and Oromia-Somali conflict-induced IDPs?

► **Ministry of Education**

1. What was your organization's response towards Gedeo-Guji and Oromia-Somali conflict-induced IDPs?
2. Which laws and policies are applicable in response to conflict-induced internal displacement in the country?
3. How do you address the needs of conflict-induced IDPs in your policy development?
- 4.How do you coordinate with national and international organizations in response to conflict-induced displacement?
5. How do you protect the right to education and other human rights of Gedeo-Guji and Oromia-Somali conflict-induced IDPs?

► **Ministry of Foreign Affairs**

- 1.How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
- 2.Why did the Ethiopian government delay the ratification process of the Kampala Convention?
- 3.Why were the reservations and declarations made?
- 4.How the domestication process will be conducted?
- 5.How does your organization coordinate with international and national organizations in response to conflict-induced displacement?

► **National Disaster Risk Management Commission**

- 1.What are the leading causes of internal displacement in Ethiopia?

2. How do you see the magnitude of conflict-induced internal displacement in the country, and what are the triggering factors?
3. What makes conflict-induced displacement different from other types of internal displacement?
4. Which laws and policies are applicable in response to conflict-induced internal displacement in the country?
5. How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
6. Who has the organizational responsibility to respond to internal displacement and conflict-induced internal displacement in particular?
7. How do you respond to conflict-induced IDPs who shelter within the region and out of the region who flee to another region?
8. What is your organization's role in addressing the needs and protecting the rights of Gedeo-Guji and Oromia-Somali conflict-induced internally displaced persons?
9. What were the immediate causes in both displacement situations, and what is the current condition of the IDPs?
10. How do you coordinate with federal government organizations, regional government organizations, and international organizations, and which approach do you follow?
11. Which durable solution is preferably used, and when does the support of national and international organizations cease?
12. What is the role of politics in the response process?

► House Of People Representative Legal, Justice, and Democracy Affairs Standing Committee

1. Which laws and policies are applicable in response to conflict-induced internal displacement in the country?

2. How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
3. Why was the Kampala Convention ratification process delayed, and why is it currently ratified?
4. Why did Ethiopia make a reservation and declaration?
5. How will the Kampala Convention be domesticated?
6. How do the perpetrators of conflict-induced internal displacement become accountable?
7. How do you coordinate with national and international organizations in response to conflict-induced displacement?

► **Plan and Development Commission**

1. How do you address the needs of conflict-induced IDPs in your policy development?
2. How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
3. How do you coordinate with national and international organizations in response to conflict-induced displacement?
4. What developmental approach do you follow in response to conflict-induced displacement?
5. How durable is the solution implemented?

► **National Human Rights Commission**

1. What are the leading causes of internal displacement in Ethiopia?
2. How do you see the magnitude of conflict-induced internal displacement in the country, and what are the triggering factors?
3. How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
4. Who has the organizational responsibility to respond to internal displacement and conflict-induced internal displacement in particular?

5. What is your organization's role in protecting the human rights of Gedeo-Guji and Oromia-Somali conflict-induced IDPs?
6. What approach do you follow?
7. How do you coordinate with federal organizations, regional organizations, and international organizations, and which approach do you follow?
8. What was your organization's role in the ratification process of the Kampala Convention?
9. Why does Ethiopia make reservations and declarations?
10. What is the role of politics in the response process?

► **Federal Attorney General**

1. How do you see the magnitude of conflict-induced internal displacement in the country, and what are the triggering factors?
2. How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
3. What is your organization's role in response to conflict-induced internal displacement?
4. What was your organization's role in the ratification process of the Kampala Convention?
5. Why does Ethiopia make reservations and declarations?
6. How will the Convention be domesticated?
7. What was your organization's response to Gedeo-Guji and Oromia-Somali conflict-induced IDPs?
8. How does the perpetrator of conflict-induced internal displacement become accountable?
9. What is the role of politics in the response process?

► **Red Cross Society**

1. How do you see the magnitude of conflict-induced internal displacement in the country, and what are the triggering factors?

2. How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
3. Who is responsible for responding to internal displacement and conflict-induced internal displacement in particular?
4. What is your organization's role in protecting the rights of conflict-induced IDPs, and which approaches do you follow?
5. What was your organization's response in protecting the human rights of Gedeo-Guji and Oromia-Somali conflict-induced IDPs?
6. How do you coordinate with federal, regional, and international organizations?
7. Which durable solution is preferably used, and when does the support of national and international organizations cease?
8. What is the role of politics in the response process?

➤ **Regional Government Organizations**

▶ **Oromia Regional Government Disaster Risk Management Commission**

1. What are the leading causes of internal displacement in Ethiopia?
2. How do you see the magnitude of conflict-induced internal displacement in the country, and what are the triggering factors?
3. What makes conflict-induced displacement different from other types of internal displacement?
4. How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
5. Who has the organizational responsibility to respond to internal displacement and conflict-induced internal displacement in particular?
6. What is your mandate in response to conflict-induced displacement in the country?

7. How do you respond to conflict-induced IDPs who shelter within the region and out of the region who flee to another region?
8. How do you respond to Gedeo-Guji and Oromia-Somali conflict-induced displacement?
9. What were the immediate causes and the magnitude of the displacement?
10. How do you address the needs and protect the rights of Gedeo-Guji and Oromia-Somali conflict-induced IDPs?
11. How do you coordinate with federal, regional, and international organizations, and what approach do you follow?
12. Which durable solution is preferably used, and when do you cease the responses?
13. What is the role of politics in the response process?
14. What challenges do you face?

► **Southern Nation Nationality and Peoples Government Disaster Risk Management**

1. What are the leading causes of internal displacement in Ethiopia?
2. How do you see the magnitude of conflict-induced internal displacement in the country, and what are the triggering factors?
3. What makes conflict-induced displacement different from other types of internal displacement?
4. How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
5. Who is responsible for responding to internal displacement and conflict-induced internal displacement in particular?
6. What is your mandate in response to conflict-induced displacement in the country?
7. How do you respond to conflict-induced IDPs who shelter within the region and out of the region who flee to another region?
8. How do you respond to Gedeo-Guji conflict-induced displacement?

9. What were the immediate causes and the magnitude of the displacement?
10. How do you address the needs and protect the rights of Gedeo-Guji conflict-induced IDPs?
11. How do you coordinate with federal, regional, and international organizations, and what approach do you follow?
12. Which durable solution is preferably used, and when do you cease the responses?
13. What was the role of politics in the response process?
14. What challenges do you face?

► **Somali Regional Government Disaster Risk Management**

1. What are the leading causes of internal displacement in Ethiopia?
2. How do you see the magnitude of conflict-induced internal displacement in the country, and what are the triggering factors?
3. What makes conflict-induced displacement different from other types of internal displacement?
4. How are the normative frameworks adequate to address the plights of conflict-induced IDPs in the country?
5. Who is responsible for responding to internal displacement and conflict-induced internal displacement in particular?
6. What is your mandate in response to conflict-induced displacement in the country?
7. How do you respond to conflict-induced IDPs who shelter within the region and out of the region who flee to another region?
8. How do you respond to Oromia-Somali conflict-induced displacement?
9. What were the immediate causes and the magnitude of the displacement?
10. How do you address the needs and protect the rights of Oromia-Somali conflict-induced IDPs?

11. How do you coordinate with federal, regional, and international organizations, and what approach do you follow?
12. Which durable solution is preferably used, and when do you cease the responses?
13. What is the role of politics in the response process?
14. What challenges do you face?

➤ **International Organizations**

▶ **United Nations Bodies (UNHCR, OCHA, ICRC, IOM, UNOHCHR)**

1. What is the current trend and magnitude of conflict-induced internal displacement in Ethiopia?
2. Does Ethiopia have adequate normative frameworks in response to conflict-induced internal displacement?
3. Which U.N. Organization has the organizational responsibility to protect the human rights of conflict-induced IDPs?
4. How is coordination conducted, and which approach do you follow?
5. What is your organization's response to address the needs of conflict-induced IDPs?
6. What were your responses to Gedeo-Guji and Oromia-Somali conflict-induced IDPs?
7. How is the coordination with national and international organizations conducted?
8. How durable is the solution achieved, and when does it cease?
9. Is Ethiopian institutional arrangement workable to address the needs of conflict-induced IDPs?
10. What challenges do you face in response to conflict-induced internal displacement in the country?

Part III. Interview Guidelines for Conflict-induced IDPs

Background information

- Name
- Age
- Educational background:
- Marital status: *single, married, divorced/separated, widowed.*
- Do you have children? How many?
- What is your source of income?

➤ **Gedeo-Guji Conflict-induced IDPs**

▶ **For IDPs who are living in camps or shelter**

1. How was your relationship with the community before displacement?
2. What were the causes of your displacement?
3. Where to and how do you flee?
4. How do you live during displacement, and what are the challenges?
5. Who was the first responder to your plight?
6. What was the regional government's response during displacement?
7. What was the federal government's response during displacement?
8. What was the role of international organizations during the displacement?
9. How does the host community treat you, and what relationship do you have?
10. Do you have long-term safety, security, and freedom of movement?
11. Do you have an adequate standard of living, including adequate food, water, housing, health care, and primary education?
12. Do you have access to employment and livelihoods?
13. How do you participate in public affairs with the resident population?

14. Do you get effective remedies for displacement-related violations, including access to justice, reparations, and information about the causes of violations?

► **For Returned IDPs**

1. How was your relationship with the community before displacement?
2. What were the causes of your displacement?
3. Where to and how do you flee?
4. How do you live during displacement, and what were the challenges?
5. Who was the first responder to your plight?
6. What was the regional government's response during your displacement?
7. What was the federal government's response during displacement?
8. What was the role of international organizations during the displacement?
9. How did the host community treat you during displacement?
10. Do you participate in the durable solution process?
11. Why do you opt to return?
12. Do you have long-term safety, security, and freedom of movement?
13. Do you have an adequate standard of living, including at minimum access to adequate food, water, housing, health care, and primary education?
14. Do you have access to employment and livelihoods?
15. How do you equally participate in public affairs at all levels with the resident population?
16. Do you get effective remedies for displacement-related violations, including access to justice, reparations, and information about the causes of violations?

► **For Integrated IDPs**

1. How was your relationship with the community before displacement?
2. What were the causes of your displacement?
3. Where to and how do you flee?

4. How do you live during displacement, and what were the main challenges?
5. Who was the first responder to your plight?
6. What was the regional government's response during displacement?
7. What was the federal government's response during displacement?
8. What was the role of international organizations during the displacement?
9. Why do you opt for integration?
10. Do you participate in the durable solution process?
11. How do you live with the host communities?
12. Do you have long-term safety, security, and freedom of movement?
13. Do you have an adequate standard of living, including at minimum access to adequate food, water, housing, health care, and primary education;
14. Do you have access to employment and livelihoods?
15. How do you equally participate in public affairs at all levels with the resident population?
16. Do you get effective remedies for displacement-related violations, including access to justice, reparations, and information about the causes of violations?

► **For Relocated IDPs**

2. How was your relationship with the community before displacement?
3. What were the causes of your displacement?
4. Where to and how do you flee?
5. How do you live during displacement, and what were the challenges?
6. Who was the first responder to your plight?
7. What was the regional government's response during displacement?
8. What was the federal government's response during displacement?
9. What was the role of international organizations during the displacement?
10. Do you participate in the durable solution process?

11. Why do you opt for relocation rather than return and integration?
12. Do you have long-term safety, security, and freedom of movement?
13. Do you have an adequate standard of living, including at minimum access to adequate food, water, housing, health care, and primary education;
14. Do you have access to employment and livelihoods?
15. How do you equally participate in public affairs at all levels with the resident population?
16. Do you get effective remedies for displacement-related violations, including access to justice, reparations, and information about the causes of violations?

Part VI. Observation Checklists

This observation checklist is prepared based on selected human rights of conflict-induced IDPs. It will help the researcher triangulate and practically examine the responses to conflict-induced internally displaced persons in Ethiopia. Hence, the researcher will observe the responses of the government, international organizations, and non-governmental organizations in addressing the needs and protecting the rights of conflict-induced IDPs in the case study areas. The observation will occur during data collection at the specified case study areas.

Issues to be observed	Yes	No	Remarks
Are there adequate schools in the Conflict-induced IDP camp			
Are there adequate schools in the Conflict-induced IDP returned areas			
Are there adequate schools in the Conflict-induced IDPs integrated areas			
Are there adequate schools in the Conflict-induced IDP-relocated areas			
Are there adequate Health, Water, and Sanitation facilities in the Conflict-induced IDP camp			
Are there adequate Health, Water, and Sanitation			

facilities in the Conflict-induced IDP returned areas			
Are there adequate Health, Water, and Sanitation facilities in the Conflict-induced IDP-relocated areas			
Are there adequate Health, Water, and Sanitation facilities in the Conflict-induced IDPs integrated areas			
Is there adequate housing/shelter in the Conflict-induced IDP camps			
Is there adequate housing/shelter in the Conflict-induced IDPs integrated areas			
Is there adequate housing/shelter in the Conflict-induced IDP returned areas			
Is there adequate housing/shelter in the Conflict-induced IDP-relocated areas			
Is there adequate protection in the Conflict-induced IDP camp			
Is there adequate protection in the Conflict-induced IDP-returned areas			
Is there adequate protection in the Conflict-induced IDPs integrated areas			
Is there adequate protection in the Conflict-induced IDP-relocated areas			

N.B. Adequacy was determined based on the U.N. Guideline and its agency's standards.

II. Critical Informant Interview and Focus Group Discussion Participants

Table 2.1: Number of key informant interview participants and their institutions

No .	Name of Institutions	Number of Participants	
		Planned	Conducted
1.	Ethiopian Ministry of Peace	2	2
2.	Ethiopian National Disaster Risk Management Commission	3	3
3.	Ethiopian Ministry of Foreign Affairs	1	1
4.	Ethiopian Human Rights Commission	1	1

5.	Ethiopian Red Cross Society	1	1
6.	Ministry of Women, Youth and Children Affairs	1	1
7.	Ministry of Health	1	1
8.	Ethiopian Federal Attorney General/ Ministry of Justice	2	2
9.	Somali Regional State Disaster Risk Management Authority	3	3
10.	Oromia Regional State Disaster Risk Management Authority	3	3
11.	SNNP Regional State Disaster Risk Management Authority	3	3
12.	United Nations Agencies	5	5
13.	International Non-Governmental Organizations	3	3
14.	Local Non-Governmental Organizations	3	3
15.	Total	32	32

Table 2.2: List of IDPs and Key Informant Interview held

No	Internally Displaced Persons	Number of Participants	
		Planned	Conducted
1.	Returned IDPs from Gedeo and West Guji zones	10	Five on each side (5F/5M)
2.	IDPs who lived with host communities in the Gedeo and West Guji zones	10	Four on each side (5F/3M)
3.	IDPs who lived in different sites and collective centers in the Gedeo and West Guji zones	10	Five on each side (6F/4M)
4.	IDPs who lived with host communities in the Somali and Oromia Region	10	Five on each side (8F/2M)
5.	IDPs who live in different sites and collective centers in the Somali Region	5	5 (4F/1M)
6.	IDPs who live in different sites and collective centers in the Oromia Region	5	4 (3F/1M)
7.	Returnees IDPs in Oromia and Somalia Regions	10	Four on each side (5F/3M)
8.	Relocated IDPs in the Oromia Region	5	5 (3F/2M)
9.	Relocated IDPs in the Somali Region	5	4 (3F/1M)
Total		70	64 (42F/22M)

Table 2.3: List of focus group discussion participants and the number of FGD discussions held

No	Focus group discussion participants	Number of Planned FGD	Conducted FGD and Number of participants
1.	IDPs who lived in different sites and collective centers in the Oromia Region	1	1 × 8 = 8 (5F/3M)
2.	IDPs who lived in different sites and collective centers in the Somali Region	1	1 × 7 = 7 (7F)
3.	IDPs who lived in different sites and collective centers in the Gedeo Zone	1	1 × 10 = 10 (6F/4M)
4.	IDPs who lived in different sites and collective centers in the west Guji Zone	1	1 × 10 = 10 (6F/4M)
5.	IDPs who lived with host communities in the Oromia Region	1	1 × 5 = 5 (4F/1M)
6.	IDPs who lived with host communities in Somali	1	1 × 6 = 6 (4F/2M)
7.	IDPs who lived with host communities in the Gedeo Zone	1	1 × 8 = 8 (5F/3M)
8.	IDPs who lived with host communities in the west Guji Zone	1	1 × 7 = 7 (4F/3M)
9.	IDPs returnees from Gedeo Zone	1	1 × 9 = 9 (6F/3M)
10.	IDPs returnees to West Guji zone	1	1 × 8 = 8 (5F/3M)
11.	IDP returnees to the Oromia Region	1	1 × 8 = 8 (6F/2M)
12.	IDP returnees to the Somali Region	1	1 × 7 = 7 (5F/2M)
13.	IDPs within the Oromia Region	1	1 × 8 = 8 (5F/3M)
14.	Relocated Somalia IDPs within the Region	1	1 × 7 = 7 (4F/3M)
Total		14	108 (72F/36M)