ETHIOPIA:

A SITUATION ANALYSIS AND TREND ASSESSMENT

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List of Acronyms

AAPO   All-Amhara People's Organization
AAU   Addis Ababa University
ACC   Anti-Corruption Commission
ADLI   Agricultural Development-Led Industrialization
AEUP   All-Ethiopia Unity Party (formerly AAPO)
ANDM   Amhara National Democratic Movement (EPRDF member)
ARRA   Administration for Refugee and Returnee Affairs

CBE   Commercial Bank of Ethiopia
CSA   Central Statistical Agency

DMLEK   Democratic Movement for the Liberation of Eritrean Kunama

EDP   Ethiopian Democratic Party
EDU   Ethiopian Democratic Union
EDUP   Ethiopian Democratic Unity Party (EDU and EDP merger)
EEBC   Eritrea-Ethiopia Boundary Commission
EFFORT   Endowment Fund for the Rehabilitation of Tigray
EHRCO   Ethiopian Human Rights Council
EIU   Economist Intelligence Unit
EPDM   Ethiopian People's Democratic Movement (now ANDM)
EPLF   Eritrean People's Liberation Front
EPRDF   Ethiopian People's Revolutionary Democratic Front
EPRP   Ethiopian People's Revolutionary Party
EWLA   Ethiopian Women Lawyers' Association

FCO   (UK) Foreign and Commonwealth Office
FDRE   Federal Democratic Republic of Ethiopia
FGM   Female Genital Mutilation

(GO)NGO   (government-oriented) non-governmental organization
GPDM   Gambella People's Democratic Movement
GPDUP   Gambella People's Democratic Unity Party

ICRC   International Committee of the Red Cross
IDP   Internally Displaced Person
IGAD   Inter-Governmental Agency on Development
IMF   International Monetary Fund

NOVIB   Netherlands Organization for International Development Co-operation

OAU   Organization of African Unity
OLF   Oromo Liberation Front
ONC   Oromo National Congress
ONLF   Ogaden National Liberation Front
OPDO   Oromo People's Democratic Organization (ERPDF member)

PDO   People's Democratic Organization

PSCAP	Public Service Delivery Capacity Building Programme
REST	Relief Society of Tigray
SEPDC	Southern Ethiopian Peoples' Democratic Coalition
SEPDF	Southern Ethiopian People's Democratic Front (EPRDF member)
SIRAA	Security, Immigration and Refugee Affairs Agency
SNNPRS	Southern Nations, Nationalities and Peoples' Regional State
SPLA	Sudan People's Liberation Army
SPO	Special Prosecutor's Office
SSIM	South Sudan Independence Movement
TGE	Transitional Government of Ethiopia
TPLF	Tigray People's Liberation Front (EPRDF member)
UEDF	United Ethiopian Democratic Forces
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNHCR	United Nations High Commissioner for Refugees
UNMEE	UN Mission in Ethiopia and Eritrea
USAID	United States Agency for International Development
USCR	United States Committee for Refugees
WPE	Workers' Party of Ethiopia (Dergue era)

Executive Summary

Since 1991 the Ethiopian government has been engaged in three major processes of reform, designed to reduce levels of conflict which had torn the region apart for several decades:

- decentralization of the state, by the establishment of a federation based on the major language groups;
- democratization of its politics, by means of multiparty competitive elections for office;
- liberalization of its former command economy.

Significant progress has been made in each of these areas, and significant constraints remain. Self-determination formally places political autonomy in the hands of Ethiopia's multiple ethnic groups, and has given places in government to elites from many groups who had never before experienced it. In practice, it is difficult to establish whether federal decentralization extends to devolution of power, or is limited to deconcentration of responsibility, since, in much of the country, the ruling party administers all levels of government. The dominance of the EPRDF also raises questions about the nature of Ethiopia's multiparty democracy, with opposition organizations remaining external or peripheral to the exercise of power, as well as weak and divided. Elections in 2004 can be expected to be harder fought than ever, and their conduct scrutinized closely. Whilst the capacity of the state, and the professionalization of its administrators, have been constructed over the last decade, the success of programmes for reform of the police, military, security and judiciary remain critical to future developments. Whilst civil society bodies have grown exponentially since 1991, their capacity to lobby and influence the state has been limited.

By far the most important factor threatening the rights of Ethiopians and refugees living in Ethiopia is the insecurity that results from poverty, and from continuing low-level conflict. Whilst the government is committed to a range of policies designed to boost agricultural production, education and the provision of socio-economic services, poverty and food insecurity continue to increase, exacerbated by population growth, environmental and climatic factors, inadequacies of domestic marketing, and disastrous terms of international trade. High rates of HIV/AIDS infection are beginning to emerge as a further negative socio-economic factor. Whilst much reduced from the period of the civil war leading up to 1991, low-level conflict continues throughout the pastoralist periphery of the country, and regularly flares in multi-ethnic areas. Neither category of conflict can be adequately understood in terms of pastoralism or ethnicity, and instances of conflict display a myriad of economic, social, cultural, historical and political roots and causes, which require individual documentation and analysis. Conflict is frequently exacerbated by competition for control of the state, which often takes a conflictual form, with a number of groups continuing to conduct an armed opposition to the government.

Other factors which influence the situation of refugees and Ethiopian citizens include socio-cultural attitudes which marginalize women and occupational and other minority groups. The situation in several of Ethiopia's neighbouring countries, and in its own peripheries, can be expected to remain sufficiently volatile to render patterns of refugee movements unpredictable. Relations with Eritrea are not expected to improve in the immediate future.

1 **Introduction**[1]

Twelve years ago the incoming Transitional Government of Ethiopia (TGE), led by the Ethiopian People's Revolutionary Democratic Front (EPRDF), inherited a centralized, authoritarian state and the ruins of a command economy. EPRDF came to power by force of arms, emerging from the civil wars that had engulfed much of northern Ethiopia and Eritrea, as well as the wider Horn area, for several decades. Conflict had centred upon control of the state, since the state exercised a virtual monopoly over access to all kinds of resources and decision-making.[2] Conflict precipitated very large movements of refugee and internally displaced populations in and around Ethiopia.

The reform agenda. The new government publicly committed itself to three sets of fundamental reforms, namely: liberalization of the economy, in a neo-liberal international climate; decentralization of the state, with the introduction of ethnic federalism; and democratization of politics, under a multi-party electoral system. Economic liberalization formed a prerequisite for the international financial support needed to power socio-economic development. Socio-economic advancement, decentralization, and democratization were all seen as mechanisms for the resolution of conflict and removal of its deeply rooted causes. The EPRDF and its forerunners identified the extreme centralization of state power, its "ethnocratic"[3] concentration in the hands of an elite from a single ethnic group, at the expense of the country's other impoverished, oppressed, and exploited populations, as the central root of Ethiopia's modern political history of war, famine, and underdevelopment.[4] The solution the organization proposed was self-determination for those populations: an expansion of popular access to decision-making and control over resources, which would encompass the great majority of Ethiopia's agricultural and pastoral producers, democratize relations between them, and release their potential for socio-economic development.

In the political sphere, the regime has moved to transform a highly centralized single-party arrangement into what is potentially a radically devolved federation of States, based on multi-party competitive election to representative office, the formal separation of the powers of legislature, executive, and judiciary, and accession to a raft of international legal instruments related to human, economic, civil, and political rights. The reform of the Ethiopian civil service has not only focused on the extensive organizational changes in the political sphere,

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[1] Parts of this paper draw on the author's two recent collaborative studies: Vaughan, S. and Markakis, J., Political Developments in Ethiopia 1991-2001. Study for the UK Department for International Development (DfID), Ireland Aid, Netherlands Development Co-operation, and Swedish Sida, 2003; Vaughan, S. and Tronvoll, K., *The Culture of Power in Contemporary Ethiopian Political Life*, Stockholm: Sida, 2003

[2] Markakis, J., *National and Class Conflict in the Horn of Africa*, Cambridge: Cambridge University Press, 1987; Markakis, J., *Resource Conflict in the Horn of Africa*, London: Sage, 1998

[3] The term "ethnocracy" was first coined in Mazrui, A., *Soldiers and Kinsmen in Uganda: The Making of a Military Ethnocracy*, Beverley Hills: Sage, 1975

[4] Tigray People's Liberation Front Foreign Relations Bureau, National Struggle against Oppression, *Tigray in Struggle: Information Bulletin of the TPLF*, April 1981, pp. 8-10; Tigray People's Liberation Front Foreign Relations Bureau, National Struggle in Ethiopia, *People's Voice* [Vol. 2, April 1981; Ethiopian People's Revolutionary Democratic Front, *A Democratic Alternative for Ethiopia*, London and Washington DC, October 1989

but also on attempts to overhaul its systems, capacity, professional culture and ethics.[5] Finally, in the economic sphere, the Ethiopian government, with the extensive involvement of the international community and financial institutions, is seeking to restructure the pre-existing socialist command economy with the gradual introduction of market forces in many, although not all, sectors.

Over the period since 1991, then, the Ethiopian government under the EPRDF has been simultaneously engaged in a range of ambitious reform projects, which have brought high levels of support from the international community. Understanding how far Ethiopia has been able to achieve these reform objectives offers an analytical framework to evaluate the status of persons of concern to UNHCR in 2004, and the risks they may be expected to face in the immediate future. Whilst each of the reforms has generated intensive activity, and produced significant changes, any assessment of levels of progress towards decentralization, liberalization, and democratization is contentious and contested, and this paper seeks to give a sense of these controversies. The degree of polarization of political allegiance, assessment and analysis is particularly high in Ethiopia. Whilst there are historical, political, and socio-cultural reasons for this, it is a situation which greatly complicates the consideration of protection issues.

Of the various reforms embarked upon by the regime since 1991, the most dramatic and controversial was the process of constitutional change. The Constitution of the Federal Democratic Republic of Ethiopia (FDRE)[6] established a federation of nine National Regional States (henceforward referred to as States), based on Ethiopia's major language groups and enjoying "an unconditional right to self-determination, including the right to secession",[7] along with two cities (Addis Ababa and Dire Dawa) administered by the Federal Government. The nine States (Afar, Amhara, Benishangul-Gumuz, Gambella, Harar, Oromia, Somali, SNNPRS/the Southern Nations, Nationalities and Peoples' Regional State, and Tigray) are dramatically asymmetrical in terms of every social indicator, with vast differences in demographic distribution and profile, developmental indices and resources.[8]

The politicization of ethnicity. It is a widespread criticism that, in ushering in ethnic federalism, EPRDF has been responsible for introducing ethnicity into politics in Ethiopia. In fact the politicization of ethnicity pre-dates both the organization and its coming to power. The nineteenth century expansion of the Ethiopian Empire State brought a "mosaic"[9] or "museum"[10] of heterogenous ethnic groups under an Amhara, or Amharicized, imperial ruling class, which exercised a near monopoly of economic privilege and social status,

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[5] Ethiopia, Task Force for Civil Service Reform, *Task Force Comprehensive Report*, Addis Ababa: Office of the Prime Minister, 1996; Lister, S., Implementing Sector Development Programmes in Ethiopia. Report for UK DfID, the World Bank, and the Government of Ethiopia, Addis Ababa, 1988, p. 35

[6] Ethiopia, *The Constitution of the Federal Democratic Republic of Ethiopia*, Addis Ababa: Federal Negarit Gazeta, 1995

[7] *Idem*, Article 39 (1)

[8] Ethiopia, Office of Population and Housing Census Commission, *The 1994 Population and Housing Census of Ethiopia, Results at Country Level*, Volumes I and II, Addis Ababa: Central Statistical Authority, 1998; cf. Hawes, F., *et al.*, Regional Profiles of Six of the Regional States of the FDRE. Report for Canadian International Development Agency/Program Support Unit, Addis Ababa, 1998

[9] Levine, D., *Greater Ethiopia: The Evolution of a Multiethnic Society*, Chicago: Chicago University Press, 1974, p. 21

[10] Conti Rosini, C., *Etiopia e genti di Etiopia*, Florence: Bemporad, 1937, p. 169

controlling land, exploiting production, and excluding the majority of the population from government. The ethnically-defined elite, to which some from other ethnic groups assimilated, practised a crude form of cultural suppression, imposing the Amharic language and culture and Orthodox Christianity as passports to power.[11] The imperial state was founded on an "explosive ... correlation of ethnic, cultural and class differences" that made it inherently unstable.[12] In order to stabilize it, the imperial administration of Haile Selassie I was centralized and bureaucratized,[13] and deployed the largest army in black Africa.[14] The military was used to quell ethnic and regional uprisings in Bale, Eritrea, Gojjam, the Ogaden, Sidamo, and Tigray provinces,[15] until it finally overthrew the Emperor in 1974, establishing a military administration commonly known as the Dergue.[16]

At this time, ethnicity became irreversibly politicized, with the further expansion under the Dergue of a school system, which had educated, and rendered conscious, the elites of many of Ethiopia's ethnic groups. Unlike its imperial predecessor, the military government promoted the cultural emancipation of ethnic groups (or "nations, nationalities, and peoples" in the Marxist parlance of the day), established an Institute for the Study of Ethiopian Nationalities, and introduced a literacy campaign in the major local languages. It refused, however, to grant political rights to Ethiopia's groups, and centralization was entrenched with increasing brutality.[17] This fanned the rise of the ethno-nationalist opposition which, in the form of the Eritrean People's Liberation Front (EPLF), EPRDF, and Oromo Liberation Front (OLF), finally defeated the régime in 1991.[18] Ethnicity, then, was not introduced into Ethiopian politics by the EPRDF. Whilst ethnic federalism has undoubtedly rendered ethnic identity newly and differently salient in political life, this has had complex results, which are explored below and can be seen as both positive and negative.

This paper has four parts. The first major section presents and analyses the current situation in Ethiopia, assessing progress along each of the vectors of reform set out above. The analysis covers four spheres: state and government, the political party system, associational life, and popular experience. A second section details the major contemporary threats to the rights of Ethiopians and refugees in Ethiopia. Building on these two sections, thirdly the paper offers an assessment of the current situation of persons in Ethiopia of concern to UNHCR. It reviews refugee and internally displaced person (IDP) movements and status, and identifies the likely trajectories of future developments affecting these groups. Finally, in its conclusions, the paper comments on policy implications.

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[11] Vaughan, S., *Ethnicity and Power in Ethiopia*, PhD Thesis, University of Edinburgh, 2003

[12] Markakis, J., *Ethiopia: Anatomy of a Traditional Polity*, Oxford; Addis Ababa: Oxford University Press, 1974, p. 140

[13] Clapham, C., *Haile Selassie's Government,* London: Longman, 1969, p. 90

[14] Markakis, J., Ethnicity in Conflict Resolution, Political Mobilisation, and State Structuring in Ethiopia. Report for Netherlands Organization for International Development Co-operation (NOVIB), and the Inter-Africa Group, 2001, p. 7

[15] Gebru Tareke, *Ethiopia: Power and Protest*, Cambridge: Cambridge University Press, 1991

[16] Amharic term, literally "the Committee"

[17] Human Rights Watch [Africa Watch], *Evil Days: 30 Years of War and Famine in Ethiopia*, New York, 1991

[18] Vaughan, *Ethnicity and Power...*

2 Review of the Contemporary Situation

2.1 State/Government

2.1.1 Ethnic Federalism: Constitutional Framework and Issues

The nature of the federation. During the Transitional Period from 1991 to 1995, the States were constitutionally subordinate to the Federal centre. This changed abruptly with the introduction of the FDRE constitution in 1995, according to which "all powers not given expressly to the Federal Government alone, or concurrently to the Federal Government and the States, are reserved to the States".[19] The combination of this strong allocation of residual powers to the States, with a right of secession, has been described as confederal in character and resembling an international treaty rather than the constitution of a nation-state.[20] In view of the secession of Eritrea, *de facto* in 1991, and *de iure* in 1993, critics have interpreted the FDRE Constitution as paving the way for the further dismemberment of the Ethiopian Empire State. In fact the intention of its architects seems to have been the reverse, and the tone of the constitution is integrative throughout, stressing the unity of purpose of "the nations, nationalities, and peoples of Ethiopia".[21]

Self-determination and the right of secession. Closely following the Marxist-Leninist formulation,[22] the FDRE constitution defines "a nation, nationality or people ... [as] a group of people who have or share a large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory".[23] Each "nation" is granted "the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in State and Federal governments".[24] This is the key provision where the new constitution differs from those of its imperial and military predecessors. Its most controversial component is the unconditionality of the right to secession, the inclusion of which many Ethiopian opposition parties object to. Commentators agree that this right has been procedurally circumscribed[25] so as to render its achievement very difficult in practice.[26] There is less agreement as to whether its inclusion has, of itself, exacerbated existing secessionist claims or quietened them, as its architects seem to have intended.[27]

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[19] Ethiopia, *The Constitution...*, Article 52 (1)

[20] Brietzke, P. H., Ethiopia's 'Leap in the Dark': Federalism and Self-determination in the New Constitution, *Journal of African Law*, Vol. 39, No 1, 1995, pp. 19-38

[21] Ethiopia, *The Constitution...*, Preamble

[22] Stalin, J., *Marxism and the National Question*, in Franklin, B. (ed), *The Essential Stalin: Major Theoretical Writings 1905-52*, London: Croom Helm, 1973; Connor, W., *The National Question in Marxist Leninist Theory and Practice*, Princeton: Princeton University Press, 1994

[23] Ethiopia, *The Constitution...*, Article 39(5)

[24] *Idem*, Article 39(3)

[25] *Idem*, sub-Article 39(4)

[26] Brietzke; Lister

[27] Henrard, K. and Smis, S., Recent Experiences in South Africa and Ethiopia to Accommodate Cultural Diversity, *Journal of African Law*, Vol. 44, 2000, p. 42, footnote 180

The balance of power between Federal centre and States. Although the FDRE constitution provides only a skeleton framework for the development of the States, State constitutions and legislation have, to date, shown little variation in practice from the Federal model. This is unsurprising, given factors such as bureaucratic inertia and inexperience, the dominance of the ruling party at both levels of government, and the capacity constraints faced particularly at State level. The major effective check on the States' powers lies in Constitutional Chapter 10, which sets out national policy principles and objectives binding on Federal and State governments alike, and allows the Federal government to "formulate and implement the policies, strategies and plans [for] overall economic, social and developmental matters".[28] Key amongst these policy principles is a commitment to the public ownership of land. This gives extensive policy leverage to the centre. The constitutional framework is further bolstered in favour of the Federal Government by a financial balance of power decisively tipped towards the centre: no more (and often much less) than 10% of revenues of the States are generated by them.

2.1.2   Organization of the Executive

Devolution and the federal power structure. In formal and structural terms, then, the establishment of the present federation marks a very significant departure from past centralization. There are difficulties in establishing the degree to which the new devolved executives actually exercise devolved power. Autonomy is disguised by the fact that all are members or associates of the same party. This means that evidence of struggles between levels does not often emerge publicly, and identical policies are pursued throughout the EPRDF-administered regions.

The Federal Government is led by the Prime Minister and Council of Ministers, a structure which forms the primary decision-making executive body, and which is paralleled at State level by a State President and Cabinet. *Weredas* (districts) and *kebeles* (local councils) replicate this executive structure again, with administrators and cabinets (formerly Executive Committees) at each level. In each case, the Chief Executive Officer is elected from the relevant elected representative or parliamentary body, which also ratifies his (or rarely her) selection of cabinet members.

Local executives and administration. The administrative structure of *wereda* and *kebele* councils was first developed under the Dergue regime, to implement land reform in the mid-1970s, the cornerstone of the socialist revolution in rural areas. Later, however, the objectives entrusted to these councils were broadened, and administrative, political and defence tasks were added to the remit of what has ever since been known as the *kebele* system. Under the Dergue, the *kebele* system became an effective and efficient means for the state to keep a tight control over its citizens, and was used during the Red Terror to harass, detain, and "eliminate" members of various political organizations.[29]

Under current arrangements each *wereda*, the basic administrative entity, covers about 100,000 inhabitants, although in practice they range from extremes of 6,000 inhabitants in very sparsely populated areas of the south-west periphery, up to a population of nearly 500,000. Each *kebele* elects three representatives to the *wereda* council, having on average 500 households. The *wereda* has its own administrative apparatus, police and militia, judges

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[28] Ethiopia, *The Constitution...*, Article 51(2)

[29] Andargachew Tiruneh, *The Ethiopian Revolution, 1974-1987*, Cambridge: Cambridge University Press, 1993, p. 261

and prosecutors, and the power to prepare and determine economic and social plans in the area under its authority. The *kebele* is generally concerned with the implementation of plans and policies determined by the *wereda*, and has its own social court elected by the *kebele* council.

The policies and work of the *wereda* and *kebele* administrations have a profound impact on the everyday lives of Ethiopians. As is the case in many countries where state structures are poorly emancipated from society,[30] the administrative and political structures in Ethiopia overlap and interweave in such a way that, in practice, local administrative units are infrequently politically neutral or independent of the ruling party. Whilst individuals who were not party members but were held in esteem by their communities have been encouraged to stand for election, they have frequently also been encouraged thereafter to become party members. Whether this took place before or after their election, the result was that, during the 1990s, few administrators remained outside the ruling party system for long.

Recent reforms. Since 2001, a further round of reforms has sought to resolve some emerging problems in the evolution of federal arrangements. A series of new super-ministries, dealing with rural development, infrastructure, federal affairs, and capacity building, now lead government development policy at every level. Whilst previous cabinets included technocrat ministers, since 2001 all are members of the leadership of the various EPRDF parties. This marks a decision to put the civil service firmly under political leadership, whilst at the same time removing political appointees from its more junior ranks. The co-ordination of State affairs had, in effect, been carried out primarily through political party channels until 2001. The establishment of the Ministry of Federal Affairs brings these areas more clearly under the purview of the state. Regarded as a whole, the changes can be interpreted as intended to expand, entrench, and strengthen the institutionalization of state executive structures, establishing accountable civil service bodies to replace more personalized political advisors.

Federalism since 1991 marked the apparent decline of the power of most of the central ministries, with their local offices reporting instead to local administrators. Nevertheless, a number retained significant power, as a result of control either of budgets (Ministry of Finance, Ministry of Economic Development and Co-operation), or of sectoral planning and investment programmes (Ministries of Health and Education). Recent reforms, which abolish or downgrade the mandate of zonal structures, and reduce capacity at State levels, may also bolster the authority of central ministries, as block grants for recurrent and capital expenditures pass directly from the centre to strengthened *weredas*, or districts. This change can be expected to have a convulsive effect on local development processes, either galvanizing them into life, or potentially effecting a devastating near paralysis. Either way, it is the health of political and economic development at *wereda* level that will be the key to Ethiopia's future.

Public administration. The increase in the educational qualifications of local administrators since 1991 is remarkable, and bodes well for the professionalization of local government. An intensive civil service training programme has built a class who have benefited greatly from educational and administrative opportunities provided from above by the state/party/government. A new class of local civil servants and government officials, particularly those from minority nationalities, has been the major beneficiary of the federal

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[30] cf. Chabal, P. and Daloz, J.-P., *Africa Works. Disorder as a Political Instrument*, Oxford: James Currey, 1999

arrangements. Federal civil servants, reluctant or unable to move out of the capital, have often lost out, and the urban intelligentsia has been kept at a distance by the EPRDF. Young high-school graduates fluent in Oromiffa and the languages of the South, meanwhile, have received training and positions of influence in stark contrast to the near impossibility of their gaining government jobs under previous systems. In many cases, the loyalty of this group is now focused on the system that has benefited them, rather than towards their constituents, who may often seem largely irrelevant to their rise to influence.

At the national level, public administration in Ethiopia faces two problems: the heavy haemorrhaging of professional personnel as a result of gross disparities between public and private sector pay; and a culture of inertia and "keeping one's head down". Civil service reform represents an area of long-term change. If it proves successful, new government emphasis upon capacity building[31] may help transform administrators and bureaucrats into public servants, and overcome this key constraint on decentralization.

Financial control and influence. Under previous regimes the fiscal system of Ethiopia was highly centralized, with around 80% of state revenues collected by the central government. The centre-region balance has not changed with the change of regimes. Figures for 1995 showed that the federal government received 83.7% of domestic revenue, and 91.13% of total revenues (including international assistance),[32] whilst the responsibility for the provision of social services has shifted from the centre to the States. Aside from a couple of urban regions, and rural districts that produce commercial crops such as coffee and the mild narcotic leaf *quat*, the State-level fiscal system is deficit ridden and offers little hope of self-sufficiency. The bulk of the recurrent budget is earmarked for salaries, an item that has increased steadily in the second half of the 1990s, as the States have sought to develop their administrative capacity. In sum, ethnic federalism is based on Federal fiscal transfers (or federal subsidy) so important as to leave the States with limited financial autonomy. There are good, or at least unavoidable, reasons for this, including low regional capacity for administration, revenue generation and expenditure, as well as development planning.

The allocation of the federal subsidy is the responsibility of the House of the Federation, which approves a formula that takes account of population size, levels of economic development, revenue contribution, and land area, and is of a level of complexity that diminishes its transparency. Complaints persist that no public debate is conducted on the size of the total resource to be divided between the States (i.e. on the federal/regional proportion); that whilst subsidies may be equitably calculated, funds that arrive are not; and that even when funds arrive, State absorption capacity is notoriously uneven. Perceptions of inequality have proved recalcitrant, despite important moves to take allocation out of the hands of the federal executive.

2.1.3   *Political Representation: Parliamentary Bodies*
Capacity and independence in legislation, scrutiny, and representation. The Federal House of Peoples Representatives has wide-ranging powers of legislation and oversight of executive bodies. In practice, it has shown little sign of independence in the exercise of its mandates. Overwhelming majority control by the EPRDF has resulted in a caucus approach, with real

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[31] Ethiopia, Ministry of Capacity Building and World Bank, Public Service Delivery Capacity Building Program (PSCAP): Concept Document, Addis Ababa, [2003]

[32] Mishra, S.C., The Economic Dimensions of Regionalism in Ethiopia. Report for USAID, December 1995, p. 11

deliberation carried out within the party in advance of parliamentary debate; the great majority of legislation has originated with the executive rather than with MPs. Recently introduced, however, the practice of holding public hearings on prospective legislation has developed positively.

Elected parliamentary bodies have proliferated under ethnic federalism, and now exist at State, zone, *wereda*, and *kebele* levels. If evidence of parliamentary independence is limited at the federal level, it is still harder to trace in the States and below. Opposition MPs at local levels are even fewer than they are at federal level, and parliaments there remain peripheral to the exercise of power. A further factor has been the manner of operation of local legislative bodies which meet only infrequently and briefly, and are charged with the oversight of executive members often assigned from administratively (and often politically) higher levels. The recent establishment of the post of parliamentary speaker, independent of the executive at State and local levels, is a positive development.

The second chamber. In addition to the federal subsidy formula, the House of the Federation is responsible for interpretation of the constitution, and for resolving issues relating to the rights of Ethiopia's nationalities, including secession, conflict, status claims, etc. It does not form a second chamber for the ratification of legislation, but does have powers of constitutional interpretation. The decision to lodge this last with a political rather than a judicial body has been, and remains, controversial. In practice, the House of the Federation has shown little initiative in relation to nationality or constitutional issues.

2.1.4   Recourse to Justice: the Judiciary and Police

Judicial capacity and independence. The judiciary is constitutionally independent of both legislature and executive, but that independence remains functionally constrained. Given the overwhelming dominance of the ruling party, the judiciary operates in an atmosphere where political influence is unmistakable, uni-directional and, in rural areas, often backed by the threat of force. Significant problems are compounded by the widespread lack of awareness of the principles of judicial independence amongst people and administrators alike. Bottlenecks and incompetence in the court system have been a focus of criticism throughout the decade. Despite such pressures, a number of court decisions counter to the interest of the government have been handed down, particularly at federal level. Despite important moves in this direction, the judiciary does not yet represent a reliable recourse for those whose legal rights have been infringed, whether by government or private sector actors. This inhibits the growth of pluralism, both in the political sphere, where there are relatively few effective means of legal protection of opposition or minority views, and in the economic sphere, where investments are unprotected by legal safeguards. The challenges facing the justice sector are complex and deep-rooted. Reform efforts have recently been intensified, to bring reality closer to constitutional requirements.

Judicial reform. The Justice System Reform Programme, currently in the design and needs assessment phase, is one of six components of the Public Service Delivery Capacity Building Programme (PSCAP).[33] It addresses a range of issues:
- the judiciary itself - modernizing the functioning of courts and judges, and the administration of justice, for instance to meet the requirements of commercial law, human rights, etc.;

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[33] Ethiopia, Ministry of Capacity Building and World Bank, p. 9

- law enforcement – reform of the administration of prisons, public prosecutions, and the police;
- information flow – ensuring the publication of judgments, for instance to allow courts to look at precedents; publishing citizens' rights in relation to the judiciary, etc.;
- legal education – ensuring that the way law is being taught in law schools, public and private, is suited to the changing needs of the judiciary and Ethiopian society, and that enough lawyers are trained;
- law-making and law revision – ensuring, for instance, that new legislation indicates which pre-existing laws it cancels or modifies.[34]

Capacity, role, and reform of the police. Most observers, including some in government, agree that the police remain effectively a paramilitary force in parts of the country, reflecting Ethiopia's political history, and the lack of investment. This is a deep-seated problem which judicial reform and police development initiatives seek to address over the longer term. Federal police forces have already been reorganized, and a five-year development plan formulated, in order to improve professional standards and training, and introduce new ethical policing practices. Current federal reforms focus on the training of senior officers and new rapid response units to replace State forces. Under federalism, State police forces have gained operational independence and responsibility. Most are manned by former fighters or soldiers, with military rather than police training. At times of tension or public disorder, this has often resulted in the use of excessive force, with a corresponding erosion of public confidence and respect for human rights.

Particular challenges, which reform will face, include:
- lack of consistency of roles and responsibilities, performance standards, and working practices at different levels of government;
- lack of understanding of the implications of reform – for instance, that community policing in a democratic context will require the devolution of decision-making, enshrining human rights in all activities, and taking account of the local political and cultural context;
- confusion between the roles of the police and the military;
- the need to improve relations with civil society to restore public confidence in police discipline;
- the need for stability and job security to recruit and retain better and better trained officers.[35]

Special prosecutions. The Special Prosecutor's Office (SPO) was established by the TGE in 1992 with a mandate to bring charges against members of the former regime for crimes against humanity and genocide. The trial *in absentia* of former President Mengistu Haile Mariam commenced on 4 November 2003, almost a decade after hearings began: "some 6,426 defendants - including the 106 top officials – are awaiting trial, including almost 3,000 *in absentia*. More than 1,569 decisions have been handed down – 1,017 resulting in convictions, according to published figures".[36] Two primary reasons are given for delays:

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[34] Center for International Legal Co-operation, Justice System Reform Program, FDRE: Proposal Approach for a Baseline Study and Needs Assessment, Leiden, December 2002

[35] Great Britain, Department for International Development *et al.*, Security Sector Reform in Ethiopia: Report of the Joint DfID, FCO and MoD Scoping Mission, April 2003, London, July 2003, pp. 31-36

[36] United Nations Integrated Regional Information Network, Ethiopia: Defence Trial of Ex-president Begins, 4 November 2003

firstly that the SPO presented charges only two or three years after detentions began; and secondly the extreme difficulty (still facing both prosecution and defence) of tracing witnesses and other sources of evidence. Proceedings continue at the Federal High Court in Addis Ababa and at a number of State benches. In early 2003 the Special Prosecutor was reported to have said that all the trials would be completed by 2004.[37]

The proceedings brought by the Special Prosecutor against members of the former regime for alleged crimes against humanity and genocide have occasioned a range of criticisms. The impartiality of both judges and process has been less a matter for concern than such wider associated issues as, for instance, the exclusive focus on Workers' Party of Ethiopia (WPE) and Dergue members in the selection of defendants in the mandate of the SPO; the compromise of the right to speedy trial (and disregard of *habeas corpus* provisions) involved in the slow preparation of charges; and the occasional failure of the prison and security authorities to effect the release of those acquitted or against whom charges had been dropped or dismissed.

Anti-corruption proceedings. Allegations of corruption, and related court proceedings, are means often adopted by governments to marginalize political opponents. Developments in Ethiopia provide prime material for analysis along these lines. The arrest on corruption charges in 1994 of the then Prime Minister and Chairman of the ANDM elicited considerable speculation at the time as to the real reasons for his removal. In 2001-2002 such speculation was fuelled by the arraignment of a much larger group that includes former EPRDF senior figures (expelled from the party in 2001), private businessmen, and senior civil servants, primarily former ministers and managers of the Commercial Bank of Ethiopia (CBE) and the Ethiopian Privatization Agency, on corruption-related charges.

The government maintains these proceedings have no bearing on divisions within the political elite, but relate exclusively to the misuse of public funds, and reflect the establishment in 2001-2002 of the Federal Ethics and Anti-Corruption Commission (ACC), a result of long-standing Civil Service reform initiatives. Few in Addis Ababa in 2002-2003 shared this perception. Observers complain that corruption charges have been levelled exclusively at those on "the wrong side" of the political divide; that the allegations on which the cases are based are relatively trivial and could be directed at almost anyone in a position of authority; that legislation establishing the ACC, and modifying *habeas corpus* provisions applying, was rushed through in order to keep a key group of political dissidents out of circulation.

The death penalty; rights to legal representation and speedy trial.
Ethiopia continues to have the death penalty on its statutes. It is regularly if rarely imposed by criminal courts: two OLF members were sentenced in February 2002, and five Somali alleged members of Al Itihad Al Islamiya in April 2002.[38] One defendant of the Special Prosecutions was condemned to death in July 2003, four in August, and a further one in November 2003:[39] it is widely anticipated that the number of death sentences passed down will mount as SPO trials progress to higher officials. All sentences remain subject to appeal, and no executions were reported during 2002 or 2003.[40] The Ethiopian Human Rights

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[37] Amnesty International, *Annual Report 2003:Ethiopia*, London, 2003

[38] *Ibid.*

[39] Amnesty International, *Death Penalty News*, London, 1 December 2003

[40] *Ibid.*; Amnesty International, *Annual Report 2003...*

Council (EHRCO) has called on and continues to lobby the government to remove articles providing for capital punishment in its review of the Penal Code.[41]

The right to speedy trial remains one of the most problematic in Ethiopia, both in relation to SPO cases, but also more widely, and especially at lower levels. Decentralization under federalism demanded the recruitment of a large number of lawyers and judges, just as experienced older judges were being dismissed for involvement with the previous regime. The extreme shortage of legally trained personnel in the more remote areas was overcome by giving primary teachers, and even school leavers, a four to six months' course of intensive training at the Ethiopian Civil Service College, after which they became judges in their home areas. Reports suggest their adjudication has not been efficient: queues have become notorious, and people have simply withdrawn from a court system that has become impractical because of long deferrals and uncertain results.

Detention, **habeas corpus,** ***and prison conditions.*** Ethiopian prisons are overcrowded, unhealthy, unsuitable for young offenders, and unable to provide rehabilitation support.[42] Before legislation drafted by the Ministry of Federal Affairs was introduced this year, prison law had dated from the 1930s. A new Federal Prisons Commission and Commissioner under the Ministry of Federal Affairs will be responsible for improving prison management and conditions, improving human resources in the prison service, and constructing a new prison to replace the notorious Alem Bekagne jail in Addis Ababa.[43]

Ethiopian legislation suspends rights of *habeas corpus* for periods of six months in relation to two categories of potential judicial proceedings: those where charges are expected to be brought by the SPO or by the ACC. The International Comittee of the Red Cross (ICRC) has been given increasing access to places of detention by the government. They report that by the end of 1997 some 10,980 people were still held in custody in relation to the 1991 ouster of the Dergue regime or for other security reasons. Additionally, the ICRC had registered 5,660 new detainees.[44]

International human rights monitoring organizations report that since 1991, several categories of individuals have been targeted for detention or imprisonment on politico-juridical grounds. In sum, it is alleged that the first category of people targeted immediately after the EPRDF take-over in 1991 was individuals belonging to the opposition party Ethiopian People's Revolutionary Party (EPRP), which continued a policy of militant opposition. In parallel with the crackdown on EPRP was the arrest of individuals belonging to the former Dergue/WPE regime. After the 1992 local and regional elections, and the withdrawal from government of the OLF and a number of other minor political movements, Oromo were reportedly targeted for imprisonment and harassment by the government. It is difficult to estimate how many have been imprisoned or detained without charge, for longer or shorter periods of time during the last decade, but critics allege that the number is significant.[45]

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[41] Ethiopian Human Rights Council, *64th Report on the Human Rights Situation in Ethiopia*, Addis Ababa, 2003

[42] Great Britain, Department for International Development *et al*., Security Sector Reform...

[43] *Alem bekagne:* Amharic for "enough of the world" or "World's End"

[44] Human Rights Watch, *World Report 1999*, New York, 2000

[45] See the website of the Oromia Support Group, http://www.oromo.org [accessed January 2004]

During the Eritrean-Ethiopian war, the Ethiopian government is estimated to have detained and expelled about 75,000 Eritreans or individuals of Eritrean origin on the grounds that they represented a security threat.[46] In connection with the 2000 and 2001 elections it is alleged that thousands of individuals in the southern region of Ethiopia (SNNPRS) who sympathized with the opposition Southern Coalition were detained and imprisoned.[47]

International human rights reports on Ethiopia for the year 2001 list the detention of political prisoners as a grave human rights abuse by the current government: "suspected rebel supporters were detained, tortured and extra-judicially executed. Several thousand remained in detention; some had been held for years without charge or trial."[48] According to Amnesty International, throughout 2002, "there continued to be a pattern of arbitrary and incommunicado detention without charge or trial of people suspected of links with opposition groups such as the OLF and ONLF [Ogaden National Liberation Front] … Scores of opposition party supporters detained for apparently political reasons in the southern region during the December 2001 local elections were released without charge in the first few months of 2002."[49] Those involved with armed opposition or electoral competition seem to be the two categories most frequently targeted for extra-judicial detention, and concerns are also voiced for what the government terms international terrorists, notably those linked to radical Islam.

2.1.5   Recourse to Force: the Military and Security Apparatus

Ethiopia is in the process of reviewing its National Security Policy and structures, and began the process of appointing a National Security Council in 2002.

Organization, capacity, roles and reform. After the fall of the Dergue, the EPRDF forces and security apparatus carried out radical disarmament and demobilization of both the Dergue's and their own forces, although it is worth noting radical criticism that suggests that what took place was a redistribution rather than reduction of these forces.[50] Restructuring sought to professionalize the army, divorcing it from political involvement (the military were banned from political party membership in 1992-1993), and eradicating cultures of impunity which had developed, albeit differently, under both the military regime and the armed liberation movements. The federal army pursued a recruitment strategy designed to make the ethnic balance of a force dominated by former fighters of the Tigray People's Liberation Front (TPLF) and Ethiopian People's Democratic Movement (EPDM) more representative. The army remains under the control of the Federal Government, being responsible for defence of the country from external aggression whether from neighbouring states or armed political movements.

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[46] Amnesty International, *Ethiopia and Eritrea: Human Rights in A Year of Armed Conflict*, London, 1999; Human Rights Watch, *Ethiopia and Eritrea: The Horn of Africa: War, Mass Expulsions and the Nationality Issue*, New York, January 2003

[47] Pausewang, S. *et al.*(eds), *Ethiopia since the Derg: A Decade of Democratic Pretension and Performance*, London: Zed Books, 2003; Pausewang, S. and Aalen, L., *Ethiopia 2001: Local Elections in the Southern Region*, Oslo: Norwegian Institute of Human Rights, 2002; Pausewang, S. and Aalen, L., *Withering Democracy: Local Elections in Ethiopia, February/March 2001*, Oslo: Norwegian Institute of Human Rights, 2001

[48] See Amnesty International, *Annual Report 2002*, London, 2002, p. 98

[49] Amnesty International, *Annual Report 2003...*

[50] See e.g. How to Fool the World: Placing Demobilisation and Remobilisation in Ethiopia 1991-200 in a Historical Perspective and Its Contemporary Political Context, 2001. Anonymous, unpublished manuscript, 2001

On the eruption of hostilities with Eritrea in May 1998, the civilization programme was rapidly reversed, and an armed force reckoned to total over 350,000 remobilized from amongst former fighters, militiamen, and new recruits. Since its partial withdrawal from the border with Eritrea in the wake of the cessation of hostilities, many have again been demobilized and reintegrated inco civilian society. The roughly 160,000-strong remaining force has been located in a series of military camps all over the country, away from, but in strategic command of border areas. It is planned that the professional army will be further scaled down to around 150,000, and eventually 100,000 men, supplemented by a trained but unarmed contingent of reservists who could, within weeks, boost its numbers back up to peak levels in the event of any new regional threat. This unarmed reserve force will, it is anticipated, gradually replace the local armed militia which has operated throughout Ethiopia since 1991, and which has become associated with a range of local level human rights abuses.

The military has a commando wing known as "special force" (*liyu hail*), designed to deal with government protection and emergencies. In addition, there is a second force, technically half way between military and police, which reports to the State governments. These are the "rapid response" (*fetno derash*) units, designed to deal with instability or threats to security at local level, and which are scheduled to be replaced by Federal Police Rapid Response Units. In practice, despite their different roles, these various federal and regional defence and security forces have to date often been dispatched interchangeably when problems arise, on the basis of whichever is stationed closest.

A lack of accountability, in combination with failures of capacity and training, is the unsurprising result of a culture of impunity of state security sector actors developed over many decades. Neither military rule nor guerrilla insurgency left the military with a professional culture and approach, and inculcating one remains the biggest problem it faces. One of the successes of the Ethiopian military has been the vigorous campaign against AIDS/HIV launched in 1996, with infection rates in the National Defence Forces reportedly now around 6%, less than the estimated rate of 7.3 % of the population at large.[51]

Military service, conscription, desertion and conscientious objection. In stark contrast to earlier periods, Ethiopia since 1991 has had neither military service (nor conscientious objection), nor conscription. Heavy recruitment to meet the demands of the war with Eritrea in 1998 and 1999 seems to have been based on a system of quotas allocated to local authorities. Particularly in urban areas, however, army salaries meant that there was no shortage of unemployed volunteers. There is little evidence that Ethiopia has actively recruited child soldiers, although observers have noted that informal age verification procedures mean that underage teenagers turned up in prisoner of war camps during the Ethio-Eritrea conflict.[52] There is little information regarding desertion.

Oversight of refugee affairs and the organization of the security sector. The Security, Immigration and Refugee Affairs Authority (SIRAA) was inherited as a structure from the Dergue regime. Reform of SIRAA was mooted before the war with Eritrea, and is currently again under consideration, with some likelihood of separating responsibility for immigration and refugees from its core security functions, and transferring them to a more appropriate ministry. Operational priorities for SIRAA, set in consultation with the National Security Council, include monitoring terrorist insurgence, Muslim radicalism, organized crime, and

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[51] Great Britain, Department for International Development *et al.*, Security Sector Reform, p.27

[52] Coalition to Stop the Use of Child Soldiers, *Global Report 2001: Africa - Ethiopia*, London, May 2001

regional security. SIRAA no longer has powers of arrest, although changing the behaviour of those who have long service is expected to be a difficult process.

2.1.6   Conclusions and Implications

The introduction of a decentralized federal system of government based on ethnic representation is a landmark in the modern political history of Ethiopia. Its architects argue it was a necessary condition for the restoration of peace in a country torn by civil war in which ethnicity played a major role and destabilized the state. Their argument is supported by the fact that peace was restored in 1991, and, although conflict is far from eliminated, it poses no real threat to the state over twelve years later.

The restructuring of the state won wide acceptance among the bulk of Ethiopia's population who belong to ethnic groups that had been denied full access to state power and resources under previous regimes. They were the ones that initially benefited from the reform. They won political recognition, self-government and cultural independence within the federal system. Federalism decentralized the state administration, creating regional governments with wide mandates and powers to execute them, and a hierarchy of administrative levels within each region reaching down to the *kebele*. These were staffed entirely with the local rural intelligentsia, a social group which previously had few prospects for social mobility, let alone political power. The EPRDF carried out a minor social revolution in the process of its own formation and rise to power. It gave access to state power and resources to a social class that had neither before, and raised it to become the new ruling class in Ethiopia. The so-called EPRDF cadres of every ethnic group are the major beneficiaries of ethnic federalism to date. Meanwhile, one social group that has the qualifications and aspirations to play a leading political role is the urban intelligentsia, a group that has been kept at arm's length by the EPRDF. This is a dissatisfied group and a major source of opposition to the regime.

The structures of the federal state – particularly the executive – have recently been subject to a quiet, but potentially highly significant package of reform, which involves: the move to a system of *wereda*-based block grants, and corresponding reduction in the capacity of State and zone governments; the professionalization and bureaucratization of the administration, with the forging of closer links between executive and civil service at local levels; and the clearer formal separation of powers between executive and representative assemblies at all levels. Decentralization will now focus primarily on *weredas*, districts drawn on the basis of population numbers, and less on the ethnically defined units of States and ethnic zones.

These changes may illuminate the nature of decentralization under ethnic federalism. The system of *wereda* block grants is likely to make it clearer whether States and *weredas* are being offered devolved power or deconcentrated responsibility. This question, and that of the separation of power, however, will remain difficult to assess as long as all branches of government are administered by members of a single political party. The changes may also go some way to undoing some of the problems associated with ethnic federalism to date. It has proved impossible to draw a definitive map of ethnic boundaries. Haste and poor preparation contributed to the seeds of conflicts that have erupted with increasing frequency and intensity, as groups throughout the country calculate their gains and losses under the system. Some see this as a structural flaw of this system, and evidence of the need for major overhaul; others as a necessary corollary of opening up access to state-controlled resources to a wider range of ethnic – but not political – groups.

2.2 The Political Party System

The political parties in Ethiopia can be divided into three categories: those belonging to EPRDF; those affiliated or sympathetic to EPRDF, which administer the peripheral regions; and the opposition, which includes both ethnically defined and pan-Ethiopian organizations. The party system is characterized by the extreme asymmetry between the power of the government parties, and the weakness of the opposition parties.

2.2.1 The Ruling Party, EPRDF

Origins, objectives, and capacity of member organizations. The EPRDF, comprising its founders, the TPLF and ANDM, as well as the Oromo People's Democratic Organization (OPDO) and the Southern Ethiopian Peoples' Democratic Front (SEPDF– itself a front made up of ethnic/zonal parties), is led by a chairman and politburo of twenty members, five from each organization. Whilst the supreme body of each organization is its congress, each is led by a recently expanded central committee, a politburo of between nine and fifteen members, and a chair and deputy. All EPRDF organizations have, until recently, focused their activities on the rural population. During their struggle against the Dergue the TPLF and the EPDM, forerunner of ANDM, maintained mass organizations of peasants, women, and youth, and operated internal Marxist-Leninist parties, each designed to lead the wider fronts towards the implementation of a socialist programme.

The TPLF was established in 1975, very soon after the Dergue took power.[53] Like many of Ethiopia's current political movements, it grew out of the leftist student movements at Addis Ababa University in the late 1960s. The TPLF was originally formed as a resistance movement with the objective of establishing an independent Tigray, although this purely nationalist agenda was early modified, in favour of a programme seeking the cultural and political autonomy of Tigray within a democratized Ethiopia. Although the founders of the organization were all intellectuals, they based their resistance on peasant mobilization against what they defined as the authoritarian, centralized and ethnocratic regime governing Ethiopia.

The ANDM's history also goes back to student politics, and the influential EPRP, which, in the late 1970s, was greatly weakened by the Dergue's campaign of Red Terror against it. One faction of the disintegrating EPRP entered into negotiations with the TPLF and with their facilitation, collaboration, and extensive support formed the EPDM, which became the ANDM during the transitional period. The organization was, for a decade, a relatively small operation. Many of the prisoners of war captured by the TPLF/EPDM/EPLF in battles in the late 1980s were recruited into the movement, radically increasing its ranks.

OPDO and SEPDF were established later from prisoners of war captured in the North, and non-Amhara members of EPDM, and to date remain weaker than their older sister organizations, despite the recruitment of a number of intellectual leaders from outside Ethiopia shortly before 1991, and extensive further recruitment since. The establishment of OPDO in 1990 (a year after EPRDF) was greeted with anger by the long-established OLF, still regarded by many as the primary repository of Oromo nationalist sentiment. The vast and varied territory occupied by Oromiffa speakers has long posed problems of unity for Oromo nationalist organizations of all colours, and OPDO is not immune to regionalist divisions. OPDO's problems are more widespread than those of any other branch of EPRDF, not least

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[53] Young, J., *Peasant Revolution in Ethiopia: The Tigray People's Liberation Front, 1975-1991*, Cambridge: Cambridge University Press, 1997

because it has failed to draw on the nationalism with which the activities of the other parties have been imbued, tending rather to denounce such sentiments as "narrow nationalism" and evidence of OLF influence.

Mobilization strategies. The EPRDF's strategy from the outset was to win direct political control of the core of Ethiopia's federal system, namely the four key regions of Tigray, Amhara, Oromia and SNNPRS, along with Addis Ababa and Dire Dawa. After the change of power in 1991, EPRDF fighters fanned out across southern Ethiopia, sending local members on ahead to talk to their own ethnic communities, and encouraging them to nominate local peace and security committees. These served as a transitional administration pending elections, and, in a move which began the process of elision of party and state, their members were encouraged to join the new local EPRDF organizations known as People's Democratic Organizations, or PDOs.

The EPRDF recognized the potential of existing socio-economic cleavages in small towns and rural areas, and by the late 1990s a fairly clear class distinction could be observed between supporters of the government and those of the opposition. Rural schoolteachers were attractive recruits for EPRDF, enjoying the winning combination of close contact with their rural neighbours, a modicum of respect accorded their educated status, and the uniform ambition to escape their existing circumstances. Meanwhile, those who already enjoyed a higher status in rural areas (which they may have feared risking), and who were frequently less than enthusiastic about the overnight political rise of their juniors (e.g. head-teachers, graduates, and professionals, and those with inherited wealth) very often filled the ranks of opposition organizations.[54] When elections were held, EPRDF's PDOs were swept to power, and the opposition left torn between participation and withdrawal.

Ideological perspectives on democracy, ethnicity, pluralism. EPRDF ideology is rooted in Marxism-Leninism, and embraces a form of "popular" rather than "liberal" democracy in which mass participation is valued over individual-oriented pluralism. What the Front calls "popular democracy" is based on communal collective participation, and representation based on consensus. Its perception of democracy is shaped partly by ideological conditioning, and partly by historical experience, fusing class theory with ethnicity. Its commitment to self-determination of nationalities incorporates two contradictory notions. One is that ethnic communities are more effectively mobilized in their own language, by their own people, i.e. from within; the other is that a vanguard party may legitimately grant self-determination to a community from above, in that process identifying and prescribing the ethnic criteria to define the group and demarcate administrative borders around it. Tension between these two tendencies can be seen to have influenced shifts in government policy to intervene in local ethnic issues. Finally, EPRDF has never appeared as an organization committed to pluralism for its own sake, and has been resistant to the emergence of parallel (i.e. competitor) systems of local resource delivery. A dominant view within the EPRDF has been that disagreements in policy and perspective should generate political competition rather than dialogue. This has contributed to a polarized political landscape, in which the ruling party has benefited little from the constructive criticism of outsiders.

2.2.2   *EPRDF-affiliated Organizations in So-called Emergent States*

EPRDF adopted a different mobilization strategy towards the weaker peripheral regions from that described above. In the States of Afar, Benishangul-Gumuz, Gambella, and Somali, it

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[54] Vaughan, *Ethnicity and Power...*

encouraged the development of organizations that became allies, rather than members, of the front. The EPRDF's political leadership is, in line with its commitment to democratic centralism, wary of forming coalitions with other political parties, except where they consider it to be unavoidable, as for instance in the case of pastoral or clan-based societies. In peripheral areas, therefore, the EPRDF facilitated the establishment of organizations led by local, often clan-based, leaders, whose escalating mal-administration and corruption increasingly prompted Federal intervention, until in 1997 Federal support was formalized for each of the four State administrations. Each has been ruled, since the late 1990s, by a shifting "united party" of local forces, coexisting under varying degrees of Federal or party pressure from the centre, albeit with regular defections.

2.2.3 Opposition Parties

After the fall of the Dergue in May 1991, the EPRDF invited all political forces inside and outside Ethiopia (with some few exceptions) to participate in a transitional national conference. In July 1991 a broad-based Transitional Government of Ethiopia was established, with representatives both from the EPRDF and opposition parties (most notably the OLF). However, soon after its establishment the spirit of co-operation within the TGE began to decline, as opposition members began to complain about the inequal access to power. Immediately prior to the 1992 local elections the OLF withdrew from the cabinet and boycotted the elections, declaring their intention to return to armed opposition. Later, other opposition parties withdrew or were expelled from the government, and by 1994 cross-party co-operation had all but ceased and the political party landscape in Ethiopia was firmly polarized.

Organized opposition in Ethiopia may be grouped into four categories: ethnically based organizations; pan-Ethiopian nationalist parties; coalitions; and those involved in armed struggle, notably the OLF and ONLF (on these see further Section 3.1.3 below)

Ethnically-based organizations. The All Amhara Peoples' Organization (AAPO) had a small support base in the urban centres of Amhara region and in Addis Ababa, with offices in Gondar and several other towns in Amhara. AAPO strove throughout the 1990s to get a foothold in rural Amhara, but claimed that government intimidation and harassment of its supporters were obstacles to expansion. AAPO for some time seemed caught between capitalizing upon ethnic frustration at what many see as the negative portrayal by the government of the Amhara elite as historically responsible for many of Ethiopia's ills, and the resentment many Amhara feel towards the introduction of ethnicity as a rival of Ethiopian nationalism. This contradiction was resolved in August 2002, when the organization reconstituted itself as the All Ethiopia Unity Party (AEUP). Recently, reports have surfaced of internal difficulties within AEUP, and of the existence of a rump AAPO.[55]

The Oromo National Congress (ONC) was established in the late 1990s as a third Oromo option, between the extremes represented by the OPDO and OLF. The ONC has attempted to attract Oromo intellectuals and moderates, arguing for the peaceful co-existence of Oromos within a democratic Ethiopia free of EPRDF rule. It remains a very small party, with a weak organizational structure, and seems unlikely to survive if a moderate faction of the OLF were to return to the legal process in the future. In April 2002, the ONC's only elected MP defected and was reported to have joined the OLF. The organization has a potential constituency in the surplus-producing areas around Ambo in Western Shoa, and might

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[55] The Opposition Is Off to a Bad Start, *Indian Ocean Newsletter*, 13 December 2003

capitalize upon grievances regarding the impact of government economic policy in the wake of collapses in food prices in 2000.

The Southern Ethiopian Peoples' Democratic Coalition (SEPDC) is a multi-ethnic grouping, composed of a dozen smaller ethnic parties from the SNNPRS. Its strongest bases are in Hadiya zone, Kambata zone, Gedeo zone and Awassa, the regional capital. The party was a strong contestant in the 2000 and 2001 elections, and international election observers reported widespread EPRDF intimidation in the region on both occasions, particularly in Hadiya where SEPDC won a number of seats in 2000.[56] Following brutal campaigns in previous elections, the campaign of 2004 in these areas will be closely scrutinized as an important indicator of trends regarding democracy. As suggested above, SEPDC seems to have attracted those with independent means, slightly better educated or wealthier individuals than those drawn to EPRDF.

Pan-Ethiopian nationalist parties. Immediately before the elections in 2000 the Ethiopian Democratic Party (EDP) appeared on the scene. Some of its leaders had previously been members of AAPO, but moved to create a new national party to provide a non-ethnic alternative, with a nationwide appeal. Its natural constituency is the urban population of mixed ethnic origin, the intellectuals, and the commercial sector, in addition to middle-class Amharas, and those of any ethnic group who oppose ethnic federalism. EDP was buoyed up through 2001 by capitalizing on the emotive issues of the Eritrean border, and of Assab, and Ethiopia's averred need for access to the sea. The organization publishes a newspaper, which has regularly found its way into Ethiopia's small towns, and has managed to establish offices in several of them. The 2003 union with the Ethiopian Democratic Union (EDU) to form the Ethiopian Democratic Unity Party (EDUP) seems to place EDP more clearly in the conservative camp. EDU has its roots in the pro-imperial opposition of elements of the Tigrayan aristocracy to the incoming Dergue regime in the late 1970s.

Coalitions and alliances. Many of the opposition organizations registered as regional parties have been confined to rallying support from within a single ethnic group. The recognition that this may limit their potential to play an influential role at the national level has led most to engage in discussions regarding collaboration and co-ordination of activities amongst opposition groupings. Until recently, discussions on collaboration have borne little fruit, not least because of the sharp divisions between those who oppose ethnic mobilization and federalism, and those who are organized in its terms, as well as between those who work within the system, attempting to contest elections, and those who have preferred guerrilla warfare as their method of opposition. In August 2003, however, fifteen organizations formed a broad coalition, the United Ethiopian Democratic Forces (UEDF), at the conclusion of a conference in Washington DC.[57] This coalition is an extremely broad church, and it remains to be seen what degree of co-ordination and co-operation it can achieve.

2.2.4   *Multi-partyism and the Electoral Landscape*
Problems of electoral regulation and practice in national (2000) and local (2001) elections. A number of critical recent studies of the practice of elections in rural Ethiopia set out the limitations which persist, in spite of the liberal-democratic provisions of the constitution and

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[56] Tronvoll, K., Political Repression and Resistance: The Elections in Hadiya, Southern Region, in Pausewang, S., *et al.* (eds), *Ethiopia since the Derg*, pp.156-178

[57] United Nations Integrated Regional Information Network, Ethiopia: New Opposition Coalition Seeks 'Renegotiation' of Border Ruling, Addis Ababa, 12 August 2003

relevant legislation.[58] They suggest that the operation of the political system in much of the country is such as to render it almost impossible for opposition parties to use the democratic institutions effectively to challenge the dominance of the ruling party. It is reported that a range of tactics commonly disadvantages the opposition prior to and during elections. These have included closure of their offices, harassment and arrest of candidates, refusal of some of their signatures of endorsement, last minute shifts in the regulations regarding the number of candidates to be fielded, suspension of candidates spuriously claimed to be "under police investigation", and so on.

These problems affect federal, regional and local elections. What is additionally significant with respect to local elections is a corpus of electoral regulation which militates strongly against the success of smaller opposition parties. At *wereda* and *kebele* levels, for instance, it is necessary to field between 60 and 100 candidates (i.e. to contest all, or the majority of seats in the relevant assembly) in order for an organization's participation to be considered legal. This evidently excludes independent candidates and small emergent groups – particularly when one considers the additional number of signatures required in support of each representative's candidacy. It also means that local elections are more about party support than the merit of individuals as constituency representatives.

Asymmetries and policy distinctions between ruling and opposition parties. The political system in Ethiopia can be described as one-party dominant, and that dominance over the last decade has been all but absolute, something which raises a host of questions about the nature of Ethiopia's fledgling democracy. For instance, out of the 547 seats in the House of Peoples Representatives, the EPRDF holds 481, or 88 percent. The opposition parties remain extremely weak in terms of size, organizational capacity, and material and human resources.

There are two significant differences in political programme between the EPRDF and much of the opposition: the issues of land tenure, and of premising ethnic federalism on a right of secession. Whilst most opposition parties agree on their commitment to private ownership of land, there is little agreement about federalism between ethnically-based and pan-Ethiopian organizations (the OLF, for instance, objects not to the inclusion of secession, but to the fact that Oromos have not been "allowed" to exercise the right).

Marginalization of women, IDPs, occupational minorities, by all parties. The Ethiopian constitution puts women on an equal footing with men, and women are free to run for political office at all levels. However, when it comes to female representation in party politics, both government and opposition parties are equally dominated by men. During the armed struggle, the TPLF was enthusiastic about female representation in the political and military structures. However, after it came to power in 1991, equal gender representation has not been given priority. The only woman to have held a powerful position within the Front's leadership was expelled in 2001. In the Ethiopian Federal cabinet there is only one woman heading a line-ministry. Among the opposition parties, no women hold leadership positions. Moreover, only one party, the EDP, endorses affirmative action as an appropriate strategy to

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[58] Pausewang,*et al.*, *Ethiopia since the Derg*; Pausewang and Aalen, *Ethiopia 2001...*, and *Withering Democracy...*; Pausewang, S. and Tronvoll, K. (eds), *The Ethiopian 2000 Elections: Democracy Advanced or Restricted?* Oslo: Unipub Forlag, 2000

enhance female representation in politics.[59] Neither the ruling nor the opposition parties have policies which take particular account of IDPs or occupational minorities.

2.2.5 Conclusions and Implications

Democratization: liberal or revolutionary? The ruling party uses elections as referenda to validate its policies, and reaffirm consensus. It cannot, therefore, afford to lose an election. Still less, after devolving budgetary control to *wereda* level, would it wish to lose control of local development. Ironically, EPRDF's success is also its main political handicap. It stands accused of nullifying the spirit of the constitution and the basic principle of federalism, i.e. decentralization, by making it possible for the centre to remain all-powerful; worse still, it is alleged that it has served as an instrument for continuing Abyssinian control. Weak as it is, the opposition has made good use of these issues.

Democratization of access to political office? Access to political office has been widened in terms of the range of ethnic groups now elected and appointed to office. It has not widened in terms of diversity of political allegiance and opinion represented in office. Ruling party observers claim that access has been democratized, since those in office are there as the result of repeated rounds of multiparty election. Opponents, meanwhile, claim that elections have not been fought on a level playing field, and should not be regarded as democratic. Views are sharply polarized.

Separation of party and state in practice? Throughout the 1990s there was great confusion of the roles of party and state, despite their formal separation. A range of moves were made during the TGE to divest the ruling parties of the *de facto* functions of government that had accrued to them during the armed struggle, with those remaining in the military, for instance, compelled to give up party membership. This process, however, did not bring about real separation of party and state structures and systems of accountability, or indeed curtail the influence of the party in non-state sectors. Since 2001 it seems that the role of party functionaries is being modified to make them accountable within the state structure, and preclude the future emergence of powerful factions operating outside the purview of the Council of Ministers. The government maintains that steps are being taken to demarcate and effectively separate out the structures of party and state, in a manner consistent with the demands of liberal democracy.

2.3   Civil Society / Associational Life

This section explores the emergence of civil society and development of associational life in Ethiopia since 1991. Civil society under the imperial and military regimes was exceptionally constrained, and organizations have mushroomed over the last 12 years, in each of the sectors discussed.

2.3.1   Religious Activity

Resurgence of religious affiliation and observation. EPRDF rule has been marked by a resurgence of religious affiliation and observation. Explosive programmes of church and mosque construction have been common to all denominations, across the country.

Politicization of Islam. Islam has gained in status and recognition, with new working hours facilitating mosque attendance. The Muslim community has also been put under a stronger

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[59] Konjit Fekade, Existing Political Parties in Ethiopia. Paper presented at the Gender Forum on Women and Politics, Addis Ababa, 20 April 2000

political focus in recent years, due to armed political resistance from various Islamic organizations in the Horn region, most notably Al-Itihad Al Islamiya. Since there seems to be a moderate but growing politicization of Islam in Ethiopia, the Ethiopian government observes closely the activities undertaken by organizations with an Islamic constituency. *Sharia* law is followed within the area of the civil code, guiding the practice of marriage, divorce, and inheritance.

Evangelicalism and the growth of new churches. In the last few years, Ethiopia's older established religions have faced intensive competition from the exponential growth of various evangelical churches, often supported by large injections of foreign capital. Their spread throughout the South, where there have been mass conversions, has caused tension and disquiet about the perceived threat to traditional spiritual allegiances. According to the US Department of State "[t]he generally amicable relationship among religions in society contributed to religious freedom; however, interreligious tension and criticism increased between followers of evangelical and Pentecostal churches, on the one hand, and Ethiopian Orthodox Christians on the other" during 2003, and led to at least two deadly clashes between these two communities.[60]

Freedom of worship. Again according to the US Department of State, "the Constitution provides for freedom of religion, and the Government generally respects this right in practice; however on occasion local authorities infringed [it]".[61] Restrictions on religious freedom are minor, and include: the banning of political parties based on religion; regulations on the import of Bibles; the refusal to permit religious instruction in schools, whether public or private; and the registration of religious organizations. In rare cases, minority religious groups have complained of difficulty in obtaining land for religious sites, and local authorities in Christian Orthodox-dominated Axum, in Tigray, continue to refuse Muslim applications for land on which to build a mosque.

2.3.2 Developmental Activity: NGOs and Civic Bodies

Government-NGO relations, and the regulatory environment. Since 1991, government policies have required NGOs to shift their activities from relief to development, linking all distributions to long-term activities. They have also required NGOs to design and implement their programmes in collaboration with local bodies, usually local governments. NGOs initially found difficulty in adjusting to working with decentralized government, and to the context of structural adjustment. The EPRDF government has been, by and large, suspicious of the NGO sector, concerned by what is sees as the inefficiency and competition for hearts and minds in a parallel resource provision system. Reports of corruption, fungibility of funds, NGO conservatism and unwillingness to work in remote areas, along with the drain of professional personnel from the public sector, have encouraged government concern. NGOs, meanwhile, have been frustrated by what they consider an unsympathetic regulatory and policy environment.

In the latter part of the decade, the obstacles confronting international NGOs have diminished. Many adopted policies of working only through indigenous structures, in line with government directives. A few are willing to prioritize co-operation with, and strengthening of, government structures at local, regional, and national levels. Amongst the

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[60] United States, Department of State, *International Religious Freedom Report 2003: Ethiopia*, Washington, 18 December 2003

[61] *Ibid.*

most interesting are those which combine small-scale community development work at *wereda* and sub-*wereda* levels, with research and pilot investigation of local processes of socio-economic development. It remains the case, however, that it is primarily the hectic activity of international NGOs, who provide the model and funding for their indigenous counterparts, that gives civil society the appearance of dynamism and influence.

Indigenous NGOs. Indigenous autonomous NGOs are a novel phenomenon in Ethiopia, and most came into being under EPRDF. Indigenous bodies can be categorized as being government-oriented (GONGOs), or welfarist and traditional, tending often towards a charitable approach and urban bias.[62] The creation of GONGOs in each of the main regional States, such as the Relief Society of Tigray (REST) in Tigray, closely – if informally – allied with the ruling party, is clearly open to abuse and, consequently, to criticism. The ruling party's strategy is justified by its members on the basis of overwhelming popular demand for better living standards. It is a policy that has generated strong resentment from other sectors of civil society at the influence and access seen to be enjoyed by these competitors.

The strength of many other Ethiopian national NGOs lies in relief and rehabilitation work and traditional charity, and has resulted in a relatively conservative approach.[63] This problem has been compounded by deficiencies in staff training, technical capacity and developmental philosophy. A range of indigenous NGOs has been able to supplement government services to urban and rural communities, including sectors not reached by the state; and many have a considerable capacity for fundraising within Ethiopia. Very few have developed innovative work with autonomous community-based organizations in remote rural areas.

Growth in the areas of advocacy, lobbying, and research has seen the emergence of a number of professional membership associations, and a number of fertile cross-pollinations between the NGO and academic sectors. A relatively small group of civil society bodies has recently become involved in policy, protection and human rights issues. The EHRCO has worked for eight years to research, document and publicize human rights abuses, and conduct public debates on democracy and human rights. It has adopted a robust and confrontational stance vis-à-vis the government, but in 2001-2002 obtained the renewal of its registration. Whilst a number of other human rights monitoring organizations have briefly operated and faded, EHRCO continues to expand the boundaries of the criticism the government can be pushed to tolerate. Another organization is the vigorous and high profile Ethiopian Women Lawyers Association (EWLA), which has lobbied for the introduction of a new family code and tried (not entirely successfully) to influence the provisions of the draft. It also provides effective legal help to individual women, taking up crusading cases and carrying out research designed to illuminate the shortcomings of a court system that often fails to take proper account of the changed legal status of women.

Networking remains under-developed in a sector characterized by competition rather than collaboration, although potentially significant new initiatives have emerged from the Poverty Reduction Strategy formulation process, supported by the World Bank.

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[62] Vaughan, S., The Emergence and Democratisation of Civil Society Organisations in Ethiopia. Report for the Scottish Catholic International Aid Fund, Glasgow, 1996; Clarke, G. and Campbell, J., Improving the Capacity and Effectiveness of National NGOs in Ethiopia: Some Issues and Concerns, in Price, N. (ed.), *Institutional Strengthening of Southern NGOs: What Role for Northern NGOs?*, London: Overseas Development Agency, 1996

[63] Clarke and Campbell, Improving the Capacity...

2.3.3   The Private Media

Privatization and press freedom. Under the Dergue, all communications media were state owned. A framework to provide for privatization was introduced during the TGE, and publications multiplied. Ironically they were almost unanimously hostile to the government. Inexperience, political passion, and a culture of political exclusion encouraged misinformation and exaggeration, and gave the government grounds, albeit slender, to crack down heavily with fines, imprisonment, and closure of offices. The number of private publications settled back to around 10 to 15, publishing in English and Amharic. A number do continue to criticize the government, within certain limits. Scope for criticism was seen to widen during the Ethio-Eritrean conflict of 1998-2000, provided only that editorial policies supported the war effort – as all did. Although these papers were, for much of the 1990s, distributed only in the capital, hardly reaching the major towns, their circulation in regional towns now seems to be increasing. There are clear indications that this has a significant impact upon the ability of the small-town intelligentsia to follow, and become engaged in, opposition politics.

The lines of press freedom are not clearly drawn in practice, a situation which many claim gives the government room to persecute its critics, occasionally imprisoning editors, and regularly tying up the resources of critical publications with lengthy court prosecutions. An initiative by the Ministry of Information to revise the press law, begun in 2002, brought controversy and heated debate between government, the international community, and private media through 2003.

Private radio. The only extant formally non-governmental radio station is *Radio Fana*, established from the EPRDF's own pre-existing organs in 1991. The considerable appeal of the populist station has been a highly effective tool in EPRDF's mobilization strategy. Legislation passed in 2001-2002 provides the legal framework within which radio stations can now be established by private organizations (the legal framework within which *Radio Fana* has been operating to date is unclear). A range of licensing applications has been submitted for consideration by the Ministry of Information: none has yet been approved, although satellite-based *WorldSpace* digital radio service has been available for some time. Were private radio stations to be established in advance of forthcoming elections, they could be expected to have a significant effect on its conduct, if not its outcome.

2.3.4   Commercial Activity: the Private Sector

The private sector and party-associated private sector. With a degree of liberalization and privatization over the last decade, the emerging private sector has played a growing role, particularly in the service and construction sectors. What some call the genuine private sector has been dwarfed by the emergence of two powerful blocs: the so-called party-associated enterprises, and the Midroc business conglomerate, owned by the Saudi-Ethiopian, Sheikh Mohammed Alamoudi. In addition to a range of privatized enterprises, Midroc has been active in construction, service, and manufacturing sectors, with the Sheraton Hotel a flagship prestige project.

The Endowment Fund for the Rehabilitation of Tigray (EFFORT), and its sister organization "Endeavour" in Amhara, operate as umbrella foundations for a range of party-associated enterprises, of which there are also a number in Oromia and SNNPRS. Sectors of activity include agriculture, trading (fertilizer, grain, coffee, *quat*), manufacture (textiles, cement), processing (leather, coffee), mining and exploration, transport and public transport, engineering, and finance (banking, insurance). Although all are formally private sector

companies, they are closely tied to party structures and functionaries in the four EPRDF-administered States and Addis Ababa. The scale, selection of key sectors, and strategic integration of these activities have all been emphasized by EFFORT sources keen to spell out their socio-economic potential. They are, on the other hand, precisely the causes of anxiety of those who fear the political and economic implications of the concentration of such economic power in the hands of bodies that have been, in practice, controlled by the ruling party. Potential competition and monopoly-related problems and fears are significant.

Lobbyists: trades unions and chambers of commerce. Liberalization was expected to attract productive investment and stimulate employment creation. In fact unemployment is rising significantly, and some liberalization measures have contributed to this situation. Privatization of the notoriously overstaffed public enterprises has put people out of work. Ethiopian workers are not in favour of privatization or trade liberalization, and restriction on imports is one issue on which there is agreement between organized labour and employers in the private sector. Two other issues are of overriding concern to entrepreneur members of the Chamber of Commerce: access to urban land, still at a premium under a rigid lease system, and the unfair advantages perceived to be enjoyed by the party-associated enterprises.

2.3.5 Conclusions and Implications

The period since 1991 has seen the dramatic growth of organizations in many parts of the non-governmental sphere. Private newspapers, Ethiopian NGOs, Chambers of Commerce, and Churches and Mosques have mushroomed. Commercial activity, particularly in the construction and service sectors, has also been visible in the new urban centres of decentralized government. Nevertheless, a range of constraints also operates. Principal amongst these is the fact that the state still has a bulky presence in the commercial, developmental, and media sectors, often leaving relatively meagre and difficult space for private competitors. In many sectors, further space has been occupied by party-associated organizations. Despite the mushrooming of civil society bodies in business, development, advocacy, and social sectors, few if any have developed into blocs sufficiently powerful or energetic to lobby and influence the state. Dialogue with the government on matters of policy has been of less importance to most than consolidation of their own capacity and activities. Whilst this situation is not surprising given that the context is new, it means that civil society has contributed less to the processes of democratization, decentralization, and liberalization than might have been hoped.

2.4 Popular Experiences

2.4.1 Relevant Trends in Socio-political Culture

Traditions of hierarchy and community. "Abyssinian" (i.e. highland Amhara/Tigrayan) political culture emphasizes a strictly hierarchical understanding of a vertically stratified society, where each member's socio-political position and status is clearly defined and respected. Social and political interaction and behaviour are guided by an elaborate set of norms and rules, which establish socio-political order on the basis of a rigid collective system of deference and sanction. This is not to say that all Ethiopian cultures accord with highland norms. However, since control of the Ethiopian state has historically been associated with the Amhara/Tigrayan socio-political tradition, it provides the context for the formation of the dominant trends in the political culture of contemporary Ethiopia.

Customary leaders, family relations, and community organization. Indigenous processes of socialization commonly teach that people are not equal, and assign different roles and

differential status to individuals on the basis of class, ethnicity, gender, age and property. This provides cultural validation for an unequal distribution of power and resources that is entrenched and resistant to change. The character of the Amhara household as "less a family unit than … a vertically ordered set of status-roles",[64] means that it continually reaffirms patterns in which men are superior to women, and elders to younger. Moreover, religious or political office gives added authority, whereas members of certain despised groups (craftsmen, potters, tanners, hunters) will always be classified as inferior. As a result, male household heads mediate family affairs, and representatives of the state at each level mediate public affairs, with little likelihood of challenge from their subordinates or plain citizens, in either case. Male power-holders, including religious leaders, define the norms of social conduct that limit the social space of women.

In particular, religious leaders, Christians, Muslims and traditional believers, have power to define appropriate social behaviour and conduct, a capacity that, for instance, severely limits the social space of women in Ethiopia. In every village of Orthodox Christian Ethiopia, the highland areas of Amhara and Tigray in particular, several priests and deacons ensure that the norms and rules of the church are followed, a set of precepts that, *inter alia*, puts restrictions on when farmers can work in their fields (in order to uphold the prohibition of physical labour on saints days), and confines women to narrowly defined gender roles. In the Muslim communities of the lowlands, and highland pockets, the Imams and other religious leaders also wield strong influence over appropriate social behaviour. Afar and Somali communities, in particular, have strong and elaborate customary codes, which work in parallel with *sharia* and state law.

All across Ethiopia, elder age is accorded a high socio-political value in the local community. *Shimagile* (elder) councils are frequently used to settle local disputes (over land or grazing rights, for instance) by formal and informal means, and it is male elders who are first heard in community meetings. In some Ethiopian communities, as for instance among Borana Oromo, particular age groups have traditionally defined roles in society in relation to administration, protection, and arbitration.[65] Although the institution of elders can play a positive role in mediating power relations at the local level, elders are not in themselves representative of the local community as a whole. Not all elders achieve the status of respected *shimagile*: women are excluded, as are also elders from despised occupational minorities.

The associational life of peasant communities is focused on the accomplishment of practical tasks. Several common types of local association offer forms of mutual socio-economic support to members, particularly at times of stress or expense, such as weddings or funerals: the almost ubiquitous *senbete*, a Christian religious association to take care of church affairs; *idir*, which is a burial network for mutual support in relation to deaths and funerals; *equub*, a credit and savings collective; and *mahaber*, which binds together smaller groups of villagers to celebrate a common guardian saint, but which also serves as a socio-economic welfare network. The leadership of these organizations is selected by and among the villagers themselves, normally bringing existing peer groups together for practical purposes. As such they tend to be instruments less of social transformation than of reconstitution of the – often iniquitous – *status quo*.

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[64] Levine, *Greater Ethiopia...*, p.123

[65] Kurimoto, E. and Simonse, S. (eds), *Conflict, Age and Power in North East Africa*, Oxford: James Currey, 1998

Perceptions of competition, pluralism, and "democracy". Whatever the formal progress towards democratization, a system of social classification along the lines described continues to be widely reproduced, imbuing new generations with cultural notions that individuals are rightly ranked according to a set of criteria which invest some people with greater worth than others – both in social and political terms – and determine, moreover, that one should always be subservient to any individual regarded as superior. This sustains a hierarchical stratification of society, where one is constrained by a system of collective sanctions to obey the orders from above, be they paternal instructions, or a demand from the *kebele* to attend a political meeting.

In terms of the decentralization of access to decision-making, and control over material resources, this situation has profound implications. If relations are to be democratized and transformed, these transformations must take place at every level and in every sphere of social relations and expectations. Similarly, the corollary of this position is that there is a powerful weight of inertia in the pre-existing social and cultural arrangements, which counteracts the attempts of any force (be it ruling or opposition party, or civil society group) committed to their reform. The fundamental dynamics of socio-political development in Ethiopia do not naturally favour democratization, but the perpetuation of hierarchy and authoritarianism at every level of interaction. Many of Ethiopia's rural citizens do not imagine that they should debate and select from alternative means of asserting control over their own lives. Nor do they consider it appropriate that their peers should do so, let alone those they regard as inferior. Rather, the major source of the political agenda remains the central government. In this kind of socio-political context, there is little realistic alternative to the communication of political programmes from the top down, and from centre to periphery, whatever the aspirations or protestations to the contrary of those responsible for their promulgation.

2.4.2   *Local Experiences of State Authority Structures*

The State at local level is experienced through the *wereda, kebele* and *nus kebele* (sub-kebele) executives, committees, assemblies, and associations, along with other state or state-initiated organizations. These include: the local offices of government bureaux, encompassing development and extension agents, health workers and tax collectors; local social court judges and officers, police and militiamen. The objectives of the state sector structures are to ensure the implementation of government laws, policies, and programmes (including those intended to bring about socio-economic development), and to see that government taxes and other dues are collected. A point of concern is the frequent conflation of the role of tax collector with that of the agricultural development agent: even where extension agents are not explicitly involved in tax collection, they are often associated with pressure for repayment of credit loans related to the extension packages, and these involvements, usually perceived as repressive and negative, do little to enhance their capacity to play a positive part in animating communities for social change. State structures have been closely accompanied in the core EPRDF-administered areas by the less visible party structure of cadres, officers, and local cells. There is evidence that the local administration is normally conceptualized by the villagers as a fusion of both state and party authority**.**

Ethiopians are well aware of the wide-ranging powers of these administrative bodies and are conscious of the fact that they need to maintain good relations with their officials. Observers describe how all who are dependent on the support or approval of the state, rely on their contact with *kebele* (and to a lesser extent *wereda*) officials. Anyone who wants health services, tap-water and electricity, or who is applying for a job in the public sector, needs a

letter from the *kebele* to the concerned authorities, showing that they are citizens entitled to the services or employment. The *kebele* owns houses, which are rented out to residents. *Kebele* officials issue the identity cards, which Ethiopians require to be able to move around freely and get access to all kinds of services.[66]

This system which resulted in a degenerate and largely uncontrolled situation was, as noted above, radically revised from late 2001, following changes to professionalize local government. It remains to be seen whether *wereda* and *kebele* administration can be reformed to any appreciable degree by these means. Any such change would have to militate against the weight of three decades of abusive tradition, built on top of centuries of moribund and hierarchical local administration in the imperial period. In pastoralist areas, the state is significantly less visible or present than in settled agricultural areas. Whilst some attempts have been made to design mobile service delivery arrangements, initiatives are embryonic. Given the prevalence of conflict in pastoral zones, the primary pastoralist experience of the state has often been of its security forces.

3   Contemporary Threats to Sociopolitical and Human Rights

In order to provide analytical tools to understand the human rights situation in Ethiopia, and identify those at risk of violations, this section reviews the major contemporary threats to the rights of Ethiopians and refugees in Ethiopia. Overwhelmingly the most significant of these threats are presented by instances of conflict and insecurity. The section also considers economic threats (briefly treated), the state and political rights, and social sanctioning of human rights violations.

3.1 Conflict and Insecurity

When the EPRDF took over state power in 1991, Ethiopia was in the grip of manifold, violent conflict that threatened to tear the country apart. The radical concessions offered by the new regime succeeded in bringing nearly all the warring parties to the negotiation table, and earned it a period of grace in which to consolidate its hold on the state apparatus and launch the process of constitutional and political reform. A few years later conflict reappeared, some of it old, some new. Compared with the recent past, its intensity is low, and in many instances it is ephemeral. It poses no serious threat at present to the regime or the state. Containing it, however, requires a heavy military presence in some regions and consumes scarce resources. Meanwhile, it creates an atmosphere of insecurity and instability, which obstructs development in the areas where it is most needed. Most important of all, its represents a devastating threat to the rights of populations involved or caught up in conflicts. According to the Norwegian Refugee Council, "an estimated 42,000 people fled clashes over resource and power sharing in other regions of Ethiopia [apart from those displaced by the Ethio-Eritrean Conflict] between 2001-2003".[67]

Conflict persisting in Ethiopia today may be grouped into three major types. In the multi-ethnic areas of the South it seems to have proliferated under ethnic federalism. In the pastoralist periphery it is perennial and endemic. In addition, low-level conflict continues to be waged over control of the state, by a number of opponents of the regime operating outside the legal framework.

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[66] Pausewang S., *et al.* (eds), *Ethiopia since the Derg...*

[67] Norwegian Refugee Council, *Global IDP Database: Ethiopia Report*, August 2003, http://www.db.idpproject.org/Sites/idpSurvey.nsf/wCountries/Ethiopia [accessed December 2003]

3.1.1 So-called Ethnic Conflict

In the SNNPRS a series of disputes have been mislabelled ethnic conflicts – misleading because ethnicity furnishes neither the cause nor the explanation of any of them. Their dynamics, however, have been seminally influenced by shifts in the salience of ethnicity brought about by current political arrangements. Under ethnic federalism, ethnically defined zones have enjoyed relatively high inputs of capital and recurrent government expenditure. The benefits of recognition as an appropriate "grantee" group for self-determination and separate administration are therefore not insignificant. Informants in towns which had somehow lost their status as zone capitals, complained not *per se* over the disgrace to their ethnic group, or the "pollution" of their language with neighbouring dialects, but over the fact that amenities such as hospitals might now go to the neighbouring group – the real desire being for separate zone status. Cases included Sodo, in the Welaiyta area of what was North Omo zone; and Masha and Tepi in the Kaffa areas of what was Kaffa-Sheka zone. Whatever the combination of issues and interests, they have in a number of instances generated sufficient popular hostility to force some government steps back from the clear-cut integrationist position, which marked the period of the first federal government, 1995-2000, and sought to reverse the effects of the ethnic-free-for-all encouraged during the TGE. In 2000, North Omo zone was divided to give Welaiyta (and Gamo Goffa, and Daro) its own zone; Silte and Gurage were separated; and Kaffa-Sheka was redivided.[68]

Intense competition between ruling and opposition parties has been an important, if not the primary dynamic, in a number of cases. In Sidama areas, strong nationalism and discontent about borders, coffee revenues, and the status of State capital Awassa, may have been exacerbated by the residual support for the outlawed Sidama Liberation Movement. In a number of other cases, the campaigns of fledgling opposition movements have fed on claims for separate autonomy. Examples include the Sheko-Majengir Party in Kaffa, Sheka, and Bench-Maji zones, the Oyda People's Democratic Movement in areas around Sawla in Gamo Goffa, and so on. Similar situations affecting Ethiopia's borderlands are discussed in section 4.1 below.

Conflicts in the SNNPRS, and in other multi-ethnic and border areas, can be interpreted as the unfortunate consequence of a federal system which has further ethnicized at least the form of existing conflicts; or they can be seen as the dynamic flourishing of local level political competition, reflecting the greatly enhanced access of local communities to participate in political life. The key point is that these struggles are not remotely senseless, but nor can they be adequately explained by reference to objective ethnic difference.

3.1.2 So-called Pastoralist Conflict

In the second half of the twentieth century, violent conflict in the peripheral arc inhabited by pastoralist populations increased in frequency and scale, and changed form. Conflict for pastureland, water, access routes and the control of caravan trade became more frequent, the conventional explanation being that these resources were becoming scarcer. The scale of violence increased with the introduction of automatic weapons, along with the experience in warfare gained by pastoralists enlisted in larger conflicts. These were fought under nationalist, regional, religious and ethnic flags, seeking to create new states, merge with existing ones, or wrest a share of power at the centre. Conflict on the periphery escalated immensely during the military regime, with the area effectively under military rule until the

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[68] Vaughan, *Ethnicity and Power...*

1990s, and remaining heavily militarized. Many communities were reduced to destitution, and have survived on food aid ever since.

Some of the political reforms decreed by the EPRDF had an appreciable impact on the periphery, with ethnic federalism giving the Somali and Afar their own regions, and smaller groups their own zones or special *weredas*. Self-administration restored a measure of the autonomy these groups had lost a century earlier, with the emergence of the modern empire state. Self-administration, however, did not prove an easy task in the pastoralist zone. With little EPRDF involvement, the lowlands had the freest elections in the country and the result was chaos. A multitude of political factions emerged, most representing clans and sub-clans, and a wild scramble for state resources ensued. A series of government-sponsored rounds of discussion attempted periodically to introduce some degree of order, with limited or temporary success.

Despite the efforts of the federal government, there were few signs of development in the lowlands during the 1990s. Not surprisingly, conflict began to reclaim the region and contributes to its impoverishment. Pastureland, water and access routes remain the familiar and increasingly scarce bones of contention. Control of trade routes has assumed greater importance due to the burgeoning of contraband trade across borders. The federation has brought its own store of problems, as ethnically defined groups now fight for enlarged territorial boundaries, for higher administrative status, the location of capitals, recognition of languages, and so on: all are valued for the additional state resources they bring.

The Ministry of Federal Affairs has been given responsibility for dealing with local conflicts. A new government appreciation of the role traditional mechanisms and elders can play in conflict resolution is to be welcomed. To date, however, the government's efforts on peacemaking have been focused almost exclusively on symptoms rather than causes. Another obstacle is that because they are culturally defined and socially validated, there are few traditional mechanisms for conflict resolution which are binding between different ethnic groups. A start has been made to address one of the most pressing problems affecting the pastoralist economy, i.e. marketing.

3.1.3 *Conflict for Control of the State*

The OLF and the ONLF, both of which reject federalism in the EPRDF model, continue to wage armed struggles for control of the state. The OLF's core interpretation of self-determination for Oromia involves its secession, for which it is determined to fight. Neither this goal, nor the means chosen to pursue it, appears to have the wholehearted support of the Oromo people. A long process of integration into the national economy and the state structure have given the Oromo great vested interests in the economy and the state of Ethiopia, which many hesitate to risk. There are indications that the OLF might be induced to modify its commitment to an independent Oromia, thereby making it more difficult for the EPRDF to maintain its present position of unqualified rejection. This possibility is associated with the election of a new younger OLF leadership.

Emerging from the backdrop of Somali irredentism, the ONLF was founded in 1984 to fight for the self-determination and independence of the Ogaden. Uncertain of its goals, the ONLF did not participate at the outset of the Transitional Government, joining later. As a result of a short-lived alliance with the EPRDF, it won elections in 1992, and formed the first regional administration. Inter-clan rivalry and mal-administration distinguished this period, and led to repeated federal intervention, and imprisonment of State leaders. The breaking point came

when the ONLF resolved to seek secession, and an EPRDF-sponsored move to merge all Somali parties under one leadership forced the ONLF from government. One faction returned to the bush, enjoying unimpeded access to all Somali areas of the Horn, and making its presence felt throughout the Somali region of Ethiopia.

All these movements have close connections with kindred ethnic communities across borders. These cross-border linkages bedevil inter-state relationships in the region. They provide opportunities for interference by hostile regimes in neighbouring states that operate on the assumption that "the enemy of my enemy is my friend" – a hallowed principle of inter-state relations in the Horn. Thus far, these movements have operated separately, with no attempt to combine forces, co-ordinate activities, or forge other forms of mutual support, partly because their claims and goals are not necessarily compatible.

The Ethiopian government has, particularly since September 2001, sought to present the OLF and ONLF and other groups as terrorists and mercenaries, playing up their connections regionally (particularly with Eritrea), and with radical Islam, and denying that they have any political objectives other than terrorizing and destabilizing Ethiopia on behalf of Eritrea and others. Regardless of these claims and counter claims, however, it is in relation to the members of movements of armed opposition to the Ethiopian government that protection issues arise most commonly, both in the region and the diaspora. Membership of an armed political organization is not, *per se* sufficient grounds for considering or extending international protection. The reasonable expectation that the laws of Ethiopia may not be applied in such a way as to protect an individual, however, is. As discussed above, international human rights agencies have for some years consistently reported that members of armed opposition movements are at a relatively high risk of extra-judicial detention in Ethiopia.

3.1.4   *The Aftermath of the Ethio-Eritrean War, 1998-2000*

Of the peak of 360,000 people displaced in Ethiopia by military confrontation between Ethiopia and Eritrea,

> as of August 2003 there were between 169,000 and 228,000 people unable to return to their areas of origin. … About 135,000 registered IDPs in Tigray and Afar had yet to receive rehabilitation assistance and return home … . Another category of people displaced by the border conflict are about 70,000 Eritreans from Ethiopian origin expelled by the Eritrean government during the war, most of whom still live in difficult conditions in drought-stricken Tigray.[69]

The IDP Database goes on to report that "the main protection concern for IDPs has been the extensive presence of mines and unexploded ordinance in areas close to the border",[70] whilst already poor living conditions in drought prone areas were exacerbated by the presence of large numbers of IDPs.

During the conflict, Ethiopia expelled a reported 75,000 persons of Eritrean origin or parentage.[71] Human Rights Watch reports that Ethiopia continued to expel small numbers of

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[69] Norwegian Refugee Council, *Global IDP Database: Ethiopia Report*

[70] *Ibid.*

[71] Human Rights Watch, *Mass Expulsions...*, p. 5

persons of Eritrean origin after the peace agreement: "members of the groups deported told human rights investigators of the UN peacekeeping mission that they were fleeing discrimination in access to employment and services or seeking to join relatives who had been deported before them".[72] This suggests that there may be some concerns for the status of those of Eritrean origin remaining in Ethiopia, although the size of such a population is unknown. The 1994 census reported an Eritrean population in Ethiopia at that time of 61,857.[73]

3.2 Economic Threats: Food Insecurity, Poverty, Unemployment

3.2.1   Major Strands of Economic Policy

The EPRDF government inherited a heavily indebted economy on the verge of collapse after years of civil war and gross mismanagement. Consistent with its ideological orientation and strategy of consolidating a peasant political base, the government has given priority to rural development. Raising food production, and freeing the rural population from chronic malnutrition and the spectre of famine is the focus of its development policy.

Agricultural Development-Led Industrialization (ADLI). ADLI has the wider aim of turning agriculture into an engine of growth, surplus generation, market creation, provision of raw materials, and foreign exchange. The main flaw identified in ADLI is its monolithic conception and uniform application of inputs and practices over the entire country. Credit provision has proved administratively difficult, debt default mounted, and forced repayment is unpopular. Another flaw is the result of success in certain products, where significantly increased production drove down prices and incomes, exposing the inadequacy of the marketing system. The decade that has passed has not set in motion the process of structural change needed in an economy that remains heavily dependent on a subsistence-oriented smallholder sector, where food insecurity is structural.

Sectoral Development in Health and Education. The EPRDF government has made a serious effort in the expansion of education, and the sectoral budget has risen from 9% to 13.75% over the decade. Impressive expansion of enrolment continues to be confronted by poor facilities and teaching, a deteriorating teacher-student ratio, and a dramatic and increasing dropout rate. There remain marked disparities in the education system, regionally, and between the sexes. As the education system expands, increasing graduate unemployment is emerging as a new issue to be addressed.

Liberalization. Domestic market liberalization saw the abolition of price controls for goods and services. The finance sector was reformed, with currency devaluation in October 1992 that amounted to 58% at the time, and floating of the birr, which has seen it lose an additional 18% of its value. Private banking and micro-financing institutions, foreign exchange auction, new investment and labour laws were other reforms designed to improve domestic resource mobilization and bring greater reliance on market forces for resource allocation. The government has resisted pressure to privatize the CBE, the country's largest bank, on the basis that the rural sector is not profitable and will not be served by the private sector. In 2001 the public banking sector was thrown into chaos with the mass arrest of CBE officials accused of illegal practices in granting credit.

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[72] *Idem*, p. 30

[73] Ethiopia... *The 1994 Population and Housing Census...,* Vol. 1, p. 67

Shedding of state assets has proved difficult, and substantial assets remain in the public sector. The value of enterprises sold thus far is set at 3.3 billion birr, of which only 553 million birr had been collected at the time of research. Privatization has failed to fulfil one of the main requirements envisaged by the government, namely that of generating revenue to finance the government's development activities.

Infrastructure Development. An area of relative success has been the development of infrastructure, particularly roads, including the rural road network, and electrification. Whilst such investment will pay dividends in economic development only in the medium- to long-term, it is a prerequisite for all the other developments. Problems of food production and insecurity, for instance, are increasingly perceived as bound up with constraints on marketing and distribution.

3.2.2   Issues of Concern in Economic Development

The basic structural weakness of the Ethiopian economy is its dependence on an agricultural sector that is unable to feed its people. The government properly focused on the development of this sector. The results over the first decade have fallen below expectations. Given the rate of population increase, adverse climatic and global market trends, the war with Eritrea, simmering low intensity conflict along the periphery of the state, and other contrary factors including HIV/AIDS, the material conditions of the peasantry have not improved. Ethiopia's economic problems are not susceptible to quick solutions. The ruling party is bound to feel the political impact of the frustrations felt by a peasantry still menaced by famine, a working class threatened with loss of jobs, a private sector resentful and suspicious of a regime it regards as hostile to the free market, and a generation of young graduates facing unemployment.

Food insecurity. Food deficiency and insecurity are most severe in rural areas. Well over 50% of the rural population is poor in that sense, compared with 37% of the urban population. Urban per capita income is US$217, rural is U$159, and the national average is US$167.[74] Chronic food insecurity in rural areas is in many areas the direct result of insufficient landholdings. Two thirds of households farm less than one hectare, and more than one third of households farm less than half a hectare, which is not sufficient to meet household consumption needs. Worse yet, landholding size is steadily decreasing under rising population pressure, and the number of landless rural households is also rising. Average per capita landholding was 0.28 hectares in 1960, and was 0.10 hectares in 1990.[75] Moreover, soil productivity is declining due to degradation.

(High-school) graduate and urban unemployment. Academic training is the core of education in Ethiopia, as it is nearly everywhere. In the past, graduates of the system were absorbed mainly into an expanding state sector. As that sector contracts in the liberalized economy and the private sector stagnates, the employment prospects of school leavers are unclear. Indeed, according to one assessment "the educational system …is a major source of the unemployed and unemployable people".[76]

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[74] Ethiopia, Government of the FDRE and World Bank, *Poverty Reduction Strategy Paper: Interim Report*, Addis Ababa, 2000

[75] Ethiopia, Central Statistical Agency, *Agricultural Sample Surveys, 1990*, Addis Ababa, 1992

[76] Ethiopian Economics Association, *Annual Report of the Ethiopian Economy*, Addis Ababa, 2000, p. 113

Landlessness and resettlement. Land tenure has emerged as a central factor in the debate over development strategy, with a weighty body of opinion within the country arguing that state ownership of land is a shackle on agricultural development, because it deprives the farmer of tenure, security, and motivation for enhancing landed assets. They claim that it freezes and perpetuates the present fragmentation of holdings, thereby impeding consolidation and modernization, as well as labour mobility. The supporters of the status quo maintain the present system provides at least a degree of security and income for the peasant mass. Should the introduction of a free market in land displace a portion of this mass, as it must do if it is to allow for consolidation (i.e. accumulation) and labour mobility, it is unclear what the fate of the landless would be, given the lack of alternative employment.

For the first time since 1991, voluntary resettlement of vulnerable populations has been carried out by the government in 2003. In April, 75,000 people were expected to be moved from central Tigray alone to western areas of the region.[77] By September, the FDRE Minister of Rural Development announced that "so far 45,000 households were resettled voluntarily in Amhara, Oromia, and Tigray regions, where there is plenty of fertile land and people could ease the strain of land ownership and size".[78] In an attempt to minimize ethnic mixing, resettlement in 2003 has been carried out within rather than between States. This large-scale renewal of resettlement has provoked considerable controversy. Academics and aid practitioners counselled caution and sought to draw attention to the long-term impact of resettlement, and such questions as the changing environmental conditions in settlement and home areas, the impacts of the settlers on the livelihoods and environment of local people, relations between settlers and local people, the provision of services and relations with government, the relations between settlers and their areas of origin, inter-generational issues, and changes in identity.[79]

Concerns mounted during the year, as Médecins sans Frontières issued a press release expressing concern that inadequate planning at a site in Oromia State was leading to uneccessary suffering.[80] The Norwegian Refugee Council reports that

> NGOs and UN organizations have questioned the voluntary nature of some resettlements and criticized these schemes for being implemented in unsuitable and sometimes highly food insecure sites. Several reports indicate that people are being 'dumped' on infertile and malaria-infested lands, without shelter materials, lack of access to drinking water, no health nor school facilities and many have not received the promised packages of food, seeds and agricultural implements to survive until next harvest.[81]

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[77] United Nations Integrated Regional Information Network, Ethiopia: Major Resettlement Programme Underway in North, Addis Ababa, 7 April 2003

[78] Agence France Presse, Ethiopia Asks for Three Billion for Food Aid, Resettlement Project, Addis Ababa, 26 September 2003

[79] Pankhurst, A., Longer Term Implications of Resettlement in Ethiopia. Paper presented to a Workshop on Settlement and Resettlement in Ethiopia, Addis Ababa, 28-30 January 2003

[80] Médecins sans Frontières, MSF Alarmed at Dramatic Situation at Ethiopia Resettlement Site, 12 May 2003 (press release)

[81] Norwegian Refugee Council, *Global IDP Database: Ethiopia Report: Summary...*

The government acknowledges the importance of meeting the concerns raised, in pursuing this strategy against landlessness and food insecurity, and defends its record.

HIV/AIDS infection rates, health indicators. The Joint United Nations Programme on HIV/AIDS (UNAIDS) estimated at the end of 1999 that around 10.6% of the population were HIV positive,[82] although national estimates put the figure closer to 7.3%. The Economist Intelligence Unit (EIU) reports that "in mid-2001 the Ministry of Health put at three million the number of people who are HIV positive, estimating that 1.7 million people will have died from AIDS related causes by 2002. The biggest strain is currently at household level, where loss of work combined with treatment costs are proving an excessive burden for average people".[83]

Population growth and environmental factors. In mid-2000, Ethiopia's population was estimated by the UN at 62.9 million, and by national and International Monetary Fund (IMF) studies as around 63.5 million. On projected population growth rates between 2.3% and 2.4% *per annum* from 2000 to 2025, Ethiopia's population could reach as much as 113 million by 2025, although AIDS is expected to reduce this figure significantly.[84]

Popular perceptions. Many Ethiopians believe that the economic situation has declined or stagnated in the last several years. Whether or not they are right, the widespread perception is in itself politically significant. The negative impact of the war from 1998 to 2000, and subsequent military standoff between Ethiopia and Eritrea, was initially disguised by increased domestic procurement and commissioning by the Ministry of Defence. Macroeconomic woes have been exacerbated by a dive in coffee prices, from which earnings have more than halved in the last three years. Investment in urban areas suffered a shock in 2001 when the crisis within the CBE meant loans were suspended.

3.3 The State and Political Rights

3.3.1 *The Impact of Ethnic Federalism*

As discussed above, at a national level the new ethnic federal system has radically improved the chances for educated people from all ethnic groups to find work in the administrative apparatus of the state. A new local elite has emerged which has taken over the positions and benefits previously held by the Amhara (or Amharicized) ruling class. The majority, however, might well endorse the views of an elderly peasant respondent in Wollo, asked about the relative merits of the three regimes he had experienced: "however you turn the cooking pot on the fire, the food still tastes the same".[85] Among the large majority of relatively uninvolved people, there are groups who remain more than usually marginalized and disempowered. These include, in particular, women, the landless, and a range of occupational minorities.

Women. Recent studies suggest that there may be ways in which the ethnic federal arrangement has had a negative impact on the lives of women in some parts of Ethiopia. A study for the World Bank suggested that the multiple levels of government may, in

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[82] Economist Intelligence Unit, *Ethiopia Country Profile 2002*, London, 2003, p. 16

[83] *Ibid.*

[84] *Ibid.*

[85] Personal interview, Weldiya, May 1999

themselves, be obstacles to an effective implementation of the government's policy on women.[86] It found that local administrative units have neither the will nor the capacity to carry it out, whilst the central government lacks knowledge about the constraints and issues at the regional levels. Secondly, the upsurge of ethnic consciousness after the introduction of the federal system seems to have led to the revival of a range of traditional practices and attitudes that discriminate against women, since many such practices are also now seen by political or ethnic "entrepreneurs", as useful ethnic boundary markers. As a result, local government bodies may tacitly approve or fail to sanction their implementation. Among harmful practices that have reappeared are the abduction or kidnapping of brides, and forced marriage. Female cicumscision or female genital mutilation (FGM) commonly operates as an ethnic boundary marker.

Occupational Minorities. Throughout Ethiopia one finds occupational minorities, who are defined and often discriminated against on the basis of the craftwork they do, as smiths, potters, weavers, hunters and tanners. They are found in all regions and include: the *Watta* among the Oromo, the *Weyto* among the Amhara, the *Fuga* among the Gurage, the *Manja* among the Kaffa, the *Kwegu* among the Mursi/Bodi, the *Hadicho* among the Sidama, and the *Mijan* and *Yibir* among the Somali.[87]

The objective of the ethnic federal system was to enhance the rights of minorities and marginalized and suppressed ethnic groups. Although some of the minorities described above have been recognized as distinct groups in the 1994 population census, in some instances at the local level the minorities have become relatively more marginalized as a result of ethnic federalism. Since appropriate constituencies for political representation are now defined along the lines of major language groups, the minorities, who often speak the language of the dominant group, are subsumed under the political representation of their host community.

Given that the dominant group often consider minority representatives as polluting, and subject to taboo, they are not likely to take steps to include them in representative bodies, even where they are elected or their voices heard in the local administrative set-up. As Pankhurst and Freeman comment:

> Although both the Federal and the Southern Region Constitutions contain provisions against discrimination on the basis of social background, the current emphasis on ethnic identity has seemingly led to a cultural revivalism in which previous values and hierarchies are being reasserted … since most of the marginalized minorities are dispersed social categories rather than localized ethnic groups, their concerns have hardly been considered in the new 'ethnic' politics.[88]

Repeated petitions by the Manja community in Kaffa zone for separate and constitutionally-secured representation at zonal level, for instance, fell on deaf ears, and spilled over into conflict in 2002.[89]

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[86] Ethiopia, Women's Affairs Office and World Bank, *Implementing the Ethiopian Policy for Women: Institutional and Regulatory Issues*, Addis Ababa: World Bank, 1998

[87] Freeman, D. and Pankhurst, A. (eds), *Living on the Edge*, Addis Ababa: Addis Ababa University Press, 2001

[88] *Idem*, p. 33

[89] Vaughan, *Ethnicity and Power...*

Issues associated with the national census. A national census was undertaken in 1994, and since its publication in 1997 has provided base-line data for a range of subsequent decisions, including the allocation of budgetary resources. Census data records mother tongue and ethnicity, and local details of its findings have been deployed by a range of "ethnic entrepreneurs" to substantiate claims on neigbouring populations and territories. Where the findings did not support locally expedient claims, they have been disputed. Census findings regarding ethnicity have, under ethnic federalism, been rendered salient to the allocation of resources: they have therefore become a source of contention. Despite a constitutional requirement to conduct a census every decade, it was reported in January 2004 that the forthcoming census will take place in three years time.[90]

3.3.2 The Treatment of Political Activists and Critics

The US State Department's report on Ethiopia's human rights practice lists a number of cases of political imprisonment, and even killings, during 2001. The Department concluded that

> the Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. Security forces committed a number of extra-judicial killings and at times beat and mistreated detainees. Prison conditions are poor. Arbitrary arrest and detention and prolonged pre-trial detention remained problems. The Government continued to detain persons suspected of sympathizing with or being members of OLF. … Thousands of suspects remained in detention without charge.[91]

Opposition politicians and supporters. As discussed in remarks on detention made above, political opponents of the government often meet with harsh treatment. This is particularly true of those involved or associated with armed opposition, as discussed above. Concerns regarding the protection of members and supporters of the legally-registered opposition parties, however, also rise at times of electoral competition. Demonstrations in several cities in Ethiopia in 2001 were reported to have resulted in the detention without charge of several thousand people. For instance, over 400 AAPO members and 100 Ethiopian Democratic EDP members were arrested between April and June 2001, the authorities claiming that they had instigated violence. While in detention, four of those arrested died, some allegedly in circumstances where there was suspicion of torture.[92]

Dissident ruling party politicians. Following the division in the TPLF and EPRDF leadership which emerged in early 2001, a number of prominent members of the group of central committee dissidents were arraigned on or pending charges brought by the ACC, as discussed above. A larger group of lower-profile supporters of the dissidents were alleged to have been dismissed from government (including military) positions, and several rumoured to have been detained.[93] Over subsequent months, several senior government officials defected abroad.

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[90] Walta Information Center, *Commission Prepares over 8,000 Maps for Population and Housing Census*, 4 January 2004, http://waltainfo.com/EnNews/2004/Jan/04Jan04/Jan04e2.htm [accessed 5 January 2004]

[91] United States, Department of State, *Country Reports on Human Rights Practices 2001: Ethiopia*, Washington, February 2002

[92] Human Rights Watch, *World Report 2002*, New York, 2002, p. 54

[93] International Committee of Tigrayans, *Ethiopian Top Commander Arrested*, 25 March 2001, http://www.tigrai.org/News/Articles/Ataklti.html [accessed January 2004]

Dergue officials and Workers' Party members. In 1991, former WPE members were dismissed and barred from government positions for the duration of the Transitional Government. As discussed above large numbers of senior Dergue officials were detained by the SPO; others including the former president fled abroad, and are being tried *in absentia*.

Policy critics and academic freedom. The Transitional Government dismissed 46 academics from Addis Ababa University (AAU) in 1992, in a move widely interpreted as political. It followed student protests at the visit of the then UN Secretary General, in connection with UN involvement in the Eritrean independence referendum. Two high-profile academics were detained and eventually charged with incitement following disturbances associated with student unrest at AAU in April 2001. Although both were subsequently released, the arrests were widely seen as an attempt to curb criticism of the government on campus, at a time of political tension. The United States Committee for Refugees (USCR) reported that 250 students fled to neighbouring countries in the wake of the April riots.[94] Eighteen months later, Human Rights Watch issued a report expressing fears for academic freedom at AAU, in the wake of the resignations of its president, vice presidents, and several deans in early 2003.[95] The resignations were tendered in connection with a power struggle between the government and university administration, over the course of urgently needed reform of AAU, which remains a powerful symbol of the radical student politics of the late 1960s that hastened the demise of the imperial regime.

3.4 Social Sanctioning of Human Rights Violations

3.4.1 Women's Rights and Gendered Discrimination

The social institutions (status, roles and relations) affecting the position of women in Ethiopia are bound by convention, the result of continuous collective processes of ratification, sanction, and reconstitution of existing beliefs. They display great variation across the various ethnic and socio-economic groups. Nevertheless, social institutions associated with marriage and motherhood determine women's relationships to work, property and other matters of public importance, and define their status as political beings in Ethiopian society, to an overwhelming and uniform degree.[96] Women's lives are embedded in their social, economic and religious contexts, so that many of the factors that disadvantage women are problems of poverty and underdevelopment, shared by their communities and the country as a whole. The stresses created by high levels of poverty across Ethiopian communities, however, are compounded by norms which allocate to women responsibility for three particularly onerous tasks: grinding grain, preparing food, and fetching water and fuel-wood. All are time-consuming and physically demanding in ways which are, in themselves, sufficient seriously to curtail women's scope for participation in public or political life. Given the conventional basis of the double oppression Ethiopian women face, its eradication from a knowledge system, or culture, shared and internalized by both women and men, presents enormous obstacles.[97]

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[94] United States Committee for Refugees, *Country Report Ethiopia 2002*, Washington, 2003, http://www.refugees.org/world/countryrpt/africa/ethiopia.htm [accessed January 2004]

[95] Human Rights Watch, *Lessons in Repression: Violations of Academic Freedom in Ethiopia*, New York, January 2003

[96] Pankhurst, H., *Gender, Development and Identity: An Ethiopian Study*, London: Zed Books, 1992; Tsehai Berhane-Selassie (ed.), *Gender Issues in Ethiopia*, Addis Ababa: Addis Ababa University Press, 1991

[97] Hammond, J., Women in Ethiopia: The Struggle for Liberation and Development. Paper presented at Middlesex University, 1999

Rape, abduction and child marriage. Despite legal and constitutional provisions to outlaw all three, rape, abduction, and child marriage remain commonplace throughout Ethiopia. The EWLA conducts research on these areas of abuse, and has been at the forefront of public education campaigns designed to change public attitudes.

Female genital mutilation. It is estimated that about 73% of the female population of Ethiopia has undergone one form or other of FGM, and that the majority of ethnic groups inflict this custom upon their female members. The child's age at the time of operation varies according to the type of operation and the ethnic group, but generally the operation is performed before the girls reach puberty.[98] Among the Amhara, the mutilation often takes place on the seventh day after birth, while among other groups an operation is commonly undertaken between the ages of four and 8-10 years. There are reports, however, that the operations may also be carried out in adolescence or even at the time of marriage. Traditionally, the Afar and Somali practice infibulation, while the highland groups carry out clitoridectomy or labial piercing. There is also a distinction based on social class, with FGM reportedly more common in poor sections of Addis Ababa than in wealthier residential areas.

Legal, property, and divorce rights. Whilst there have recently been significant changes in the legal environment, which formally governs the status and rights of women, little of this has had an influence on the belief systems on which local communities operate. Ethiopia's women have extensive legal and constitutional rights to divorce and alimony, to own land and inherit property, to be free from forced marriage, rape, beating, and genital mutilation, and to equal treatment before the law. Little has been achieved, however, to institutionalize these legal rights as bases for collective practice and conviction.

3.4.2 Taboos and Occupational Minorities

As mentioned above, craftworkers (including potters, tanners, weavers, and smiths) and hunters are widely subject to taboo in Ethiopia. Freeman and Pankhurst identify a range of "dimensions of marginalization", which take place culturally, socially, politically, economically, and spatially.[99] They also identify a range of categories of groups, according to the kind of relationship they have with host communities: respected non-polluters, sterile polluters, fertile polluters, and dangerous polluters.[100] They conclude that "the status of the Ethiopian minorities is not a static structural feature, but a process contingent on broader political and economic features".[101]

3.4.3 Treatment of the Landless, Destitute and Displaced

An examination of social attitudes towards the landless, destitute and displaced lies beyond the scope of this paper. Much has been written on the means and extent to which Ethiopian communities collaborate in the face of scarcity.[102] What is less clear is the evolution of social attitudes towards those who may have lost the protection of the socio-economic fabric. Christian and Muslim traditions in Ethiopia encourage the giving of alms, and of respect and

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[98] Rye, S., Men, Women and Female Circumcision in a Poor Community in Addis Ababa, Ethiopia. PhD Thesis, University of Oslo, 2002

[99] Pankhurst and Freeman, *Living on the Edge*, pp. 3-7

[100] *Idem*, pp. 319-325

[101] *Idem*, p. 329

[102] See e.g. Dessalegn Rahmato, *Famine and Survival Strategies*, Uppsala: Nordiska Afrikainstitutet, 1991

hospitality for strangers. Equally strong, however, are sanctions against interference with what is seen as God's will.

3.4.4 Homosexuality

Articles 600 and 601 of the Ethiopian Penal Code outlaw homosexuality, with penalties of up to 10 years' imprisonment.[103] Homosexuality is regarded by both of Ethiopia's dominant religions, Islam and Orthodox Christianity, as a sin. These positions seem to be endorsed by strong social taboos against homosexuality throughout the country.

3.5 Factors Influencing Trends and Outlook

This section traces trends likely to influence the risk from existing threats, and encourage new ones.

3.5.1 The State and Political Rights

Regardless of liberalization, the state in Ethiopia remains both strong and ubiquitous. Its effectiveness is the primary factor influencing the experience of citizens, IDPs, and refugees alike. The commitment, professionalism, capacity and human rights record of administrators and civil servants at local and *wereda* levels, and the development of the relations of power at this critically influential new locus of resource control, is key to future developments. The extent to which citizens are able to hold their elected representatives to account, and seek redress from those who govern them at local level, are always matters laborious and difficult to establish in practice. Sustained research to monitor local dynamics and capacity becomes all the more necessary in a decentralized budgetary environment, where *wereda* administrators wield increasing powers along with their increasing responsibilities.

Because of the increasing significance of this level of government, and because of a widespread perception that the opposition might for the first time make significant electoral inroads especially in urban areas, elections in 2004 can be expected to be harder fought than previously. A probable increase in the seriousness of electoral competition means that those who expect these elections to be fought without incident are likely to be disappointed. A number of government spokespersons have in recent years admitted that electoral practice to date has been far from perfect. There have, since the last elections, been significant changes both in ruling party organization and rhetoric, and in the profile of opposition. Whether and how this will affect the conduct of forthcoming elections is unclear, and much is riding on their conduct and outcome. The willingness of Ethiopia's legally registered political parties to participate will be a significant indicator, both of their confidence in the process, and the seriousness of their political intentions. The relatively unlikely possibility that elements of organizations currently outside the legal framework might also participate is nevertheless important, particularly in the case of Oromia, where the participation of OLF groups would greatly change the political landscape, but also in the cases of Somali and Afar States, where significant political actors remain outside the legal process.

International human rights monitoring organizations recorded a deterioration of the human rights record of Ethiopia with the outbreak of the Ethio-Eritrean war. There is conflicting information regarding the long and medium-term trends in relation to levels of human rights abuses since then. The evidence documenting human rights conditions in Ethiopia since 1991

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[103] Ethiopia, *Penal Code of the Empire of Ethiopia of 1957*, Addis Ababa: Negarit Gazeta, 1957, pp.182-3

suggests that increases in abuses correlate closely with increases in political competition, notably in the run up to local and national elections.

3.5.2 *Conflict*

Some of the reforms to the state introduced in 2002 may have the effect of lessening conflict in multi-ethnic and border areas. New fiscal arrangements have shifted control of budgetary resources to demographically rather than ethnically designed administrative units (*weredas* rather than zones), and may signal a move towards the diminution of the role of political ethnicity as federalism evolves, although no modifications of the radical constitutional arrangement have been mooted. The proliferation or reduction of local claims for new ethnic autonomous units, which were prevalent through the 1990s in the SNNPRS, will give an indication of how the reforms are perceived locally: whether or not they are seen as making separate nationality-based administrative units less lucrative, and therefore less desirable *per se*. This is, however, only one of a number of factors implicated in causing so-called ethnic conflict. Gambella and South Omo zone of SNNPRS are expected to present particularly problematic cases of conflict, and tensions remain unresolved in many areas, notably Sidama, and the mixed ethnic areas between Kaffa, Sheka and Bench-Maji zones.

The prevalence of low-intensity conflict in pastoral areas is unlikely to diminish, given that most of the factors which cause it continue to apply. Competition for resources including pasture and water can be expected to escalate incrementally, exacerbated in the short-term by continuing high levels of drought in Somali and Afar States. Competition for the lucrative trade in cross-border contraband, and in *quat*, can also be expected to continue. Ongoing poor relations between Eritrea and Ethiopia mean that support to dissidents will be readily available across a number of Ethiopia's borders.

3.5.3 *Socio-economic Threats*

There is limited optimism about the capacity of ADLI and other policies to improve the incomes of peasant and pastoral majorities. Poor rains in mid-2002 resulted in widespread food shortages into 2003, and international prices of Ethiopia's major export crop, coffee, remain depressed. The impact of both factors increases concerns about underlying trends of increasing food insecurity, poverty, and environmental degradation. This situation has a profound effect on the potential for the political transformation of relations throughout the society: liberal democracy is unlikely to thrive where most of the population is not only poor, but daily confronted with crises of survival.

Intra-State resettlement is expected to continue to be implemented on a wide-scale during 2004, as a major plank of government rural development thinking. The manner of its implementation will be key to the degree of risk associated with the policy.

The social and economic impact of HIV/AIDS is expected to escalate significantly in the immediate future, as the mobile, productive, and educated sectors of the community are increasingly affected.

4 Refugee and IDP Movements and Status

4.1 The Current Situation

As of 31 October 2003, UNHCR reported that Ethiopia hosted a total of 128,982 refugees, comprising 28,108 Somali refugees in the East, 94,163 Sudanese refugees in the West, and 6,711 Eritreans in the North and in urban areas.[104]

4.1.1 Somali Refugees

The camps. At the end of October 203, some 28,108 Somali refugees were held at three camps in Somali State: Aysha (13,978), Hartisheik (2,501), and Kebribeyah (11,629); a further 184 Somalis were recorded by UNHCR under urban caseloads.[105] Somali refugees fled to Ethiopia in large numbers between 1988 and 1991, at the height of the Somali civil war, and between 1994 and 1995 as violence continued. Up to 90% of the refugees – especially in the early phase – originated from Somaliland.

Figures for the influx at its maximum are variable, because of "difficulties in conducting an accurate census, and poor controls on the use of food cards".[106] By 1999, an estimated 180,000 remained in Ethiopia, 160,000 in camps, around 10,000 in urban areas, and a new influx of up to 10,000 arriving in southeastern Ethiopia during the year. By the end of 2000, the number had shrunk to 120,000, and by early 2002 UNHCR was able to close three camps (Darwanaji, Teferiber, and Daror), as numbers in the East shrank again to 30,000 at the 2001 year end. There is controversy regarding the number of repatriations (mostly to Somaliland) during this period, with UNHCR figures for 2001 of 55,000 described as "greatly inflated as a result of massive fraud in eastern Ethiopia's refugee program".[107]

It is difficult to distinguish between Ethiopian nationals of Somali descent, and Somali refugees, some of whom have lived together for over a decade. This is a wider problem which confronts Ethiopian authorities in a range of situations when allocating resources for Somali Regional State, as for instance when offering Federal Civil Service College training to Ethiopian nationals from Somali Regional State. Cross-border ethnicity and the dynamics of a pastoral economy have, since the nineteenth century imposition of international borders across the area, inhibited their effectiveness.

The three remaining Somali refugee camps are reported to be continuing to empty.

A new influx? Meanwhile, there is an influx of Somalis from Central Somalia into Ethiopia, which UNHCR describes as "small but ongoing",[108] and to whose members refugee status has not been granted by the Ethiopian authorities. There is great confusion regarding the numbers of this group (Somali Regional State authorities in late December 2003 referred to over 50,000; others report at most some thousands), and two explanations for their flight –

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[104] Information received from UNHCR, Addis Ababa, December 2003

[105] *Ibid.*

[106] United States Committee for Refugees, *Country Report Ethiopia [1999],* Washington DC, 2000, http://www.refugees.org/world/countryrpt/africa/1999/ethiopia.htm [accessed January 2004]

[107] United States Committee for Refugees, *Country Report Ethiopia 2002...*

[108] Information received from UNHCR, Addis Ababa, December 2003

either in search of pasture, or to escape reported armed clashes. The migration is reportedly from the Sool and Sanaag regions of central Somalia, a disputed area claimed by Puntland.[109] Although clashes in the area have been known in association with this dispute,[110] rumours of renewed fighting towards the end of 2003 were unsubstantiated or disputed by a range of sources, although on 30 December tension was reported to be rising as Puntland forces moved into the Sool capital Las Anod.[111] The relatively high capacity of elders in the North to contain conflict seems to be being stretched in this instance.

Whatever the motivation for the migration, but particularly if it is triggered by the search for pasture rather than by insecurity, it will add to the pressure on already stretched resources in drought stricken Somali State. One of the sub-clans involved in the area, the Dulbahante, has land in Warder zone, to which they might be expected to flee should conflict erupt. Although drought in this area is so severe as to be unwelcoming, Somali authorities in Jigjiga are reported already to have prepared to support the drought-affected in Warder. Whilst there has already been some movement of herders from the Sool area into Warder zone, a conflict-triggered influx would be likely to consist predominantly of townspeople, with different needs, although they might also be expected to move into Puntland. The situation is further confused by unconfirmed reports of a migration of Rahanweyn, also into Warder zone, following expulsion from Somaliland.

4.1.2   Sudanese Refugees

The largest population of refugees in Ethiopia, some 94,163, is from Sudan. UNHCR gives the following breakdown as at 31 October 2003:[112]

Camp name, State	Population	Major ethnic groups
Bonga, SNNPRS	17,760	Uduk
Dimma, SNNPRS	18,587	Nuer
Fugnido, Gambella	31,452	Nuer, Dinka, Shiluk, Anywaa
Sherkole, Benishangul-Gumuz	17,980	Uduk, Dinka, Funhi, Maban
Bambudie/Yarenja, Benishangul-Gumuz	8,384	Jebelawi, Funji, Kedalu, Funi, Gumuz

Refugees have repeatedly fled Sudan into Western Ethiopia since the resumption of the civil war in 1983. The population peaked at more than 300,000 in 1991, and although numbers have declined since then, current figures also incorporate new influxes. Around 20,000 new refugees have fled from Sudan since the end of 2000. Although the camps at Bonga, Dimma, Fugnido and Sherkole are long established, that at Yarenja has been established during this period.

Since 2002, Nuer-Anywaa clashes in Gambella region have been increasing, with an estimated 10,000 new Anywaa IDPs reported in February 2003.[113] Attention has focused on

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[109] Cf. *Declaration on the Political Position of the People of Sool, Southern and Eastern Sanaag Regions, and Buhoodle District of Somalia*, n.d., http://members.tripod.com/~Puntland/soolsan.htm [accessed January 2004]

[110] BBC World Service, Clash in Somalia's Sool Region, 23 December 1999, http://news.bbc.co.uk/1/low/world/africa/576721.stm [accessed January 2004]

[111] United Nations Integrated Regional Information Network, Somalia: Tension Rising in North, 30 December 2003

[112] Information received from UNHCR, Addis Ababa, December 2003

Fugnido camp since 2002 when 107 Sudanese refugees were killed over a period of five months. After a particularly brutal attack on 27 November 2002, in which 42 Nuer refugees were killed, Nuer and Dinka representatives requested relocation, leaving an Anywaa refugee population of around 8,000 at Fugnido, in an Anywaa area.[114] A new site in Odier *wereda* was allocated by the Ethiopian authorities, to house up to 25,000 Nuer and Dinka refugees from Fugnido, and its security was under investigation by a combined team from UNHCR and the local authorities, when a group of eight was attacked and killed on 13 December 2003, and UNHCR pulled out non-essential staff.[115] The proposed Odier camp site had been thought to be on Nuer land. Subsequent to the attack, however, recent reports suggest that it is regarded by Anywaa as Anywaa land, onto which an increasing population of Nuers had encroached.

A lengthy account of the clashes which ensued, was filed by *The Reporter* newspaper on 29 December 2003, drawing largely on Federal and State government sources. According to this account, angry residents of Gambella town attacked Anywaa, who had begun entering the town in large numbers that morning, and who were actively involved in the "well-organized and orchestrated" conflict. Pending Federal investigation of the "root causes of the problem", National Defence Forces remain in the area.[116] Meanwhile, it was reported that the Minister of State in the Ministry of Federal Affairs had stated that the conflict in Gambella was triggered by "members of the OLF, supported by the Eritrean People's Liberation Front and Al Itihad Al Islamiya".[117] Subsequent reports are that a significant population of Ethiopian Anywaa have migrated into Pochalla county of Sudan, ahead of Ethiopian army activity against Anywaa militants.[118]

Gambella State has a population of 180,200, of whom 40% are Nuer, and 27% Anywaa, according to the 1994 census. Developments across the border in Sudan have long had a major influence in Gambella (and vice versa) with communities of these two main ethnic groups in the region extending across the border and aligned with parties to the conflict in Sudan. The expulsion of the Sudan People's Liberation Army (SPLA) from Ethiopian territory in 1991 was instrumental in precipitating a crisis within the movement which spawned, amongst other factions, the Nuer-dominated dissident South Sudan Independence Movement (SSIM). Following Ethiopian charges of Sudanese government involvement in the 1995 assassination attempt on Egyptian President Mubarak in Addis Ababa, there were reports that the Dinka-led SPLA carried out logistical operations within Gambella, usually heading north to Anywaa-inhabited territory which it holds across the border.

The Anywaa political elite has, since 1991, played a critical role in the Gambella State Administration (with 30% of government employees and consecutive Regional Chairmen

[113] Swisspeace, *FAST Ethiopia Quarterly Risk Assessment November 2002 – January 2003*, Bern, 28 February 2003, http://www.swisspeace.org/fast/afrika_ethiopia.htm [accessed January 2004]

[114] United Nations High Commissioner for Refugees, *Briefing Notes*, 21 February 2003

[115] United Nations Integrated Regional Information Network, UN Refugee Agency Evacuates Staff from Gambella, Addis Ababa, 17 December 2003

[116] Calm Returns to Gambella as High Officials Travel to Region to Investigate Conflict, *The Reporter* [Addis Ababa], 29 December 2003

[117] Reuters, Ethiopia Accuses Rebels of Inciting Killings, 17 December 2003

[118] United Nations Integrated Regional Information Network, Ethiopia-Sudan: Thousands of Anyuak Flee to Sudan, Nairobi, 12 January 2004

Anywaa), despite the numerical inferiority of the group established by the 1994 census. There are a number of reasons for this, not least of which is the relatively higher educational level of Anywaa as compared with the pastoralist Nuer (only 3% of government employees). Another factor may be the historical dominance of the Nuer during the *Dergue* administration, and the association in opposition between the Anywaa-dominated Gambella People's Democratic Movement (GPDM) and EPRDF. In 1991, the GPDM seized the opportunity to settle old scores with its politically weakened ethnic adversaries, thus stimulating the Nuer to establish their own political organization. The Gambella People's Democratic Unity Party (GPDUP) appealed to the federal authorities for recognition which it received, gaining initially a minimal presence in the State, and later parity with the GPDM.

Since the late 1990s, Gambella has been governed under an uneasy merger of the GPDM and GPDUP. Cattle raiding, fighting ability, autonomy and courage are highly valued by both communities, and as a result inter- and intra-community conflict is common, particularly in relation to land. Despite the merger of the ruling political organization, observers in 1997 commented that "it is likely that the internal dynamics of the regional administration will continue to demonstrate the salience of ethnicity in the region: Nuer politicians generally handle Nuer problems and administration, and Anuak politicians those of their communities".[119] This long-standing conflict which, whilst ethnic in form, retains a potent range of social, political, economic, and cultural causes (amongst which the prolonged and complex experience of refugee camp life features), seems increasingly intractable. The protection of refugees and IDPs in this situation is a question of some urgency.

4.1.3   *Kenyan and Djiboutian Refugees*
In 1993, between 5,000 and 8,000 Kenyan refugees, mostly ethnic Ajuran and Degodian, fled into Ethiopia. Almost all were repatriated during 2000.

An estimated 15,000 ethnic Afars fled conflict in Djibouti in the early 1990s. Most were thought to have returned to Djibouti by 1999, although they proved difficult to distinguish from Ethiopian ethnic Afars.

4.1.4   *IDPs/refugees from Eritrean Border Areas*
Approximately 70,000 persons of Ethiopian origin, expelled from Eritrea during the Ethio-Eritrean conflict, continue to live in conditions of some difficulty, mostly in Tigray. The population of Eritrean refugees and asylum seekers, meanwhile, numbered approximately 6,227 at the Wa'ala Nhibi camp near Sheraro at the end of October 2003, and continues to grow, with some 300 arrivals registered during that month.[120] These last seem to be part of a continuing influx of young Tigrigna-speaking men, fleeing military service.[121] In December the UN Secretary General noted with concern that the UN Mission in Ethiopia and Eritrea (UNMEE) had been denied access to the camp.[122] The camp is expected to be relocated from the site at Wa'ala Nhibi in early 2004 to a new location 30 km south of Sheraro, further from the border. Whilst the majority of Sudanese and Somali refugees are recognized on a *prima facie* basis, Eritrean arrivals are screened according to the 1951 Convention on the Status of

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[119] Hawes, *Regional Profiles*, p. 41

[120] United Nations Security Council, *Progress Report of the Secretary General on Ethiopia and Eritrea*, S/2003/1186, 19 December 2003; information received from UNHCR, Addis Ababa, December 2003

[121] Information received from UNHCR Addis Ababa, December 2003

[122] United Nations Security Council, *Progress Report...*

Refugees and the 1969 Organization of African Unity (OAU) Convention on specific refugee problems in Africa. A further 484 urban refugees are additionally registered.

The population held in the camp includes approximately 4,000 from the Kunama ethnic group, who came south as Ethiopian Defence Forces withdrew from Kunama areas of Western Eritrea after the peace agreement in 2000, and who continue to be reluctant to return, despite the view of UNHCR Eritrea that they could return without having to fear adverse consequences.[123] It is worth noting the apparent existence of a Democratic Movement for the Liberation of Eritrean Kunama (DMLEK), which opposes the Government of the State of Eritrea; associated website sources advocate the establishment of a federal arrangement, within which Eritrean Kunama would gain ethnic self-determination.[124]

As already noted, approximately 135,000 registered IDPs in Tigray and Afar, displaced by the Ethio-Eritrean conflict, remain unable to return to their places of origin.

4.1.5 Other IDPs

The Norwegian Refugee Council estimates that 42,000 fled clashes between 2001 and 2003, warning that this figure is indicative only, as many IDPs "have fled temporarily close to their home areas" or "mingle with the majority of drought and flood affected displaced".[125]

Dergue-era Resettlers. The situation of Dergue-era resettlers came to prominence early in 2001, when it was reported that 10,000 Ethiopians fled their homes "to escape clashes between local government forces and ethnic Amhara militias in early 2001. From January to March, land disputes escalated into violence between ethnic Oromos and ethnic Amharas in western Oromiya region, where former military dictator Mengistu Haile Mariam forcibly resettled thousands of Amharas".[126] On-going problems encountered with Dergue-era resettlement populations have raised concerns about the new resettlement campaign begun in 2002.

Other conflict-related population movements. The conflicts discussed in section 3.1 are reported by the Norwegian Refugee Council to have produced a further 32,000 IDPs.[127] Most of those displaced during 2003 are in Addis Ababa area, Gambella and SNNPRS. In Somali state, "where global acute malnutrition rates reach over 30 percent, some 14,200 people fled ethnic clashes, and about 59,000 were displaced by drought".[128]

4.1.6 Ethiopian Refugees

Repatriation of long-standing Ethiopian refugees. During the decade from 1991 to 2001, it is estimated that at least 800,000 Ethiopian refugees voluntarily repatriated from neighbouring and other countries. In September 1999, UNHCR announced that a fundamental and lasting change had taken place in Ethiopia with the end of the Mengistu

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[123] Information received from UNHCR Addis Ababa, December 2003

[124] See http://www.eritrean-kunama.com, accessed December 2003

[125] Norwegian Refugee Council, *Global IDP Database...*

[126] United States Committee on Refugees, *Country Report Ethiopia 2002...*

[127] Norwegian Refugee Council, *Global IDP Database...*

[128] *Ibid.* citing United Nations, Emergencies Unit for Ethiopia, *Clarifications on IDP Figures in Ethiopia*, 1 August 2003

regime, a declaration which came into effect in March 2000, withdrawing automatic refugee status for those who had fled before 1991. A further 10,000 Ethiopian refugees returned from Sudan in this period, leaving around 2,000: screening of this population continues. Since 2000, there has been little movement on the repatriation of long-standing Ethiopian refugees, either from the region or from the diaspora. Poverty and unemployment in Ethiopia, together with the perceived oppression of minorities continue to dominate the beliefs of long-standing refugees. [129]

New and current Ethiopian refugees in the wake of the Ethio-Eritrean conflict. Approximately 15,000 Ethiopians were refugees or asylum seekers at the end of 2001, including 5,000 in Kenya, 2,000 in Sudan (in addition to what the USCR describes as 10,000 living in refugee-like circumstances), more than 2,000 in Djibouti, more than 1,000 in Yemen, and some 3,000 new applicants in Europe and the United States. In September 2003, expulsions from Djibouti saw an increased exodus of Ethiopians into Yemen. A similar invitation for illegal immigrants to leave the country was made by Somaliland in October 2003, with reports at the year end that 512 Ethiopians and 53 from southern Somalia had been expelled. Meanwhile, other relatively recent Ethiopian refugees include several hundred students who fled to Kenya and Djibouti in the wake of disturbances at AAU in April 2001, and a further round of several hundred Ethiopian civilians and 50 soldiers who fled in June 2001 after the assassination of the prominent Ethiopian Head of Security. [130]

4.2 Factors Influencing Trends and Outlook

4.2.1 The Domestic Context

Domestic factors influencing migration into Ethiopia relate to the security, economic and institutional environments for refugees. Conflict in Ethiopia is at its most intense in many of the areas where refugee migrants congregate: particularly in the pastoral periphery and in areas bordering Sudan. Whilst such manifold conflict is not expected to escalate dramatically in the short or medium-term, neither are its causes subject to easy resolution. In pastoral areas, a likely incremental increase in competition for natural resources may escalate conflict. There is little immediate prospect that conflict over the state, which affects parts of Somali and Oromia States, can be eradicated, even if some of its protagonists were to return to electoral politics rather than armed struggle. Over and above contextual conflict, questions of refugee security extend to the wider relation between refugee and local populations. The overwhelming majority of refugees currently in Ethiopia have ethnic or clan ties with local populations, sometimes such as to make the two populations indistinguishable to outsiders. Whilst on the face of it this may strengthen the security felt and enjoyed by refugee populations, in the many areas where clan and ethnic populations are mixed, and relations are strained, it also implicates them in domestic tensions and political competition.

The economic environment which Ethiopia offers prospective migrants is not enticing, except to those *in extremis*. The areas most affected by drought and economic or food insecurity are often also those where refugees migrate: peripheral areas of Tigray, Somali, Afar, Gambella, Benishangul-Gumuz, Oromia States, and SNNPRS. In many of these areas, dislocation of local populations is already acute, and displacement has exacerbated an already poor socio-economic situation. Despite sanguine projections for economic growth, this situation is likely

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[129] Information received from UNHCR, Addis Ababa, December 2003

[130] United States Committee on Refugees, *Country Report Ethiopia 2002...*

to become more problematic as a result of environmental, climatic, and population projections.

The institutional framework that governs refugees in Ethiopia places a number of constraints, as notably, for instance, on their right to work. The institutional environment may be expected to change somewhat, with the reform of SIRAA, and the expected relocation of the government's Administration for Refugee and Returnee Affairs (ARRA). Ethiopian government reform of the security sector overall stresses capacity building and the importance of establishing better linkages between government actors and policy makers. Many of the factors which influence the experience of refugees in Ethiopia fall increasingly under the remit of the Ministry of Federal Affairs, Regional Affairs Section, which has particular responsibility for conflict resolution, support to the four so called emergent States (Somali, Afar, Gambella, Benishangul-Gumuz), and police and prisons. The relations which a relocated ARRA enjoys with such bodies will be of increasing importance.

4.2.2 (In)stability in Neighbouring Countries

Implications of a peace deal in Sudan? A first stage of a peace deal between the Government of Sudan and the Sudan People's Liberation Army, governing sharing of oil resources, was signed in Kenya in early January 2004 under the auspices of the Inter-Governmental Agency on Development (IGAD). Whilst a number of other critical areas remain for negotiation, this process "is regarded by many as offering the best chance of bringing peace to Africa's largest country since the current phase of conflict began in 1983".[131] Peace between the Khartoum government and the SPLA would have profound implications for the relation between Ethiopia and a future, possibly divided, Sudan, and for the border regions. The potential for the development of economic co-operation between an oil-exporting Sudan, and an Ethiopia rich in hydro-electricity from Tana and Gibe, is clear. In the past the Gambella River proved an important transport conduit.

Refugee and IDP movements could be expected to be an immediate effect of peace. Of the 94,163 Sudanese refugees currently in Ethiopia, a relatively high proportion could be expected to return home. For the four million Sudanese IDPs, the majority of whom are southerners in and around Khartoum and other areas of the North, a return home is much less certain. Whilst the SPLA anticipates that with the advent of peace there will be a massive and precipitate move south, two factors may curtail this. Firstly, most IDPs are too poor to arrange their own transport; and secondly, there are few facilities in the south (particularly schools and hospitals), and, since an estimated 50% of school age southerners in Khartoum are currently attending school, some are likely to be reluctant to leave for this reason.

Nevertheless, the prospect of the potential separation of Southern Sudan after six years, which the peace deal holds out, might well encourage southerners to return to their places of origin, both from the North and from Ethiopia, in order to entrench claims under the new dispensation. With so much at stake, the period after a peace deal would clearly be one of great change, and great uncertainty: in at least some areas of the Benishangul-Gumuz, Gambella, and SNNPRS border areas, it should be anticipated that, in this new situation, the pursuit of new collective interests – often, but not necessarily, ethnically defined – will continue to be or will become conflictual. In addition to the migrations of refugees, many of the populations of these borderlands live pastoral or semi-pastoral lives. It is not unlikely that

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[131] United Nations Integrated Regional Information Network, Webspecial on the Sudan Peace Process, http://www.irinnews.org/webspecials/sudan/default.asp [accessed January 2004]

they will continue to move, according to their perception of their new interests on either side of the border. Similarly, communities may be encouraged to enhance their interests by encouraging the departure of competitors. Finally, it is important to note that along Ethiopia's border with Sudan a range of local interests and fiefdoms have flourished under the shifting flow of twenty years of war: regardless of talk of peace at the national level, it is far from clear that those with something to lose from the end of war will greet it with great enthusiasm.

Somali dynamics? Forced migration in and from Somalia is triggered by natural disasters, political crises, and incremental crises.[132] Menkhaus predicts that

> the most likely scenario for Somalia will be continued incremental changes in economic and political life, but with no dramatic departure from the current situation. … a continuation of *de facto* state collapse … large-scale humanitarian crises in the south are only likely in the event of a severe natural disaster … To the north, the most likely scenario … is continued incremental improvements politically [and economically]. The Sool-Sanaag issue is unlikely to be resolved, but the rest of Somaliland will remain relatively peaceful and stable …. Puntland may have the brightest prospects….[133]

This scenario could be influenced in a negative way by some combination of natural disaster, political tension, and public health crisis, or in a positive way by the success of Mbagathi peace talks.[134] This last prospect now seems increasingly unlikely, and with its demise, the prospect of an increasingly stable transitional government in the south has also receded.

Under these circumstances, the primary cause of migration from all areas of Somalia is likely to be the incremental degeneration of the pastoral economy, in combination with drought. Movements of herders on the Ethiopian side of the border will be constrained by the continuing shortages of water in many areas. Sool-Sanaag tensions may also precipitate movements of urban as well as rural migrants, although it is less clear that these will cross into Ethiopia. The expected economic upturn in Somaliland, and growth in Puntland, may encourage the return of remaining camp populations in the north-east.

4.2.3   *Relations and Conflict with Neighbouring Countries*

Ethiopia has been heavily involved with peace processes in both Somalia and in Sudan. Currently, those it has promoted are less influential than was the case in the past. The dynamics of the peace process in Sudan (the potential separation of the South, and the maintenance of an Islamist government in the North), for instance, are not along the lines of what Ethiopia sought during the 1990s. Meanwhile, the influence of Ethiopian-supported forces in Somalia continues to faces a tacit stand-off with Islamist competition.

Ethiopia and Eritrea: prospects for demarcation and normalization of relations. It is extremely unlikely that demarcation of the border between Ethiopia and Eritrea will proceed, as proposed by the Eritrea-Ethiopia Boundary Commission (EEBC), or that relations between

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[132] Menkhaus, K. *Somalia: A Situation Analysis and Trend Assessment*, Writenet for UNHCR Protection Information Services, August 2003, p. 48

[133] *Idem*, p. 51

[134] *Idem*, pp. 51-2

the two countries will be normalized on this basis. In practice, demarcation "cannot occur without a major reversal of Ethiopian government policy which is extremely unlikely".[135] The frustration of the international community is unsurprising, regardless of the formal merits or otherwise of the Ethiopian position rejecting the EEBC ruling. Calls for increased pressure on Ethiopia to proceed with demarcation, however, are counter productive, potentially likely only to increase the relatively small risk of a return to large-scale military conflict.

There is strong domestic political logic encouraging intransigence on the part of an Ethiopian leadership, which has been criticized for being "soft" on Eritrea in the past. Were any of Ethiopia's opposition parties to gain influence in government following elections in 2004, none could be expected to promote a more conciliatory line. Regionally, the Ethiopian government has stated that it sees the demise of the incumbent Eritrean regime as key to the achievement of a sustainable peace (the view is mutual). From the Ethiopian government's point of view, therefore, there is also good political logic in maintaining the *status quo*: a military and political standoff, which apparently damages the Eritrean economy relatively more than it does the Ethiopian.

This is the most likely prospect for the short and medium term future, and the situation of IDPs and refugees from this conflict can be expected to remain relatively unchanged. Given this political scenario, there will continue to be strong motivation for both governments to facilitate the activities of opponents of the other. A number of movements of political opposition to the government of the State of Eritrea operate, particularly amongst Eritrea's "minority" groups, notably the Afar and Kunama. There is a growing likelihood that refugees, Ethiopian citizens, and IDPs from these and other groups which extend across the border, might become involved in activities against the Eritrean government. A change in the situation in Eritrea is unlikely in the short term, and a continuation of the small flow of Eritrean youths fleeing military service can be expected.

5   Conclusions: Trends and Policy Implications

5.1 The Current Situation, and Prospects

The modern Ethiopian state was established by coercion, as a result of a process of conquest under Menelik II. Its subsequent history has been one of tension between centrifugal and centripetal forces, with the integrity of the empire state maintained essentially through coercion. Although the departure of Eritrea and the introduction of ethnic federalism at the beginning of the 1990s marked a welcome swing in favour of decentralization, the point at which coercion is likely to be dispensed with remains far in the future. This is a situation which poses profound obstacles to the development of inclusive and egalitarian systems and practices of decision-making or resource allocation.

The two most recent changes of the Ethiopian regime, in 1974 and 1991, were (in common with a long previous history) undertaken by the military or with military force. In this context, it is significant that the military seems to have been professionalized over the last decade: it is, for instance, much to its credit that it did not step beyond a constitutionally-defined role at the moment of internal crisis within the TPLF/EPRDF in 2001. Nevertheless, the position of the military, and its relations with the executive, will continue to be of critical importance.

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[135] Clapham, C., Notes on the Ethio-Eritrean Boundary Demarcation, *The Reporter* [Addis Ababa], 12 November 2003

There are some indications of increasing moves to hold to account the local police, administrators, and security forces, for violence and human rights abuses, such as those which took place in SNNPRS during 2002; the conduct and conclusions of related court proceedings will be significant, and other indications contradict this optimism. New projects for upgrading the training of police in a range of constitutional issues will be important, and emphasis is needed on a whole gamut of educational and other concrete initiatives which may help break entrenched cultures of impunity in the various branches of the law enforcement, security, and military.

If capacity building at local levels is not quickly effective, it may be that the urge to build a strong state will increasingly mean that decentralization is limited or reversed, or that it is restricted to deconcentration of responsibility at the expense of devolution of authority. A sense of the direction of momentum will require examination of such questions as, for instance: where decisions regarding resource allocation are made, by whom, and how; what the relative influence and capacity of actors is at different levels of the hierarchy; how much recent changes are successful in separating and balancing the powers of the state, and in particular in establishing patterns of restraint on the executive by legislature and judiciary.

The appointment of a Human Rights Commission and Ombudsman has the potential to become an initiative of great significance. The capacity, and the manner of operation of these offices at each level, will be of importance, and little can be concluded regarding the nature of accountability they may offer, pending establishment. More widely, issues of accountability are closely connected with the health, capacity, and independence of the judiciary.

The federal judiciary faces a tough test of its independence in the proceedings brought by the ACC against defendants who are also political opponents of the government. Some of these cases seem unlikely to succeed, and the willingness and capacity of the court system to find against the ACC will continue to be widely scrutinized as an important indicator and precedent for the future. More directly relevant to the lives of the majority of Ethiopia's citizens is the health of the *kebele* centred "social court" system, and local *wereda* courts, which have both suffered serious problems of capacity, and of independence. It seems essential that monitoring of judicial independence and reform increasingly focuses on these local levels.

The importance of the independence of the judiciary in Ethiopia has often been seen exclusively in terms of securing human and political rights and democratic freedoms. It goes further than this. It is also a critical matter of local and national economic development in a context in which domestic businessmen and wealthy farmers might remain reluctant to (re)invest without what they consider to be the adequate legal protection of their assets.

Capacity building of the local executive has, over the last decade, built a community of political and civil servants whose loyalty to the party and state of which they form a part, and from whom they have benefited, is – unsurprisingly – stronger than their sense of commitment to the public in whose service they are appointed, or to the constituents who have elected them. The key to the future political development of Ethiopia in the context of a strong state will be the democratization of relationships at these key interfaces. Elections *per se* should not be taken as a measure of Ethiopia's political health, as much as the relations which the electorate enjoy with the three branches of the state with which they interact

In the last few years, Ethiopian national political parties have begun to emerge, together with a higher degree of attempted collaboration between opposition parties. A weak and fragmented opposition has been unable to challenge the government, and this is unlikely to change radically without an increase in co-operation.

Meanwhile, however, the EPRDF and its leadership remain, for the foreseeable future, the key agents of change within Ethiopia, even in a context where the opposition gained ground. As a consequence, the confidence, vitality, and commitment to constitutional principles with which they and their organization operate continue to be factors central to political development. The cohesion of the EPRDF leadership was visibly shattered in early 2001. It was quickly mended in the wake of rapid expulsions, and consolidated with the appointment of a senior core of ministers of the so-called super-ministries. The most serious threat to the stability of the government might be expected to come not from external pressure, or from a weak opposition, but from any further fracturing of its leadership.

In the wake of divisions in early 2001, it has proved difficult to maintain stability in the two southern EPRDF organizations, with multiple sackings, resignations, and defections. These EPRDF parties continue to be widely regarded as the least capable, and most could be gained in these two regions from overtures to those with professional competence, and community-based credibility who are currently outside the ruling party. A key indicator might be the willingness and ability of such individuals to co-operate with the government, or its development agenda.

It is not clear that the ruling party *per se* will continue to play the same influential role as it did throughout the 1990s. On the face of it, relations between the party and the state seem clearer and less ambiguous than has been the case to date, with the former being downgraded vis-à-vis the latter; the implications of this new situation are less evident, and there is some speculation as to the likelihood of fundamental organizational changes.

Before 1991, large parts of Ethiopia and Eritrea were engulfed in civil wars which persisted over decades. With the exception of the disastrous Ethio-Eritrean conflict of 1998-2000, conflict has been greatly reduced following the introduction of ethnic federalism. The continued political hostility between Ethiopia and Eritrea, particularly in relation to the demarcation and delineation of their mutual border, means that tension between the two countries continues to be high. Demarcation of the border between Ethiopia and Eritrea remains a potential focus for the mobilization of opposition to the government, particularly in the north of the country. The ability and willingness of the government of the State of Eritrea to continue to support political opposition may be expected to operate as a multiplying factor in relation to domestic grievances. At a more general level, it can be expected that Ethiopian government involvement in the US-led campaign against global terrorism might have a range of effects on regional sources and causes of militant opposition to it.

5.2 Policy Implications

UNHCR's announcement in 1999 of a fundamental change in the political situation in Ethiopia since 1991 seems justified and appropriate. There continue however to be important protection issues in relation to individual cases. Categories where individuals are most often at risk include: some of those involved in armed opposition to the government, and, in Oromia State, some perceived as actively or tacitly supporting them; some involved in political opposition particularly during electoral periods; certain political journalists and

campaigning members of professional associations. In addition there is particular concern for those displaced by conflict and food insecurity or drought, and for the communities which host them. IDPs remain one of the most vulnerable sectors in Ethiopia, and consistently impact to increase the vulnerability of the communities amongst whom they live.

The refugee population in Ethiopia is currently smaller than at any time since 1991. There are, however, very many different scenarios for future developments in three of Ethiopia's neighbours, namely Sudan, Somalia, and Eritrea, given ongoing peace processes, or their vulnerability to natural disasters, and economic and political crises. In this context, the maintenance of a flexible capacity for contingency planning remains at a premium. It must be assumed that refugee influxes into Ethiopia could swell significantly, and suddenly, from a number of quarters.

Whilst the national political trajectory in Ethiopia is, in comparison, stable and relatively positive, it is nevertheless regularly the case that the political situation in the peripheral areas of Ethiopia where refugees live, is insecure and threatens their rights. This is currently particularly true in Gambella, and potentially or actually also in a number of other locations. Mechanisms for monitoring the migration and welfare of refugees are relatively well developed. Much less evident, however, is the application of social, economic, political, and historical analysis of conflict dynamics in the areas in which refugees reside, and of actual or potential refugee involvement in these dynamics. In relation to Gambella, for instance, there is increasingly useful research emerging from both the policy and the academic communities, which analyses precisely these dynamics. Harnessing it would go far to improve contingency planning. It is recommended that a detailed historico-political analysis of this kind is undertaken in every locality where refugee encampment is proposed or currently exists. Whilst there are good reasons for attempting to deal with refugees and their protection and services in isolation from political context, lack of informed analysis itself constitutes a risk to the protection of refugees and citizens in situations such as that at Fugnido and its surroundings.

Refugees in Ethiopia commonly share bonds of kinship or ethnicity with the communities amongst whom they live. This creates enormous difficulties of distinguishing refugees from Ethiopian citizens, particularly in pastoral areas where both regularly migrate, regardless of borders. This in turn has led to regular allegations of fraud in the operation of refugee-oriented programmes, which non-refugees have been able to access. The problem of distinguishing these refugee and citizen communities will not be resolved by outsiders. A more constructive approach lies in the rethinking of categories, and newly integrated multi-agency approaches to refugee, IDP, and vulnerable communities suggest that this is a strategy increasingly accepted. The conduct of more precise socio-economic analysis, of the kind suggested above, would provide further tools for the justification of this kind of approach, which should ease some of the actual and perceived problems with refugee affairs.

The institutional environment for refugee affairs in Ethiopia is likely to undergo some reform in the near future, and it would seem useful and appropriate that those most concerned with refugee protection seek to contribute constructively to this agenda and process. In Ethiopia there is currently every opportunity for the collaborative relation between aid agencies and government to develop well beyond that of funding body and implementing partner, and this applies equally in relation to refugee affairs. Understanding government perspectives and interventions in relation to the causes and resolution of conflict, and the building of peace, whether in areas where refugees live, or from which IDPs flee, is a prerequisite for effective

contingency planning. It is perhaps best served by continual interaction to share understanding on issues of mutual interest, particularly so in a context where the Ethiopian government increasingly declares itself to be open to dialogue, and committed to achieving transparency.

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