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# “WAITING HERE FOR DEATH”

Displacement and “Villagization” in Ethiopia’s Gambella Region



# **“Waiting Here for Death”**

Forced Displacement and “Villagization” in  
Ethiopia’s Gambella Region

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# “Waiting Here for Death”

## Forced Displacement and “Villagization” in Ethiopia’s Gambella Region

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## **GLOSSARY OF ABBREVIATIONS**

<b>AAAS</b>	American Association for the Advancement of Science
<b>ACHPR</b>	African Commission on Human and Peoples' Rights
<b>CAT</b>	United Nations Committee Against Torture
<b>DAG</b>	Development Assistance Group
<b>DFID</b>	United Kingdom Department for International Development
<b>DRS</b>	Developing Regional States
<b>EDF</b>	Ethiopian Defense Force
<b>EIA</b>	Environmental Impact Assessment
<b>EPRDF</b>	Ethiopian People's Revolutionary Democratic Front
<b>EU</b>	European Union
<b>GPLM</b>	Gambella People's Liberation Movement
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social, and Cultural Rights
<b>ILO</b>	International Labour Organization
<b>NGO</b>	Nongovernmental Organization
<b>OLF</b>	Oromo Liberation Front
<b>PBS</b>	Protection of Basic Services
<b>PSNP</b>	Productive Safety Net Program
<b>SNNPR</b>	Southern Nations, Nationalities and Peoples' Region
<b>SPLA</b>	Sudanese People's Liberation Army
<b>TPLF</b>	Tigray People's Liberation Front
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>USAID</b>	United States Agency for International Development
<b>WFP</b>	United Nations World Food Program
<b>ZPEB</b>	Zhoungyuan Petroleum Exploration Bureau

## SUMMARY

The Ethiopian government is forcibly moving tens of thousands of indigenous people in the western Gambella region from their homes to new villages under its “villagization” program. These population transfers are being carried out with no meaningful consultation and no compensation. Despite government promises to provide basic resources and infrastructure, the new villages have inadequate food, agricultural support, and health and education facilities. Relocations have been marked by threats and assaults, and arbitrary arrest for those who resist the move. The state security forces enforcing the population transfers have been implicated in at least 20 rapes in the past year. Fear and intimidation are widespread among affected populations.

By 2013 the Ethiopian government is planning to resettle 1.5 million people in four regions: Gambella, Afar, Somali, and Benishangul-Gumuz. The process is most advanced in Gambella; relocations started in 2010 and approximately 70,000 people were slated to be moved by the end of 2011. According to the plan of the Gambella regional government, some 45,000 households are to be moved over the three-year life of the plan. Its goals, as stated in the plan, are to provide relocated populations “access to basic socioeconomic infrastructures ... and to bring socioeconomic & cultural transformation of the people.” The plan pledges to provide infrastructure to the new villages and assistance to those being relocated to ensure an appropriate transition to secure livelihoods. The plan also states that the movements are voluntary.

Human Rights Watch interviewed over 100 residents affected in the first round of the villagization program in Gambella and found widespread human rights violations at all stages of the program. For example, immediately after the move to a new village, soldiers would force villagers to build their own *tukuls* (traditional huts) and villagers would be threatened or assaulted for resting or talking during the building process.

Instead of enjoying improved access to government services as promised in the plan, new villagers often go without them altogether. The first round of forced relocations occurred at the worst possible time of year in October and November, just as villagers were preparing to harvest their maize crops. The land in the new villages is also often dry and of poor

quality. Despite government pledges, the land near the new villages still needs to be cleared while food and agricultural assistance—seeds, fertilizers, tools, and training—are not provided. As such, some of the relocated populations have faced hunger and even starvation. Residents may walk back to their old villages where there is still access to water and food, though returning to their old fields they have found crops destroyed by baboons and rats.

Human Rights Watch's research shows that the program is not meeting the government's aims of improving infrastructure for Gambella's residents. On the contrary, it threatens their access, and right, to basic services. Due to this lack of service provision in the new villages, children have not been able to attend school, women are walking farther to access water thereby facing harassment or beatings from soldiers, and few residents are receiving basic healthcare services.

The impact of these forcible transfers has been far greater than the normal challenges associated with adjusting to a new location. Shifting cultivators—farmers who move from one location to another over the years—are being required to plant crops in a single location. Pastoralists are being forced to abandon their cattle-based livelihoods in favor of settled cultivation. In the absence of meaningful infrastructural support, the changes for both populations may have life-threatening consequences. Livelihoods and food security in Gambella are precarious, and the policy is disrupting a delicate balance of survival for many.

The villagization program is taking place in areas where significant land investment is planned and/or occurring. The Ethiopian federal government has consistently denied that the villagization process in Gambella is connected to the leasing of large areas of land for commercial agriculture, but villagers have been told by local government officials that this is an underlying reason for their displacement. Former local government officials told Human Rights Watch the same thing.

Since 2008 Ethiopia has leased out at least 3.6 million hectares of land nationally (as of January 2011) to foreign and domestic investors, an area the size of the Netherlands. An additional 2.1 million hectares of land is available through the federal government's land bank for agricultural investment (as of January 2011). In Gambella, 42 percent of the total land area of the region is either being marketed for lease to investors or has already been

awarded to investors, and many of the areas where people have been forcibly removed under the villagization program are located within these parcels.

Areas essential to livelihoods such as grazing areas, forests, and fields for shifting cultivation have been taken from the local populations with no meaningful consultation or compensation. The indigenous peoples of these areas, ethnic Anuak and Nuer among others, have never had formal title to the land they have lived on and used. The government simply claims that these areas are “uninhabited” or “underutilized” and thus skirts the Ethiopian constitutional provisions and laws that would protect these populations from being relocated.

Such population transfers are not new. Ethiopia has a long and brutal history of failed attempts at resettling millions of people in collectivized villages, particularly under the Derg regime, in power until 1991, but also under the current government of the Ethiopian People’s Revolutionary Democratic Front (EPRDF). The villagization concept has now been reborn in Gambella under the guise of “socioeconomic and cultural transformation.”

Foreign donors to Ethiopia assert that they have no direct involvement in the villagization programs, although several donors concede that they may indirectly support the program through general budget support to local governments and by underwriting basic services in the new villages. As a result of their potential responsibilities and liabilities, donors have undertaken assessments into the villagization program in Gambella and in Benishangul-Gumuz and determined that the relocations were voluntary.

Human Rights Watch’s research on the ground in Gambella contradicts this finding. We believe that donors to the Protection of Basic Services (PBS) Program that underwrites the creation of infrastructure in the new villages, such as the World Bank, European Union (EU), and United Kingdom, are involved in a program that is doing more to undermine the rights and livelihoods of the population than to improve them.

Human Rights Watch calls on the government of Ethiopia to halt ongoing human rights violations being committed in the name of villagization. Relocations should be voluntary and populations should be properly consulted and compensated. Mass displacement to make way for commercial agriculture in the absence of a proper legal process contravenes Ethiopia’s constitution and violates the rights of indigenous peoples under international law.

International donors should ensure that they are not providing support for forced displacement or facilitating rights violations in the name of development. They should press Ethiopia to live up to its responsibilities under Ethiopian and international law, namely to provide communities with genuine consultation on the villagization process, ensure that the relocation of indigenous people is voluntary, compensate them appropriately, prevent human rights violations during and after any relocation, and prosecute those implicated in abuses. Donors should also seek to ensure that the government meets its obligations to respect, protect, and fulfill the economic and social rights of the people in new villages.

# RECOMMENDATIONS

## To the Government of Ethiopia

- Uphold the rights under the Ethiopian constitution and international human rights law of Gambella’s indigenous populations prior to any further villagization including, at a minimum:
  - Implementing a land tenure registration system that increases land tenure security (including for shifting cultivators and for communal or grazing areas);
  - Protections from expropriation;
  - Implementation of compensation procedures.
- Engage Gambella’s indigenous groups on alternative livelihood provisions prior to the implementation of any further villagization, resettlement, or significant land investment activities. This process should respect indigenous values and rights while allowing development activities to be undertaken for the benefit of Ethiopia.
- Permit residents relocated by villagization to return to their old farms in the interim and take other necessary steps to ensure that affected populations have adequate access to water, food, and other necessities.
- Ensure that forcibly relocated indigenous communities have adequate redress, preferably by restitution or if not possible, just, fair, and equitable compensation for the lands, territories, and resources that they have traditionally owned or otherwise occupied or used.
- Ensure that future villagization efforts meet international standards prohibiting forced eviction and protecting indigenous peoples, in particular:
  - Involve communities in all aspects of program planning;
  - Are genuinely voluntary and allow the right of return to old farms and residences at any time without intimidation, violence, or other rights violations;
  - Occur only after required and promised infrastructure is in place and operational in new villages. This also includes the clearing of land, appropriate training, agricultural input provision, and appropriate interim food aid to ensure transitions to secure livelihoods;
  - Recognize the unique needs of agro-pastoral populations such as the Nuer, including provision of dry season water sources, ongoing access to grazing lands, among others;
  - Involve communities in site selection: sites should be fertile, adjacent to adequate year round water supplies, and old vacated areas should not be transferred to investors for a period of time in order to allow for the voluntary right of return;

- Occur only after land tenure provisions have been fully implemented in the villagized area;
- Are timed so as not to disrupt critical agricultural production times, namely harvesting and planting periods.
- Take all necessary measures, including issuing clear guidelines to regional and *woreda* (district) government officials, to ensure that the military and police abide by international human rights standards; minimize the role of the military in the villagization process.
- Discipline or prosecute as appropriate all government and military officials, regardless of position, implicated in human rights violations associated with villagization.
- Repeal or amend all laws that infringe upon the rights to freedom of expression, association and peaceful assembly, including the Charities and Societies Proclamation, the Mass Media and Freedom of Information Proclamation, and the Anti-Terrorism Proclamation, to bring them into line with international standards.
- Allow independent human rights organizations and the media unimpeded access throughout the Gambella region.
- Treat all individuals taken into custody in accordance with international due process standards.

### **To Ethiopia's Foreign Donors in the Development Assistance Group (DAG)**

- Ensure that no form of support, whether financial (direct or general budget support), diplomatic, or technical, is used to assist in the villagization process in Gambella until the government investigates human rights abuses linked to the process, abides by donors' Good Practice Guidelines and Principles on Resettlement and takes appropriate measures to prevent future abuses.
- Support the prompt implementation of land tenure security provisions for the area's indigenous populations; press the Ethiopian government to ensure this happens prior to further villagization efforts.
- Press the government of Ethiopia to engage with Gambella's indigenous populations about alternative livelihood provisions prior to the implementation of any further villagization, resettlement, or significant land investment activities.
- Publicly call on the Ethiopian government to amend or repeal the Charities and Societies Proclamation, the Mass Media and Freedom of Information Proclamation, and the Anti-Terrorism Proclamation to bring them into line with international standards.
- Increase independent on-the-ground humanitarian monitoring in Gambella to identify humanitarian needs in anticipation of emergencies.

## To Agricultural Investors

- Conduct due diligence to ensure that no people were forcibly displaced to make way for any concession, and ensure that the government is abiding by donors' Good Practice Guidelines and Principles on Resettlement in respect of any people moved in relation to a concession.
- Potential investors should not enter into leases with the Ethiopian government until:
  - A land tenure registration system has been implemented for customary users of the proposed lease area;
  - Environmental Impact Assessments (EIA) have been carried out that identify potential impacts and strategies to mitigate these impacts. These EIAs should be available publically and to impacted communities;
  - The investor has consulted with local indigenous communities. These communities must give their free and informed prior consent prior to the lease and compensation should be provided by the government, as per Ethiopian law, to any customary users of the land, including shifting cultivators and agro-pastoral populations.

## METHODOLOGY

This report is based on over 100 interviews undertaken over a four-week period in Ethiopia from May to June 2011, and one week interviewing refugees at the Ifo refugee camp in Dadaab and Nairobi, Kenya, where many Gambellans are presently located. Another 10 donors and federal government officials were interviewed in Addis Ababa during August 2011. Interviewees from across the Gambella region included community leaders, farmers with direct experience of the villagization process in their communities, students, nongovernmental organization (NGO) workers, and former government officials.

Human Rights Watch visited 5 of the 12 *woredas* where the villagization process is presently being implemented, and obtained testimony from 16 of the villages affected during the first year of the program. The *woredas* visited were within the Anuak and Nuer zones. No Majangere areas were visited due to difficulty of access.

In addition, Human Rights Watch conducted 10 telephone interviews with members of the United States and Europe-based diaspora community, academics, and members of NGOs involved in Gambella. Human Rights Watch wrote to the government of Ethiopia and to the Development Assistance Group on November 16, 2011, summarizing our findings and requesting an official response. We received a response from the government of Ethiopia on December 19, 2011, and a response from the DAG on December 12, 2011. Both responses are included as appendices to this report.

Human Rights Watch identified interviewees through various contacts (including government officials, journalists, and Ethiopian diaspora). Efforts were made to interview a wide range of people across gender, age, ethnicity, urban and rural, and geographic lines. Interviews with villagers were conducted in safe and secluded locations, often in interviewees' villages, and were conducted in English, Amharic, Anuak, or Nuer, using local interpreters where necessary. Villages were chosen based largely on road access, researcher knowledge of those villages, and security considerations. In Kenya efforts were made to interview former residents who left Gambella from areas where villagization was being carried out and when the program was being implemented.

Human rights research and monitoring is very challenging in Ethiopia for both foreign researchers and Ethiopian individuals and organizations. This is the result of various factors: laws that severely infringe on the functioning of NGOs including the Charities and Societies Proclamation and the Anti-Terrorism Proclamation; restrictions on media freedoms; the government's intolerance of political dissent; and the intimidation and fear generated by government officials that permeates life in Ethiopia. Given this environment, it was very difficult to locate, identify, and interview individuals in a manner that respected the safety and security of interviewer and interviewee. The vast majority of interviewees in Gambella expressed concern over possible retribution from the government. Human Rights Watch has omitted names and identifying characteristics of individuals and certain locales to minimize the likelihood of government action against them and their communities.

## BACKGROUND TO VILLAGIZATION IN ETHIOPIA

Ethiopia has a long history of brutally displacing rural populations through resettlement and so-called villagization programs during the former Derg regime and under the current government of the Ethiopian People's Revolutionary Democratic Front.<sup>1</sup> Often publicized as intended to provide remote populations with better services and socio-economic infrastructure, or to improve food and water distribution, in most cases the programs failed the populations that they were supposed to help.<sup>2</sup>

Displacement in the past has occurred primarily in two ways: resettlement from the highlands to the lowlands, and through villagization, defined as the clustering of agro-pastoral and/or shifting cultivator populations into more permanent, sedentary settlements. Past villagization programs were rife with problems: forced displacements of populations accompanied by serious human rights violations in which dissenting opinions were silenced by fear of retribution. A leading scholar on villagization wrote in 1991 about the Derg-era programs:

The verdict on villagization was not favorable. Thousands of people fled to avoid villagization; others died or lived in deplorable conditions after being forcibly resettled.... There were indications that in the short term, villagization may have further impoverished an already poor peasantry. The services that were supposed to be delivered in new villages, such as water, electricity, health care clinics, schools, transportation, and agricultural extension services, were not being provided because the Government lacked the necessary resources.... Denied immediate access to their fields, the peasants were also prevented from guarding their crops from birds and other wild animals.<sup>3</sup>

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<sup>1</sup>The Derg governed Ethiopia with extreme brutality from the fall of Emperor Haile Selassie in 1974 until 1991, when it was ousted by a coalition of insurgent groups led by the Tigrayan People's Liberation Front (TPLF). Since 1991 the TPLF has dominated the ruling ethnic-based coalition of political parties known as the Ethiopian Peoples' Revolutionary Democratic Front.

<sup>2</sup> Human Rights Watch/Africa, *Evil Days: Thirty Years of War and Famine in Ethiopia*, (New York: Human Rights Watch, September 1991), <http://www.hrw.org/reports/1991/09/01/evil-days-thirty-years-war-and-famine-ethiopia>.

<sup>3</sup> Mulatu Wubne, "Resettlement and Villagization," in Thomas P. Ofcansky and LaVerle Berry, eds., *A Country Study: Ethiopia* (Library of Congress Federal Research Division, 1991), <http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field%28DOCID+eto056%29>, (accessed July 4 2011).

## The History of Villagization

Villagization has the objective of grouping scattered farming communities into small villages of several hundred households each. Villagization in Ethiopia has a lengthy history, with dramatic impacts on rural populations, and was a key component of the Derg's socialist agricultural collectivization policies. The Derg's villagization program was ambitious: more than 30 million rural peasants—two-thirds of the total population—were planned to be moved into villages over a nine-year period.<sup>4</sup> By 1989 the government had villagized 13 million people, when international condemnation, deteriorating security conditions, and lack of resources caused the program to dramatically slow down.<sup>5</sup> Unlike the current program, villagization was not widespread for pastoralist and shifting cultivator communities.

The official rationale for villagization was to promote rational land use; conserve resources; strengthen security; and provide access to clean water, health and education infrastructure.<sup>6</sup> However, these new villages were often the source of forced labor for government projects—whether for road construction, agricultural production, or other infrastructure development. For the most part villagization was implemented with the threat of force, rather than outright force, with some exceptions. For example, in Harerghe (in eastern Ethiopia) and Illubabor (modern day Gambella), government security forces implementing the process committed theft, arbitrary detention, extrajudicial executions, torture, rape, and burning of property.<sup>7</sup>

Many villagers fled the newly created villages. One estimate suggests that 50,000 people from the Oromo ethnic group fled their villages in Harerghe in 1986 and became refugees in Somalia.<sup>8</sup> Between 1984 and 1986 as many as 33,000 settlers across the country (5.5 percent of the total number of people moved) may have died from starvation and tropical diseases, while at least 84,000, or 14 percent more, are believed to have fled these new settlements.<sup>9</sup>

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<sup>4</sup> Mulatu Wubne, "Resettlement and Villagization," <http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field%28DOCID+eto056%2>.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Human Rights Watch/Africa, *Evil Days*.

<sup>8</sup> Thomas P. Ofcansky and LaVerle Berry, eds., *Ethiopia: A Country Study* (Library of Congress Federal Research Division, 1991), <http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field%28DOCID+eto103%29>, (accessed July 23, 2011).

<sup>9</sup> Gebru Tereke, *The Ethiopian Revolution: War in the Horn of Africa* (New Haven: Yale University, 2009), p. 380.

## Past Villagization and Rights Violations in Gambella

Many of the residents of Gambella<sup>10</sup> who spoke to Human Rights Watch view the current villagization program as merely the latest in a long line of the government's discriminatory campaigns.<sup>11</sup> Gambella's first large-scale displacements for commercial agriculture began in 1979. Many of Gambella's indigenous Anuak were evicted en masse when the government set up irrigation schemes on the Baro River, the main navigable waterway in the region, with Amhara settlers brought from the highlands to farm the schemes.<sup>12</sup> In 1984, 150,000 settlers from the food insecure highland areas of Tigray, Amhara, and Oromia arrived in Gambella,<sup>13</sup> a significant number for a region that today has a population of just over twice that, approximately 307,000.<sup>14</sup>

Some Anuak who lived along the riverbanks refused to be relocated. Government tractors cleared their crops and lands to "encourage" the river dwellers to move to the resettlement schemes. Conflict increased between settlers and indigenous populations over the loss of land and forested areas, while an increased military presence restricted indigenous people's movement around their traditional lands.<sup>15</sup>

Villagization of the rural Anuak began in 1986 with the new villages being described as "more akin to forced labor camps."<sup>16</sup> Villagized and resettled Anuak, along with many highlander settlers, were forced to work on the new state farms, clearing forests, or building infrastructure. Government security forces beat, detained, and intimidated those who resisted, and many fled into southern Sudan. The Anuak were prevented from moving freely outside of the villages, and one source suggests that Anuak were denied access to

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<sup>10</sup> Unless otherwise noted in this report "Gambella" refers to the Gambella region.

<sup>11</sup> Human Rights Watch interviews, Gambella and Dadaab, Kenya, May and June 2011.

<sup>12</sup> Human Rights Watch/Africa, *Evil Days*.

<sup>13</sup> While various sources list the figure as 150,000, several other reliable sources suggest the figure may be as low as 70,000.

<sup>14</sup> Central Statistical Authority, Office of Population and Housing Census Commission, Federal Democratic Republic of Ethiopia, "2007 Gambella Census", 2007, <http://www.csa.gov.et/>, (accessed May 12, 2011).

<sup>15</sup> See Gugo O. Kwot, "1984 – 1985 Ethiopian Resettlement Program and its curse on the Anyuaks Culture," July 27, 2006, <http://www.anyuakmedia.com/com727062.html>, (accessed August 15, 2011); and Genocide Watch, "The Anuak of Ethiopia," January 8, 2004, [http://www.genocidewatch.org/images/Ethiopia\\_23\\_Jan\\_04\\_The\\_Anuak\\_of\\_Ethiopia.pdf](http://www.genocidewatch.org/images/Ethiopia_23_Jan_04_The_Anuak_of_Ethiopia.pdf), (accessed August 15, 2011); and Human Rights Watch, *Targeting the Anuak: Human Rights Violations and Crimes against Humanity in Ethiopia's Gambella Region*, March 23, 2005, <http://www.hrw.org/en/reports/2005/03/23/targeting-anuak>.

<sup>16</sup> Genocide Watch, "The Anuak of Ethiopia," [http://www.genocidewatch.org/images/Ethiopia\\_23\\_Jan\\_04\\_The\\_Anuak\\_of\\_Ethiopia.pdf](http://www.genocidewatch.org/images/Ethiopia_23_Jan_04_The_Anuak_of_Ethiopia.pdf), and Human Rights Watch, *Targeting the Anuak*.

the Baro River for fishing activities—a crucial part of Anuak livelihoods and identity. The authorities often beat those who were caught.<sup>17</sup>

Opposition to the Derg’s resettlement and villagization policies resulted in the formation of the Gambella People’s Liberation Movement (GPLM),<sup>18</sup> allied with the Oromo Liberation Front (OLF).<sup>19</sup> The Derg and the GPLM committed human rights abuses as the Ethiopian government targeted the GPLM and rural populations accused of supporting the GPLM, while the GPLM attacked individuals perceived to be linked to the government.<sup>20</sup>

Tensions remained high culminating on December 13, 2003, when, in response to an attack on a government vehicle that killed seven Ethiopian highlanders and one Anuak, the Ethiopian military and highlander militia groups massacred hundreds of people over several days in Gambella town, Abobo town, and surrounding areas.<sup>21</sup> Throughout 2004 the military then carried out a campaign of violence against Anuak communities amounting to crimes against humanity.<sup>22</sup>

Sporadic, isolated, and disorganized attempts at forced displacement have occurred since that time, with one effort in November 2008 involving the forced displacement of Gambellans from Laare and Puldeng villages to a new area. The villagers resisted and the police responded, reportedly killing livestock, burning homes, and killing nine people and wounding 23.<sup>23</sup>

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<sup>17</sup> Sandra Steingraber, “Resettlement and Villagization – Tools of Militarization in SW Ethiopia,” *Militarization and Indigenous Peoples: Part 2 Africa, Asia, and the Middle East*, 1987, <http://www.culturalsurvival.org/ourpublications/csq/article/resettlement-and-villagization-tools-militarization-sw-ethiopia>, (accessed August 7, 2011).

<sup>18</sup> The GPLM was founded in 1987 in opposition to the policies of both the Derg government and the Sudanese People’s Liberation Army (SPLA) who were active in Gambella at the time. The GPLM engaged in “armed struggle” against both the Derg and the SPLA. In collaboration with the EPRDF, the GPLM governed Gambella from 1991 to 1998.

<sup>19</sup> The Oromo Liberation Front stems from Oromo nationalist movements in the 1960s. After a tenuous alliance with the TPLF against the Derg, the OLF’s relations with the EPRDF deteriorated by 1992, and the organizations took up what it called “armed struggle” against the current government. See Human Rights Watch, *Suppressing Dissent: Human Rights Abuses and Political Repression in Ethiopia’s Oromia Region*, May 9, 2005, <http://www.hrw.org/node/11759/section/5>. The OLF has been outlawed in Ethiopia and is frequently declared a terrorist organization by the Ethiopian government.

<sup>20</sup> Sandra Steingraber, “Resettlement and Villagization,” <http://www.culturalsurvival.org/ourpublications/csq/article/resettlement-and-villagization-tools-militarization-sw-ethiopia>.

<sup>21</sup> For a full description of the events of the period, see Human Rights Watch, *Targeting the Anuak*.

<sup>22</sup> *Ibid.*

<sup>23</sup> Internal Displacement Monitoring Centre, “Ethiopia: Monitoring of conflict, human rights violations and resulting displacement still problematic,” January 20, 2011, <http://www.internal-displacement.org/8025708F004CE90B/%28httpCountrySummaries%29/ABE954230B08D5B5C125781700374C91?OpenDocument&count=10000>, (accessed May 11, 2011).

## Background to the Current Villagization Program

Livelihoods and food security in Gambella are precarious. Policy changes are going to affect the survival of hundreds of thousands of people. According to the government, renewed villagization in Gambella is intended to improve socio-economic infrastructure. The local populations, however, fear that it is a tool to expropriate their land for commercial agriculture and natural resource extraction.

### *Livelihoods in Gambella*

In comparison with the drier, relatively cool, and heavily populated highlands, the Gambella region is oppressively hot, richly endowed with high quality soils, abundant water supplies (part of the White Nile watershed), widespread forest cover, low relative population densities, and other natural resources.<sup>24</sup> According to the most recent census of 2007, the population of Gambella is about 307,000. Of those, 229,000 people—some 46,000 households comprising various ethnic backgrounds—live in rural areas. Approximately 46 percent of the total population is Nuer, 21 percent Anuak, 20 percent Highlander Ethiopian, 7 percent Majangere, 3 percent Opo, and 3 percent Komo.<sup>25</sup> In addition, there are approximately 19,000 (mainly Anuak) refugees from the Sudan civil war (in Pugnido),<sup>26</sup> along with thousands of Lou Nuer who arrived in 2009 following conflict with the Murle in South Sudan. Nuer and Anuak are by far the largest ethnic groups in terms of population and relative political power.

The livelihoods of the Anuak and Nuer are dramatically different from each other. As a result, displacements of any kind have radically different impacts on each ethnic group.

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<sup>24</sup> For example, Amhara has a population density of 116 persons per square kilometer, whereas Gambella has a population density of just 10 persons per square kilometer. Central Statistical Authority, “2007 Gambella Census,” <http://www.csa.gov.et/>, and “1994 Population and Housing Census of Ethiopia: Results for Amhara Region,” vol. 1, part 1, December 2005, [http://www.csa.gov.et/surveys/Population%20and%20Housing%20Census%201994/surveyo/data/docs%5Creport%5CStatistical\\_Report%5Ck03%5Ck03\\_part1.pdf](http://www.csa.gov.et/surveys/Population%20and%20Housing%20Census%201994/surveyo/data/docs%5Creport%5CStatistical_Report%5Ck03%5Ck03_part1.pdf), (accessed October 8, 2011).

<sup>25</sup> Central Statistical Authority, “2007 Gambella Census,” <http://www.csa.gov.et/>. There are widespread perceptions in Gambella that census numbers dramatically underestimate the true population numbers, as remoteness, difficulty of access, and the shifting or pastoral nature of the population present significant challenges in acquiring accurate and thorough information.

<sup>26</sup> World Food Program, “Ethiopia: Joint Mission (JAM),” 2008, WFP/UNHCR/ARRA, <http://home.wfp.org/stellent/groups/public/documents/ena/wfp221068.pdf>, (accessed August 3, 2011).

Anuak tradition suggests the Anuak moved into the Gambella region approximately 400 years ago.<sup>27</sup> Their language, from the Nilo-Saharan language group, is unique to the Gambella region, and is not understood by neighboring ethnicities. Their culture is also unique to the region, as is their reliance on shifting cultivation as a livelihood strategy. Their identity is intimately tied to the land and the rivers along which they live, and until recently, have had a traditional land base in Gambella that is used solely by their ethnic group. Tension between Nuer and Anuak over access to land has been an issue in Gambella.

The Anuak largely fall into two livelihood groups: the Openo clan who live along the region's main rivers and are thus more sedentary, and the upland or forest dwellers called the Lul clan. As a result, the Anuak are spread out geographically throughout the forest and along the major riverbanks, with more dense agglomerations in the towns.

The upland Anuak practice a pattern of shifting cultivation, whereby one parcel of land is worked for several years before moving on to another area. Two or three cycles of cultivation are carried out before returning to the first plot in seven to ten years. The Anuak typically live in small settlements of several families each, and utilize low levels of agricultural technology, resulting in low productivity. Maize and sorghum are the most common crops, and their livelihoods are enhanced through access to fish and forest products, such as roots, leaves, nuts, and fruits. Their agricultural knowledge and livelihood strategies are based on this continual shifting—a striking contrast to the more sedentary living envisioned under the villagization program. The riverside Anuak lead a more sedentary existence and their livelihood and identity is tied intricately to the rivers. In addition to agriculture that keeps them in one place, their livelihood also depends on fish and fruit trees.

The Nuer have a more recent history in the region. It has been suggested that the Nuer, along with other Nilotic groups, settled along the rivers of eastern South Sudan around the 14<sup>th</sup> century.<sup>28</sup> The Nuer first moved into the Gambella region during the late 19<sup>th</sup> century.<sup>29</sup> The seasonal movement throughout “Nuerland” is based largely on finding appropriate

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<sup>27</sup> John Burton, “Anuak,” *Encyclopedia of World Cultures*, <http://www.encyclopedia.com/doc/1G2-3458001460.html>, 1996.

<sup>28</sup> John Burton, “Nuer,” *Encyclopedia of World Cultures*, 1996, <http://www.encyclopedia.com/topic/Nuer.aspx>, (accessed December 13, 2011).

<sup>29</sup> Dereje Feyissa, “The Ethnic Self and the National Other: Anywaa Identity Politics in Reference to the Ethiopian State System,” in Bahru Zewde, ed., *Society, State and Identity in Africa History*, (Addis Ababa: Forum for Social Studies, 2008), p. 130.

grazing lands for the Nuer's cattle—a practice directly threatened by the villagization process. The population also increased dramatically due to influxes related to the war in Sudan during the 1980s. As agro-pastoralists, the majority of Nuer have little experience living in sedentary settlements. These cattle are uniquely tied to their livelihood strategy, ethnic identity, and cultural patterns. They are a source of food, wealth, and prestige for the Nuer. Nuer language is unique within the Gambella region, and cannot be understood by any of the region's other ethnicities. The Nuer are also well-known for their unique cultural practices, including their ritual scarification.<sup>30</sup>

### *Agricultural Land Investment in Gambella*

One of the more dramatic recent trends in Ethiopia, and Gambella in particular, is the leasing out of large land areas to agricultural investors. Since 2008 Ethiopia has leased out at least 3.6 million hectares of land nationally as of January 2011—an area the size of the Netherlands. An additional 2.1 million hectares of land is available through the federal government's land bank for agricultural investment. In Gambella 42 percent of the total land area is either being marketed for lease to investors or has already been awarded to investors.<sup>31</sup> This land is being awarded to large-scale foreign investors<sup>32</sup> and small-scale Ethiopian or diaspora investors with no meaningful consultation and no compensation to farmers for lost farmland.<sup>33</sup>

The environmental and social impacts of land investment in Gambella are significant, and are contributing to rapidly decreasing levels of food security for the poor and marginalized, particularly the indigenous population. There are no limits on water use, little in the way of accountability, and nothing in place to protect the rights and livelihoods of local communities in the vicinity of these investments.<sup>34</sup> While direct displacement from populated areas has thus far been minimized, farmland has been taken and many areas

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<sup>30</sup> African Commission on Human and Peoples' Rights (ACHPR), *Indigenous Peoples in Africa: The Forgotten Peoples?* (Banjul: ACHPR, 2006), p. 15. The ACHPR lists the Nuer as one of the groups indigenous to Ethiopia.

<sup>31</sup> Oakland Institute, "Understanding Land Investment Deals in Africa: Country Report: Ethiopia," 2011, <http://media.oaklandinstitute.org/understanding-land-investment-deals-africa-ethiopia>, (accessed August 1, 2011).

<sup>32</sup> The two best known foreign investors are India's Karuturi and Saudi Arabia's Saudi Star, which is owned by Ethiopian/Saudi billionaire and EPRDF supporter Mohammed Hussein al-Amoudi.

<sup>33</sup> Oakland Institute, "Understanding Land Investment Deals in Africa," <http://media.oaklandinstitute.org/understanding-land-investment-deals-africa-ethiopia>.

<sup>34</sup> Oakland Institute, "Understanding Land Investment Deals in Africa," <http://media.oaklandinstitute.org/understanding-land-investment-deals-africa-ethiopia>.

that contribute to livelihood provision have been taken by investors with no advance notice such as areas of shifting cultivation, and forest.

As has historically been the case, the government considers these areas to be “unused” or “underutilized,” and therefore available for transfer to industrial agriculture.<sup>35</sup> Metasebia Tadesse, minister counselor at the Ethiopian embassy in New Delhi, sums up this perspective: “Most Ethiopians live on highlands; what we are giving on lease is low, barren land. Foreign farmers have to dig meters into the ground to get water. Local farmers don’t have the technology to do that. This is completely uninhabited land. There is no evacuation or dislocation of people.”<sup>36</sup>

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<sup>35</sup> For example see Anupama Chandrasekaran and Vidya Padmanabhan, “Investments in Ethiopia farming face criticism from activists”, *Livemint.com*, September 5, 2011, <http://farmlandgrab.org/post/view/19211>, (accessed September 7, 2011).

<sup>36</sup> *Ibid.*



## GAMBELLA'S VILLAGIZATION PROCESS

### The Government Villagization Plan

The Ethiopian federal government's current villagization program is occurring in four regions—Gambella, Benishangul-Gumuz, Somali, and Afar. According to published reports, this involves the resettlement of approximately 1.5 million people throughout the lowland areas of the country—500,000 in Somali region, 500,000 in Afar region, 225,000 in

Benishangul-Gumuz, and 225,000 in Gambella.<sup>37</sup> The movements in Afar and Somali are all one-year programs, while Gambella and Benishangul-Gumuz are three-year programs that started in the latter half of 2010. As of November 2010, 150,000 Somalis had been moved, with the remainder to be moved throughout the rest of the year.<sup>38</sup> Recent reports from Ethiopian state media indicate that involuntary displacements in the Southern Nations, Nationalities, and Peoples' Region (SNNPR) associated with irrigated sugar plantations are now being classified as part of a villagization program, with 10,995 pastoralist household villagized in 2010/2011 and over 20,000 more to be villagized imminently.<sup>39</sup>

According to Minister of Federal Affairs Shiferaw Teklemariam, the programs in Somali and Afar are “primarily to resettle people in less arid areas near the Wabe Shebelle and Awash rivers,” while the Gambella and Benishangul-Gumuz movements are for “improved service provision.”<sup>40</sup> In a December 2011 letter to Human Rights Watch the minister said that “the villagization programs in Gambella ... are efforts to tackle poverty and ignorance” and that in addition “the targets are to provide efficient and effective economic and social services (safe drinking water, optimum Health care, Education, improved agronomy practices, market access etc.), create an access to infrastructure (road, power, telecommunication etc.) and ensure the citizens’ full engagement in good governance and democratic exercise.”<sup>41</sup>

According to the Gambella Regional Government’s “Villagization Program Plan 2003 EFY” for 2010, the goal of Gambella’s program is to “provide basic socioeconomic infrastructures” and “ultimately to enable them food secured [their food security] and to bring socioeconomic & cultural transformation of the people.”<sup>42</sup> The original concept was to resettle 45,000 households across Gambella region over the three years of the life of the

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<sup>37</sup> William Davison, “Ethiopia plans ambitious resettlement of people buffeted by East African drought,” *Christian Science Monitor*, August 1, 2011, <http://www.csmonitor.com/World/Africa/2011/0801/Ethiopia-plans-ambitious-resettlement-of-people-buffeted-by-East-Africa-drought>, (accessed August 1, 2011).

<sup>38</sup> William Davison, “Ethiopia Relocates 150,000 People in Eastern Somali Region in Five Months,” *Bloomberg*, November 29, 2010, <http://www.bloomberg.com/news/2010-11-29/ethiopia-relocates-150-000-people-in-eastern-somali-region-in-five-months.html>, (accessed August 1, 2011).

<sup>39</sup> “State to villagize over 20,000 pastoralist households,” *Waltainfo*, December 26, 2011, [http://www.waltainfo.com/index.php?option=com\\_content&view=article&id=1111:state-to-vilagize-over-20000-pastoralist-households&catid=52:national-news&Itemid=291](http://www.waltainfo.com/index.php?option=com_content&view=article&id=1111:state-to-vilagize-over-20000-pastoralist-households&catid=52:national-news&Itemid=291), (accessed December 28, 2011).

<sup>40</sup> William Davison, “Ethiopia Relocates 150,000 People,” <http://www.bloomberg.com/news/2010-11-29/ethiopia-relocates-150-000-people-in-eastern-somali-region-in-five-months.html>.

<sup>41</sup> Letter from Minister of Federal Affairs Shiferaw Teklemariam to Human Rights Watch, December 19, 2011.

<sup>42</sup> Gambella Peoples’ National Regional State, “Villagization Program Action Plan (2003 EFY)”, August 2002 EC (Ethiopian calendar), (2010 for the European calendar).

project, with approximately 15,000 households the first year. However, according to media reports and a subsequent implementation plan,<sup>43</sup> 26,000 households will be moved in the first year because, according to Gambella Governor Omod Obang, “the resettlers are showing keen interest for the program.”<sup>44</sup> In his letter to Human Rights Watch, Shiferaw Teklemariam stated that 20,243 households were moved the first year (2010/2011).<sup>45</sup>

While implementation responsibilities lie with the regional and lower levels of government, it is widely understood that the federal government is the originator of the policy throughout the four regions. Former regional and *woreda* civil servants in Gambella informed Human Rights Watch that a “coordinator” from the federal government has been posted with the regional government and there are two federal representatives in each of the *woredas* to oversee the villagization process.<sup>46</sup>

Many communities were told by the authorities they would be required to move for “improved infrastructure provision,” while others were told they were to be moved either to mitigate the problems associated with the annual flooding of the Baro River or for security reasons (mostly for Nuer communities that fear cattle-raiding).<sup>47</sup>

Villagization is to occur in all *woredas* in Gambella, and is intended, according to government plans, to move people from smaller, more scattered settlements—whether practicing riverside agriculture, shifting cultivation, or agro-pastoralism—into larger settlements of 500 to 600 households each. People are to be moved within their *woreda* only—there is no intention of resettlement from one *woreda* to another.<sup>48</sup>

Some of the 49 villages that people were being moved to in the first year of the plan already exist and have some infrastructure, while in other cases the new village is being developed from the ground up. According to the plan, newly developed infrastructure

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<sup>43</sup> A copy of the plan was provided to Human Rights Watch by a former government worker, and contains information for those that are implementing it on the ground.

<sup>44</sup> “Villagization Process well in progress in Gambella State,” *Waltainfo*, January 11, 2011, [http://www.waltainfo.com/index.php?option=com\\_content&task=view&id=24991&Itemid=52](http://www.waltainfo.com/index.php?option=com_content&task=view&id=24991&Itemid=52), (accessed September 1, 2011).

<sup>45</sup> Letter from Minister of Federal Affairs Shiferaw Teklemariam to Human Rights Watch, December 19, 2011.

<sup>46</sup> Human Rights Watch interview with former regional and *woreda* government employees, Dadaab, Kenya, June 18 and 19 2011. A *woreda* is an administrative district in Ethiopia, managed by a local level of government. *Woredas* are made up of village-level administrations called *kebeles*. The 12 *woredas* in Gambella make up the Gambella Regional State.

<sup>47</sup> Human Rights Watch interviews, Gambella, May 2011.

<sup>48</sup> Gambella Peoples’ National Regional State, “Villagization Program Action Plan (2003 EFY),” p. 2.

includes 19 primary schools, 25 health clinics, 51 water schemes, 41 grinding mills, 18 veterinary clinics, 195 kilometers of rural roads, and 49 warehouses/storage facilities. At the end of the program, the intention is that all Anuak, Nuer, and other indigenous peoples (not including South Sudanese refugees) will be gathered in towns of 500 to 600 households each farming on three to four hectares of land.<sup>49</sup> There is no mention in the plan of what will happen to the Nuer cattle under the villagization program. The widespread fears are that shifting cultivation, riverside cultivation, and agro-pastoralism will disappear.

The budget for the first year of the plan was 61.9 million Birr (approximately US\$3.7 million),<sup>50</sup> which does not include the 58.2 million Birr (US\$3.4 million) of food aid required.<sup>51</sup> According to the plan, the “implementer” of the food aid requirements is supposed to be Non Governmental Organizations.<sup>52</sup> The rest of the budget items are to be implemented by various levels of government. The plan is silent on human rights protections.

## Affected Communities

Over the three years of this program all households of the indigenous inhabitants of rural Gambella are to be moved. In the first year, 2010/2011, villagization has occurred in *woredas* in Gambella region: Gambella, Godere, Gog, Abobo, Dimma, and to some extent in Itang and Jor. These *woredas* are for the most part Anuak, and these are the areas that are closest to the major infrastructure of the region, such as the main roads and the largest towns. These are also the areas of most intensive agricultural land investment.

Eight villages out of the total of sixteen that Human Rights Watch obtained testimony from already existed prior to the villagization process—villagers were being moved from scattered settlements to an existing village. The other eight villages were mostly located in dry, arid areas away from any dry season water sources such as a major river. Usually the areas were known to the Anuak as they often had used that land in the past as part of a shifting cultivation land use pattern, but had abandoned it due to decreased soil fertility.<sup>53</sup>

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<sup>49</sup> Gambella Peoples' National Regional State, “Villagization Program Action Plan (2003 EFY),” pp. 1-3.

<sup>50</sup> *Ibid.*, p. 9.

<sup>51</sup> The food aid as described is to “overcome the lean period” according to the plan; *Ibid.*, p. 3.

<sup>52</sup> The plan does not name the NGOs, nor whether they are local or international NGOS. It also does not indicate if these are resources that have already been committed by NGOs or whether they are resources that will be requested of NGOs.

<sup>53</sup> Human Rights Watch interviews, Gambella, June 2011.

Indigenous communities were moved within their own *woreda*, and movements thus far have respected ethnic or clan lines. Anuak fall into two main livelihood groups: those living along the rivers (more sedentary) and those in the upland forest (who usually practice shifting cultivation). All the new villages are located in the upland forest, and so Anuak relocated from the riverbank are facing an additional adjustment and interruption to their livelihoods by being relocated from the water sources on which they depend for water and to grow food.

Human Rights Watch visits to the Anuak and Nuer areas showed a very different government approach to villagization between each of those ethnic groups.

While the villagization process in the Anuak areas has severely affected the livelihoods of those affected, the loss of livelihoods in the Nuer areas is even more dramatic. The Nuer are agro-pastoralists and the needs of their cattle are of critical importance. The Nuer were told they would be villagized for security purposes—to reduce the likelihood of cattle raids from neighboring tribes, such as the Murle from South Sudan.<sup>54</sup> The Nuer interviewed by Human Rights Watch stated that the new locations and larger community size made the villages easier to defend. However, given the complete lack of a dry season water source, Nuer could not keep their cattle anywhere near the village. As a result, two new Nuer villages that had been created by the villagization process had already been completely abandoned.<sup>55</sup>

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<sup>54</sup> Human Rights Watch interviews, Gambella, May 22, 2011.

<sup>55</sup> Human Rights Watch interviews, Gambella, May 23, 2011.



A newly constructed but virtually abandoned Nuer village. In this village, villagers were often forced to build *tukuls* (traditional huts) that they will likely never live in. Additionally, the village lacked dry season water access and was vulnerable to Murle cattle raids.

Villagization is also happening to Anuak town residents who are not civil servants in certain areas of Gambella town, Pugnido town (Gog *woreda*), Dimma town (Dimma *woreda*), and Abobo town (Abobo *woreda*). Residents said that they were told that if they did not have a job with the government in these urban areas, then they must go to the villages.<sup>56</sup>

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<sup>56</sup> Human Rights Watch interviews, Dadaab, Kenya, June 18 and 19, 2011.

## HUMAN RIGHTS ABUSES IN THE VILLAGIZATION PROCESS

We want you to be clear that the government brought us here... to die... right here.... We want the world to hear that government brought the Anuak people here to die. They brought us no food, they gave away our land to the foreigners so we can't even move back. On all sides the land is given away, so we will die here in one place.

—An Anuak elder in Abobo *woreda*, May 2011.

The government's plan asserts that the villagization process is voluntary, as does the letter from the minister of federal affairs which states that "[villagization] was fully conducted on voluntary basis and with the full consent and participation of the beneficiaries."<sup>57</sup> But Human Rights Watch's research found the process to be far from voluntary and has been accompanied by widespread human rights violations, including forced displacement, arbitrary arrest and detention, beatings, rape, and other sexual violence. Residents have been denied their rights to food, education, and adequate housing. These problems were similar for all areas in Gambella that Human Rights Watch visited.

The villagization process began in mid to late 2010, depending on the area. The first meetings between government officials and the community would be held several months before the move was to occur. In most cases these meetings were held in mid-2010. Government officials were usually from the *woreda* level, although for larger communities or those close to major towns regional or federal officials would be present. Usually there would be some regional police present, but participants said that security forces were usually at a minimum for the first meeting.

It was at these initial meetings that communities were first notified that they would be moved in the coming months. If communities were not cooperative, or indicated their

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<sup>57</sup> Letter from Minister of Federal Affairs Shiferaw Teklemariam to Human Rights Watch, December 19, 2011.

refusal to move, the next meeting, usually several weeks later, involved visits from the Ethiopian army, regional police, local militias, and government officials.<sup>58</sup>

Residents described to Human Rights Watch that any refusal or inquiries was met with beatings, arrests, or intimidation from the army. A woman from Abobo *woreda* said:

The first meeting was just with the *kebele* government officials, but we refused their [villagization] plan. They then arrested the village chief at night; the soldiers took him to the police station and he was there for one month. Then the next time the district officials, police, army, and militias showed up. They called a meeting, and nobody said anything because of the soldiers' presence.<sup>59</sup>

In some cases the authorities told the villagers ahead of time when they should move. But for the most part, when it was time to go, government officials, accompanied by police and military, arrived and told them they should move.

Soldiers accompanied the villagers to the new sites and supervised the multi-week *tukul* (traditional hut) construction period. The distance from the old to the new villages typically involved a walk of two to five hours, though in Dimma *woreda* some people were relocated up to 12 hours away by foot. Once the villagers built the *tukuls*, the army typically left.

The moves began in October or November 2010, just prior to harvest time. Stated government promises were similar for all villages: the authorities would provide schools, health clinics, access to water, grinding mills, cleared land for crops, and food aid for seven to eight months. However, despite the promises of schools and clinics, the regional government's plan shows that these were not planned for the majority of villages. In short, the authorities did not tell the villagers the truth.<sup>60</sup> Some communities were also promised tools, agricultural inputs, clothes, and mosquito nets.

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<sup>58</sup> Militias refer to armed groups of 5 to 10 villagers per village that were trained by the federal army over several months to undertake basic policing and security functions within the villages. This process happened just as the villagization process was commencing in the villages. The positions are unpaid.

<sup>59</sup> Human Rights Watch interview with a former resident of Abobo *woreda*, Dadaab, Kenya, June 19, 2011.

<sup>60</sup> According to the plan, of the 49 *kebeles* where villagization was to occur, the authorities planned to build 19 schools and 22 health clinics.

Human Rights Watch found that the actual assistance to the villagers invariably fell far short of the promises. Of the villages visited by Human Rights Watch, a grinding mill building had been completed in two, and a school and clinic had been built in one, but none of these was operational.<sup>61</sup> The authorities provided a very limited amount of food aid to only five of these villages, and just two villages had any land cleared by the government for agricultural production. When it became apparent that little or none of the promised infrastructure or food was to be provided, some villagers simply abandoned the new villages. Some returned to their old farms, while many of the able-bodied men fled into the bush, to South Sudan, or to the UNHCR refugee camps in Kenya, leaving women, children, the sick, and the elderly behind.<sup>62</sup>

The claims by Human Rights Watch that Gambellans are leaving Gambella to the refugee camps of Kenya were refuted by Minister of Federal Affairs Shiferaw Teklemariam who claims that this assertion is “further evidence of baseless allegation and total fabrication” and that “if this was even remotely true, there must certainly have been an official report from UNHCR....There is no such report, simply because there are no such refugees.” According to UNHCR, Kenya’s refugee camps have 1,474 refugees and asylum seekers of Gambellan origin as of May 2011<sup>63</sup> and 2,155 Gambellans as of December 2011,<sup>64</sup> an increase of 681 in the last seven months. Fifty recent arrivals were interviewed by Human Rights Watch at the UNHCR refugee camp in Dadaab in June 2011. Community leaders within Dadaab’s Anuak community report that 613 Anuak have arrived at UNHCR’s Ifo refugee camp in Dadaab during the last four months of 2011 (October to December 2011).<sup>65</sup> The photo below taken in June 2011 shows an Anuak refugee cultural celebration at the UNHCR camp in Kenya.

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<sup>61</sup> Human Rights Watch site visits, Gambella, May 2011.

<sup>62</sup> Human Rights Watch interviews, Gambella and Dadaab, Kenya, May and June 2011.

<sup>63</sup> Email communication from UNHCR to Human Rights Watch, June 17, 2011.

<sup>64</sup> Email communication from UNHCR to Human Rights Watch, January 10, 2011.

<sup>65</sup> Email communication with Anuak community leader [name withheld] in Dadaab, Kenya, December 28 2011.



Anuak community members conducting an Anuak cultural celebration dance, at the UNHCR refugee camp in Dadaab, Kenya on June 19, 2011. Ethiopia's Minister of Federal Affairs claims there is no evidence of refugees in Kenya an South Sudan fleeing the villagization program, but according to Anuak community leaders, 623 Anuak arrived in Dadaab between October 2011 and December 2011 alone.

## Forced Displacement

We were told, “If somebody refuses, the government will take action”—so the people went to the new village—by force.

—Villager in Abobo *woreda*, May 2011.

Gambella’s first year of the three-year villagization program has mirrored the forced displacements of Ethiopia’s past villagization efforts.<sup>66</sup>

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<sup>66</sup> Ofcansky and Berry, eds., *Ethiopia: A Country Study*, <http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field%28DOCID+eto103%29>.

Virtually all of the villagers interviewed by Human Rights Watch said that their move was an involuntary, forced process. While all villages reported being engaged in some form of “consultation,” it took the form of government officials “informing” people that they would be moved to a new location. Villagers said that in many of these meetings, they did not utter a word for fear of reprisal by the authorities. And their fears were justified: those who expressed concern or question the government’s motives were frequently threatened, beaten, and arrested by police or soldiers. A villager told Human Rights Watch:

The government came and talked to the village elders and those that are influential. Then the government together with the soldiers and elders called us for a meeting where we were told we were to be moved. There was no consultation or opportunity for dialogue, they were just informing us. Those that spoke up are considered “inciters,” and five of them were arrested from the two villages. They were in prison for between 20 days and one month, and were released on the condition they do not speak against villagization. So either they are silent or they flee.

Despite the intimidation, arrests, and beatings, some communities refused to move to the new villages. The government tried different techniques to persuade them, including dialogue, intimidation, and violence, but several of these communities continued to refuse and have been allowed, thus far, to stay put, but for some of them at a very high cost. A person from Dimma *woreda* said: “People left their crops behind then tried to return. Those who refused to go had their houses burned down by soldiers. Crops were destroyed. In [the village], where there were many mangoes and some sugar cane, government soldiers burned 100 houses.”<sup>67</sup>

In Abobo and Gog *woredas* people who left the new villages tried to return to their old farming areas. Some communities have been allowed to go back to their old farms, given the absence of food available at the new villages. In the majority of these cases women, children, and the sick have remained in the new villages. The minister of federal affairs stated that “They have also all the right to return to their original locations whenever and if they want.”<sup>68</sup> It is evident that this has not occurred in all cases. A former Okula resident

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<sup>67</sup> Human Rights Watch interview with former a Dimma resident, Dadaab, Kenya, June 19, 2011.

<sup>68</sup> Letter from Minister of Federal Affairs Shiferaw Teklemariam to Human Rights Watch, December 19, 2011.

said: “If you go back [to the farm] to get materials or for washing, you get harassed and beaten. They [the army] say we are *shiftas* [bandits]. They say that ‘You black men are our slaves.’”<sup>69</sup> A former Dimma *woreda* resident said: “The [army] told us ‘If you go back, we will destroy the old hand pump.’ There is no hand pump in our new village.”<sup>70</sup>

## Forced Displacement from Urban Centers

Without providing a credible reason, the government is also moving Anuak from urban areas into new rural villages. In at least four urban areas (Gambella town, Dimma town, Pugnido, and Abobo town), Anuak—and only Anuak—who were not civil servants or among the few Anuak business owners, were told by the authorities that they needed to leave town and settle in nearby villages. This process began in November 2010.

An Anuak from Dimma town recounted:

People from Dimma town were moved too. “We have a project here and you must go. Civil servants and businesses can stay—all other Anuak must go,” government told us. There are more and more Highlanders in Dimma town now. As Anuak move out of Dimma, Highlanders move in immediately—from Tigray, Amhara, Wollo. There is very good business in Dimma for gold. Even students had to leave Dimma—“There is a school where you are going” [there was not]. All Anuak have left Dimma, if you do not go, you get arrested.<sup>71</sup>

None of the reasons stated by the government, or the rationale expressed in the plan, readily explain urban displacement. The Gambella Regional Government’s Villagization Plan makes no mention of moving indigenous people such as the Anuak from urban areas to the new villages.

In Gambella town two main types of displacement are occurring: people who live along the Baro River on prime agricultural land on the periphery of town and those who live in the more dense areas of Gambella, where *tukuls* are more common. Many of the most egregious abuses were reported from those displaced from Gambella town. According to an attendee at

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<sup>69</sup> Human Rights Watch interview with a former Okula, Dimma, resident, Dadaab, Kenya, June 18, 2011.

<sup>70</sup> Human Rights Watch interview with a former Dimma resident, Dadaab, Kenya, June 18, 2011.

<sup>71</sup> Human Rights Watch interview with a former Dimma student, Dadaab, Kenya, June 18, 2011.

a public meeting in December 2010, the Gambella regional governor told people: “Lands you are using are not utilized. We have investors coming who will use more efficiently. Those who resist we will take all possible action.”<sup>72</sup> Several other interviewees who attended the same public meeting provided similar accounts of the governor’s statement.<sup>73</sup>

Displaced Anuak from Gambella town were told to go to the village of Wan Carmie. By May 2011 virtually no one remained in Wan Carmie, fleeing elsewhere. At the time, many Anuak were still present in Gambella town. Human Rights Watch is concerned that an underlying reason for the urban-based displacement is government support for private investment. Instead, individuals were being told that the reason for the forced relocation was the poor standard of their houses. A former resident explained:

We were told this place should have this type of buildings, and so on and [the authorities would say] “You have not done that so we will relocate you to Carmie. You should have certain building standards, so we will allocate this land to the Highlanders who will build to the standards contained in the Master Plan. You are not in the right area for that type of construction.”<sup>74</sup>

A woman moved to Carmie was told by government officials when they visited her farm: “We have some projects to implement here. [Saudi investor name withheld] needs to use this area for a market so you must go.”<sup>75</sup> Similar testimonies were received from three different villagers who were displaced from along the Baro River.<sup>76</sup>

A former resident of Pugnido town said he was told by *woreda* officials: “You have no land here. You take your tools and go build a house in the village. We don’t want people here doing nothing. We will make this area for business and farming.”<sup>77</sup>

A former Dimma resident told us: “They held a town meeting in Dimma where we were told ‘if you have no job, all Anuaks should go away.’ A few days later, soldiers and district

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<sup>72</sup> Human Rights Watch interview, Dadaab, Kenya, June 19, 2011.

<sup>73</sup> Human Rights Watch interviews, Dadaab, Kenya, June 18 and 19, 2011.

<sup>74</sup> Human Rights Watch interview with a former resident of Gambella town, Dadaab, Kenya, June 18, 2011.

<sup>75</sup> Human Rights Watch interview with a former resident of Gambella town, Dadaab, Kenya, June 19, 2011.

<sup>76</sup> Human Rights Watch interviews with former farmers, Dadaab, Kenya, June 18 and 19, 2011.

<sup>77</sup> Human Rights Watch interview with a former resident of Pugnido town, Dadaab, Kenya, June 19, 2011.

officers were in town to tell people it was time to go ... some people resisted, so soldiers were ‘active.’”<sup>78</sup> In three of the four *woredas* where urban Anuak are being relocated (Gambella, Abobo, and Gog *woredas*) significant agricultural land investment is happening. In the fourth *woreda* (Dimma) there is increasing investment in the gold mining industry.<sup>79</sup>

## Suppressing Dissent

The Ethiopian government’s longtime tactic of stifling opposition to programs and policies through fear and intimidation is evident in the implementation of the villagization program. Citizens cannot voice their concerns without fear of reprisal, including possible arrest or mistreatment. The government has effectively silenced any public opposition to the program; there is no mechanism for communities to express their views or have a constructive dialogue; and many indigenous people inside Ethiopia were nervous about speaking to Human Rights Watch for fear of reprisal by the government.

The army or police were present at many, perhaps most, public meetings—an intimidating presence given the longstanding history of military abuses against the local population.<sup>80</sup> The security forces carried out many beatings and arbitrary arrests in a public fashion, perhaps to show what would happen to those that oppose the policy.<sup>81</sup> One resident opposed to the villagization process said: “If we say any of this to them, they twist it and we go to jail.”<sup>82</sup>

One man described what happened to his friend following a public meeting on villagization in Gambella town:

“If people are not being told why, do we have to go?” my friend [name withheld] said at the public meeting. This meeting took place in the day, then in the night, people were beaten by the EDF [Ethiopian Defense Force, army] and accused of mobilizing farmers against villagization. Two of my friends were beaten, arrested, and taken to hospital [he showed photos of

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<sup>78</sup> Human Rights Watch interview with a former resident of Dimma town, Dadaab, Kenya, June 18, 2011.

<sup>79</sup> Kaleyesus Bekele, “Chinese Mining Giant commences operations in Ethiopia”, *The Reporter*, July 16, 2011, <http://www.thereporterethiopia.com/News/chinese-mining-giant-commences-gold-exploration-in-ethiopia.html>, (accessed August 1, 2011).

<sup>80</sup> For example, see Human Rights Watch, *Targeting the Anuak*.

<sup>81</sup> Human Rights Watch interviews, Gambella and Dadaab, Kenya, May and June 2011.

<sup>82</sup> Human Rights Watch interview, Gambella *woreda*, May 26, 2011.

two beaten friends]. The next day there was another meeting. And my friend [who had spoken up the day before] got emotional at the meeting. When the meeting was over the EDF followed him into town at night and shot him from behind through the neck [showed photograph]. The two army officers were at the earlier meeting.<sup>83</sup>

The Ethiopian government has permitted very little media coverage of the program within Ethiopia. As a result, outside of affected areas there appears to be very little if any awareness of the program among ordinary Ethiopians. International media attention has also been stifled, with journalists subjected to questioning when staying in villages in areas where villagization is taking place. A Human Rights Watch researcher was questioned by *woreda* officials who told him, “We hear that foreigners are poking around trying to find out about villagization, and taking what villagers say, twisting it, and making our government look bad.”<sup>84</sup>

Fear of speaking out about the villagization program and the suppression of information and dissent also extends to government employees. According to former civil servants who spoke to Human Rights Watch, many government employees are afraid to say anything for fear of losing their job or other forms of reprisal. For those who expressed concern about the program or seek clarification, the outcome was threats, demotion, or, in at least three cases known to Human Rights Watch, arrest.<sup>85</sup>

A regional government worker, who was demoted twice and eventually imprisoned for three months for questioning villagization, explained:

I asked “Why do people need to go?” If you ask this then they will target you. I said “We should consult with them to see what they want, then it could be successful. They told me I was anti-government: “We have told you to go and tell the villages. You have refused. From this day on we will study you and your background.” Once you raise a question you are always targeted from regional to village level and your name will be recorded.<sup>86</sup>

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<sup>83</sup> Human Rights Watch interview, Dadaab, Kenya, June 18, 2011.

<sup>84</sup> Abobo *woreda* officials to Human Rights Watch, Gambella, May 26, 2011.

<sup>85</sup> Human Rights Watch interview with former regional and *woreda* civil servants, Dadaab, Kenya, June 19, 2011.

<sup>86</sup> Human Rights Watch interview with former regional civil servants, Dadaab, Kenya, June 18, 2011.

If villages resisted in any way or the program was not being carried out as quickly as desired, *woreda* or other junior government officials were targeted and blamed for the problems. Often this targeting took the form of demotion, firing, or occasionally arrest.<sup>87</sup> This happened at both the regional level and the *woreda* level. A former *woreda* development agent told Human Rights Watch:

Farmers in our *woreda* did not want to go. The *woreda* reported to the region that farmers are refusing to accept. The governor asked the *woreda* chairman to investigate. He did—“Yes, they are resisting. What shall we do?” he asked the governor. The governor told him that five development agents should be suspended from their job, and that he will bring in the soldiers. So that is what happened.<sup>88</sup>

## Arbitrary Arrest and Detention

The Ethiopian government has arrested individuals who expressed concern about the villagization process during meetings, traditional leaders of “anti-villagization” communities, and elders or young men accused of “inciting people to refuse.” In several *woredas* where communities were not cooperative, government officials were also detained or arrested. Human Rights Watch received credible accounts of arbitrary arrests in 9 of the 16 villages we obtained testimony from; the overwhelming majority were men who had spoken up during the initial meetings.

Those arrested have typically been detained for under two weeks, though some have been held much longer. Human Rights Watch is unaware of any of these individuals being charged with any offense, or appearing before a judge.<sup>89</sup> Many of the arrests appear to have been carried out publicly, and appear to have been used as a tool to intimidate and instill fear among the rest of the population.

Human Rights Watch interviewed three community leaders who were detained for openly questioning the government’s policy during the meetings. They were not charged, were never brought before a judge, and were released after several weeks on the condition that

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<sup>87</sup> This was described by four former *woreda* and regional government employees during Human Rights Watch interviews, Dadaab, Kenya, June 2011.

<sup>88</sup> Human Rights Watch interview with a former *woreda* civil servant, Dadaab, Kenya, June 18, 2011.

<sup>89</sup> Human Rights Watch interviews, Gambella and Dadaab, Kenya, June 19, 2011.

they would support the moves, would no longer speak out against the policy, and would mobilize their community to move.<sup>90</sup> Another community leader said:

In our village, old men were arrested because they expressed concern—five of them. They were told they were “anti-villagization.” They are still in Gambella prison since [their arrest] around November [2010]. These village heads had a private meeting and they decided against villagization, and they would tell government when they came. They told them two weeks later, and they were arrested for “not being cooperative.”<sup>91</sup>

## Beatings and Assaults

There have been many reports of government soldiers assaulting and beating people during the villagization process. Available information suggests that the overwhelming majority of these beatings happened when people expressed concern about villagization during meetings, or when they actually resisted when it was time to move. This happened mainly between October 2010 and January 2011 in many villages, including almost all of the villagized areas in Dimma and Gog *woredas*; Ukuna and Chobokir in Abobo *woreda*; Opagna and Wan Carmie in Gambella *woreda*; and around Gambella town.

Many beatings also took place during construction of the *tukuls* in the new villages, where displaced people were forced to build their own new homes. Soldiers supervised the building of these *tukuls*; in some cases soldiers were camped out near the villages, in other cases they would arrive in the morning and leave in the evening. In these cases, soldiers were there to intimidate and ensure that the villagers built their *tukuls* swiftly. If villagers were too slow or were seen talking in a group, they became potential targets for beatings and assaults by government troops. Often this would involve a kick, slap, punch, or hitting with the butt of a rifle, but other times the beatings would be more severe. According to one villager:

During construction, there were three situations in which you were beaten: one, if you are found outside the construction area; two, are sitting in a group; or three, if two people are seen talking. ‘You are mobilizing,’ they

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<sup>90</sup> Human Rights Watch interviews, Dadaab, Kenya, June 18, 2011.

<sup>91</sup> Human Rights Watch interview with a former Gog Depache resident, Nairobi, Kenya, June 19, 2011.

would say. More than 10 were beaten in our village and most of them ran off and haven't returned. It was mostly men beaten.<sup>92</sup>

Human Rights Watch documented at least seven credible accounts of people dying as a result of the beatings inflicted by the military and heard of many more that could not be corroborated. One resident said:

My father was beaten for refusing to go along [to the new village] with some other elders. He said, "I was born here—my children were born here—I am too old to move so I will stay." He was beaten by the army with sticks and the butt of a gun. He had to be taken to hospital. He died because of the beating—he just became more and more weak. Two other villagers were taken to Dimma prison.<sup>93</sup>

The military appears more likely to use violence against relocated villagers in less populated areas. For example, more arbitrary arrests, beatings, and deaths were reported in remote Dimma than in relatively more populous Gambella town. Most of those reported beaten in the new villages were village leaders or young men, although women and children were also occasional victims of beatings. One eyewitness said:

One day I went to visit relatives at a [neighboring village]. I immediately saw the mobilization of people to cut trees. It was almost 5 p.m. One of the community leaders expressed concern at the late start.... This person was then beaten in front of everyone and taken away. His hands were tied behind his back, he was beaten as people watched. They were unable to do anything, afraid to intervene. Police and *woreda* officials were also involved in this beating; they said he was "anti-villagization." He was held in jail for one month. There are eight of them that are in danger in that village and are being intimidated by the army because they were accused of forming an anti-villagization group.<sup>94</sup>

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<sup>92</sup> Human Rights Watch interview with a former Gog *woreda* resident, Dadaab, Kenya, June 19, 2011.

<sup>93</sup> Human Rights Watch interview with a former Dimma *woreda* resident, Dadaab, Kenya, June 18, 2011.

<sup>94</sup> Human Rights Watch interview with a former Abolkir resident, Dadaab, Kenya, June 18, 2011.

News of the military’s targeting of young men—considered to be the biggest threat to the authorities—has spread throughout the region. In some communities elders have told young men not to come to the government meetings to avoid interacting with the soldiers, while in many villages young men have just fled into the bush and to South Sudan.<sup>95</sup> A young villager said:

When I went back to my old village to gather belongings I was told [by a soldier] “Why are you here? You are thieves.” I was then beaten with sticks, and I still have chest pain. The day before this a friend was killed by soldiers. He was beaten with guns and sticks, was vomiting blood and died before we could treat him. He was 19 [years old]. Anuak were crying during the beating but no one could intervene—there were many soldiers there—and we are scared of them.<sup>96</sup>

A woman, formerly of Gog Depache, said:

There was one day we were sitting under the trees, eating green cabbage. Soldiers called five boys and just beat them badly—three were taken to hospital, two of them died. The other three are still in serious condition. There were eight arrests. If you cry for someone who has been arrested or beaten they say, “He is a *shifita* [bandit].” They are still in prison. After witnessing all of this I fled. People are showing up dead along the roadside or in villages. Two old men were found dead along the road—they were the ones who had expressed concern at the meeting. Their throats had been cut. Those that were arrested were those that expressed concern and those that tried to go back to their farms.<sup>97</sup>

## Rape and Sexual Violence

Human Rights Watch learned of many instances of rape and other sexual violence by soldiers connected to villagization, and at least one instance of girls being abducted by soldiers to become their “wives.”

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<sup>95</sup> There is also a large group of young Anuak men in the refugee camps in Dadaab, Kenya.

<sup>96</sup> Human Rights Watch interview with former Dimma resident, Dadaab, Kenya, June 19, 2011.

<sup>97</sup> Human Rights Watch interview with a former Gog Depache resident, Dadaab, Kenya, June 18, 2011.

Few young men inhabit the new villages created under the villagization process. Many have gone back to their original areas to farm. Others have fled military abuses that are frequently directed at them. The net effect is that in many of the new villages, women, children, the sick, and the elderly are left largely to themselves. Without the presence of male villagers the women have been at greater risk of rape and other sexual violence from soldiers. Rapes appear to occur particularly in areas where women are isolated and alone, and after dark.

The lack of available water at the new villages has increased the risk of sexual assault as women are walking longer distances to access water sources. Human Rights Watch is aware of about 20 rapes in three areas, most of which were alleged to have occurred when women were alone or travelling long distances to access water. Most of the rapes were alleged to have involved more than one soldier. Victims of sexual assault with whom Human Rights Watch spoke displayed various visible injuries. There were also multiple interviewees from one village that told us that when the army left after *tukul* construction, they took with them seven girls to become “their wives.” One eyewitness said:

When the soldiers finally left after the construction period they took seven young girls with them “for forced marriage.” They took them back to the Highland areas. I know the girls personally. They were taken right in front of their parents. They did not resist because the soldiers have guns. They were all taken in the same day, just at the end of construction.<sup>98</sup>

At the time of the interviews there was no information of the girls having been returned to their village.

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<sup>98</sup> Human Rights Watch interviews with former Gog Depache residents, Dadaab, Kenya. June 18 2011.

# VIOLATIONS OF ECONOMIC, SOCIAL, AND CULTURAL RIGHTS

## Infrastructure Commitments

The government of Ethiopia contends that villagization is being undertaken to ensure more efficient delivery of services to rural populations. But failure to provide promised infrastructure was a major failing of Ethiopia's past resettlement and villagization efforts and remains so today.<sup>99</sup> In at least 7 of the 16 villages visited by Human Rights Watch, residents were being moved from villages where infrastructure—schools, clinics, access to water—existed and was operational, to villages where infrastructure was non-existent.

In the new villages, villagers either were doing without this critical infrastructure or were walking to their old villages to access necessities. The government's claim that it is improving infrastructure is belied by the return of so many villagers to their old homes to access food, water, and health care. Some government officials have conceded that they did not have a budget to put the infrastructure in the new villages in place.<sup>100</sup> But there are indications that the 56 million Birr (US\$3.3 million) needed for the first year of infrastructure provision was provided by foreign donors, so it is not clear how these funds were spent.<sup>101</sup>

Of the 12 communities Human Rights Watch visited that were part of the government's implementation plan,<sup>102</sup> infrastructure provision was planned to involve thirteen water schemes, seven flour mills, eight warehouses, two new health clinics, and two primary schools, along with roads and other public goods.<sup>103</sup> Visits to these villages revealed that just two water schemes were operational. One new school and one clinic in Tegne, Abobo

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<sup>99</sup> T. Assefa, "Resettlement Impact on Environment and Host Communities," unpublished paper, December 19, 2005, Forum for Social Studies.

<sup>100</sup> Human Rights Watch interviews with a former regional government official and a former *woreda* official, Dadaab, Kenya, June 2011. Several village residents who spoke to Human Rights Watch also said they were told this by government officials.

<sup>101</sup> For example, a former regional government official as well as villagers from three separate villages told Human Rights Watch of a joint assessment in early 2011 by representatives from DFID, UNICEF, USAID, and others to "see how their money was being spent." DFID acknowledged that an assessment had been carried out but declined to provide a copy of the assessment to Human Rights Watch and to a member of Parliament in the British House of Commons.

<sup>102</sup> The other four villagized areas that we obtained testimony for were not listed in the Regional Government Plan for 2010/2011.

<sup>103</sup> Gambella Peoples' National Regional State, "Village level land holding registration and measurement in Gambella region; program for January 18-27, 2011," translated from Amharic.

*woreda*, had been built but were not operational. The buildings for the grinding mills were built in Atangi, Itang *woreda*, and Perbongo, Abobo *woreda*, but were not operational.

It is conceivable that the promised infrastructure and service delivery were provided to these villages since the time of the Human Rights Watch May 2011 visit, however the government plan identified the importance of having this infrastructure in place prior to villagers moving “when possible.”<sup>104</sup> For many of these communities the lack of infrastructure means that children are now not going to school, food is not available locally, illnesses are going untreated, and livelihoods have been decimated.

## Right to Food and Food Security

In this village, we used to hear the pounding of maize all the time. Now listen, ... you hear nothing.... The silence is deafening.

—Elder in Gambella *woreda*, May 2011

One of the most common concerns voiced when government officials and soldiers showed up saying it was “time to go” was that communities were often just getting ready to harvest their maize crops, the staple of Anuak diets. Several villagers told Human Rights Watch that soldiers told people to come back for their crops at a later time. For example, a man in Dimma *woreda* said soldiers told them: “You must go now. Do not worry about your crops. You can come back for them after you have built your houses.”<sup>105</sup>

Residents were usually not able to leave their new villages until the army departed. In almost every situation investigated by Human Rights Watch in which people were allowed to return to their original homes, they found that the maize crop had been destroyed by baboons, termites, or rats. In short, the timing of villagization could not have been any worse for those being moved. While individual experiences of villagization in Gambella vary largely among the *woredas*, the overwhelming majority of forced movements occurred precisely at or just before harvest time—a critical time for the communities. The livelihood disruption from the resettlement of villagers during harvest time was one of the major international criticisms of Derg-era resettlement programs, but the lesson appears to have been lost on the current Ethiopian government.<sup>106</sup>

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<sup>104</sup> Gambella Peoples’ National Regional State, “Villagization Program Action Plan (2003 EFY)”, p. 2.

<sup>105</sup> Human Rights Watch interview with a former Dimma resident, Dadaab, Kenya, June 19, 2011.

<sup>106</sup> Ofcansky and Berry, eds., *Ethiopia: A Country Study*, <http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field%28DOCID+eto103%29>.



**A new village with land for maize cleared by hand by villagers, despite government promises to have such land cleared.**

One of the government's commitments to the residents of new villages was the provision and clearing of adjacent land on which food could be grown.<sup>107</sup> Officials also pledged to provide food assistance for between six to eight months until the transition had been made to a more sedentary form of agriculture in place of shifting cultivation or agro-pastoralism.<sup>108</sup> In addition, communities were promised training in the necessary farming techniques as well as input provision (seeds, etc). The government villagization plan suggests that three extension workers would be posted in each village to assist with implementation.<sup>109</sup>

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<sup>107</sup> Villagers were promised between two and four hectares per household from government officials based on Human Rights Watch interviews. The plan shows "up to 3-4 ha /hh," Gambella Peoples' National Regional State, "Villagization Program Action Plan (2003 EFY)," p. 1.

<sup>108</sup> Villagers appear to have been promised between six to eight months of food assistance from government officials, according to Human Rights Watch interviews. The villagization plan shows "grain ration and cooking oil shall be considered for utmost [at most] 8 months." Ibid., pp. 3-4.

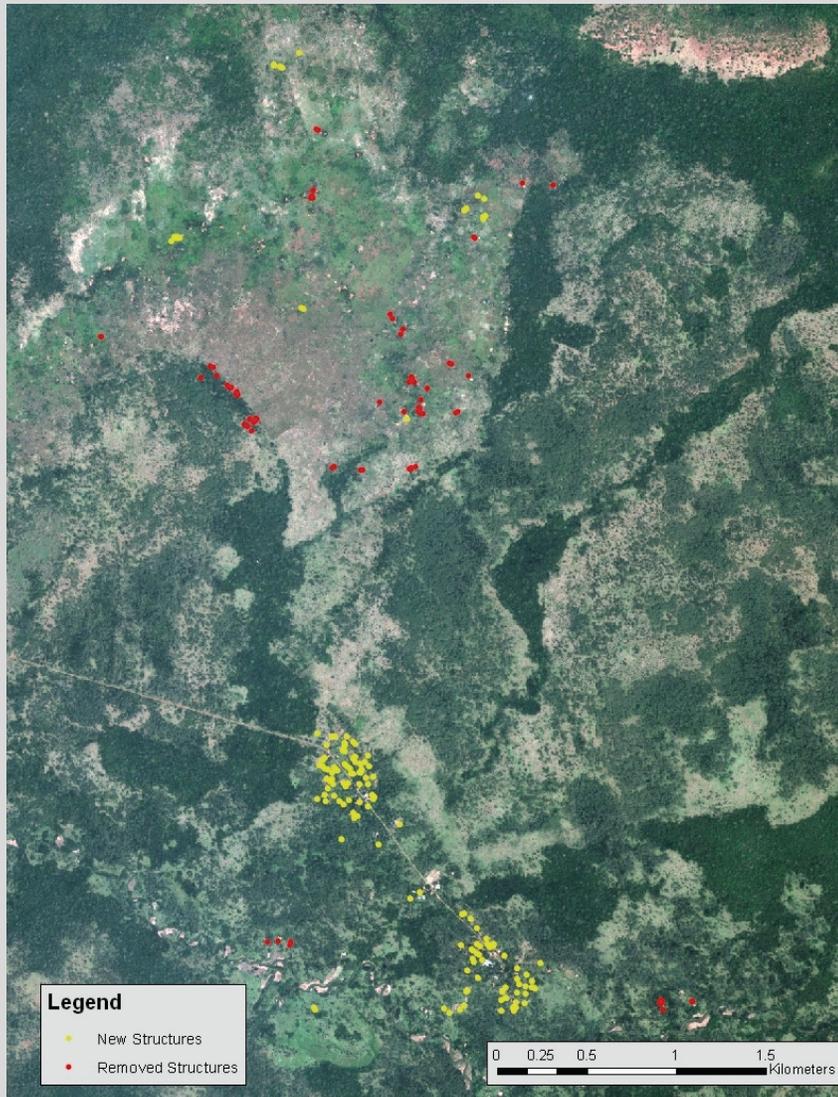
<sup>109</sup> Ibid., p. 3.

## Evidence of Rural Displacement and Villagization in the Akuna Area

In October 2011 villagers were told they were to be relocated from their existing homes to the village of Akuna:

*“In this location we have had more than enough food for the last 10 years, and enough now. [In the new location] there will be no food. They say there will be lots of water, small place for tukuls, and backyard for vegetables. They said they will provide relief food for the rest, but they never keep their promise, and here we can grow our own food.”*

There was a verbal commitment from government to the villagers of four hectares of cleared land per household. The Regional Government Plan states that land would be provided for each household “up to 3-4 hectares.”



©2011 GeoEye, Inc. Location: 7°53'06"N, 34°39'27"E.

The image shows that 68 scattered structures in the area surrounding Akuna that were present in June 2009 no longer existed in December 2011. During that period an additional 124 structures were constructed in the central village of Akuna.

Major infrastructure already existed in Akuna prior to villagization. No evidence exists in the images of any new infrastructure.

## Cleared Land in Akuna Area

There was a verbal commitment from government to the villagers of four hectares of cleared land per household. The Regional Government Plan states that land would be provided for each household “up to 3-4 hectares.”

In contrast to this pledge, villagers were told in April 2011 that 0.5 hectares would now be given for every two households. The lower red figure shows the area that was cleared adjacent to the new structures for agriculture: 32 hectares for 124 structures, which approximates to 0.25 hectares per household.

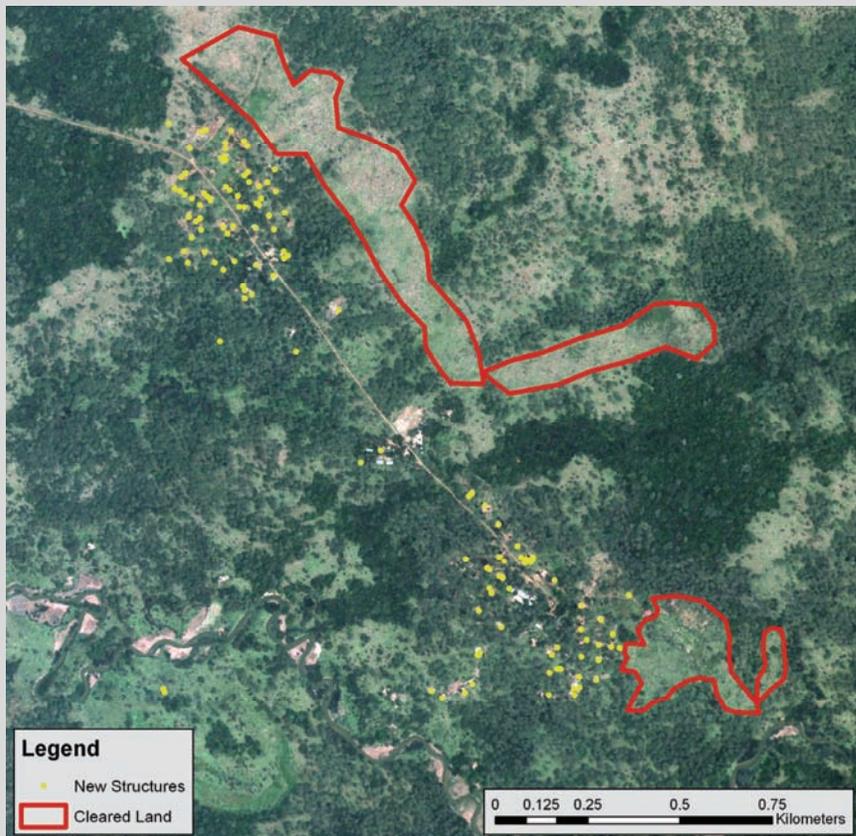


Image ©2011 GeoEye, Inc. Location: 7°53'12"N, 34°39'23"E.

A woman at a new village said:

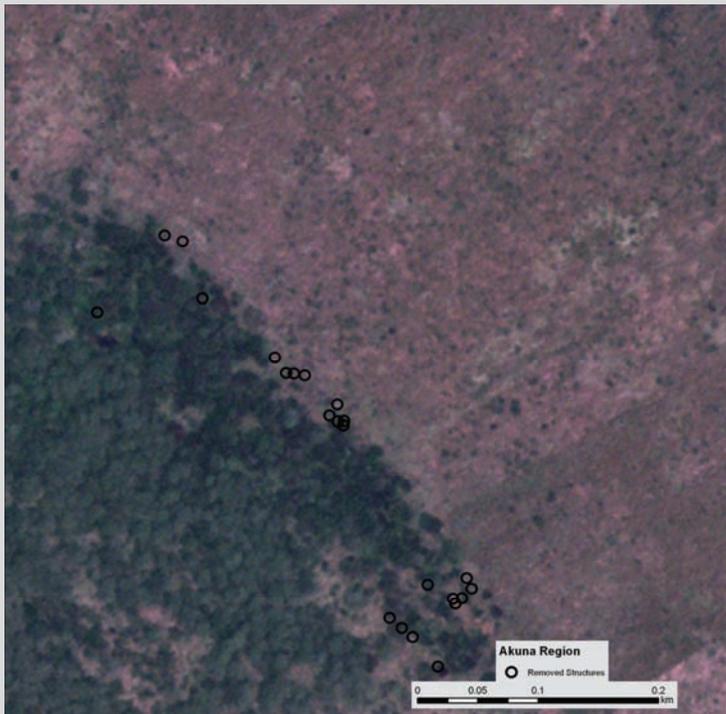
*“We expect a major starvation next year because they did not clear in time. If they cleared we would have food next year but now we have no means for food. We are starving. They promised food-enough and excess for the first eight months, then no more [after 8 months] we would be on our own. But they have brought virtually nothing. Half a hectare is not nearly enough for a family. So after we came to [Akuna to] build tukuls, both men and women, we went back [to our old farms] to get our maize and it was gone—the termites had taken care of it all.”*



June 2009. Image ©2011 GeoEye, Inc. Location: 7°54'36.2"N, 34°38'53"E.

## Removed Structures in Akuna

In 2009, the Akuna farming community is visible, with multiple small structures visible near small agricultural fields. By late 2011, however, all these structures are missing (indicated by circles), and the adjacent fields have been abandoned.



December 2011. Image ©2011 GeoEye, Inc. Location: 7°54'36.2"N, 34°38'53"E.

The regional plan states that households will have access to “up to 3-4 hectare[s]” and the letter from Minister of Federal Affairs Shiferaw Teklemariam to Human Rights Watch states that “through villagization program, a household is given an average of four hectares of land.”<sup>110</sup> Of the 16 communities where we obtained testimony none had received inputs and only two had any land cleared. In one of these communities, clearing was being done when Human Rights Watch visited, and the other village had cleared just 0.5 hectares (1.2 acres) per household for one-half of the households.<sup>111</sup> One woman complained about the lack of clearing: “The officials need to come with a grader. We are not forest people, we do not know how to cut trees. They need to clear.”<sup>112</sup>

Approximately one-third of these villages had received one small delivery of food (which seemed to last about two weeks), while the remaining two-thirds had no food deliveries at all. One villager expressed his sense of desperation:

The government is killing our people through starvation and hunger. It is better to attack us in one place than just waiting here together to die. If you attack us, some of us could run, and some could survive. But this, we are dying here with our children. Government workers get this salary, but we are just waiting here for death.<sup>113</sup>

The United Nations World Food Program (WFP) runs a program for “targeted beneficiaries” in some of the more food-insecure areas of Gog *woreda*. As part of their food deliveries under this program in chronically food-insecure areas, there were several food deliveries to the new villages. There were several accounts of *woreda* officials intercepting this food aid and eventually delivering it themselves to the affected populations. It is not clear how much of the intended assistance actually made it to the intended recipients. Human Rights

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<sup>110</sup> Letter from Minister of Federal Affairs Shiferaw Teklemariam to Human Rights Watch, December 19, 2011.

<sup>111</sup> This claim was verified by the analysis of satellite imagery carried out for Human Rights Watch by the American Association for the Advancement of Science (AAAS). The analysis shows that for this village approximately 32 hectares of land was cleared for the 68 new structures—approximately 0.25 hectares per household.

<sup>112</sup> Human Rights Watch interview with a villager who was relocated from the banks of the Openo River (Baro River) to an upland location in the forest, May 22, 2011.

<sup>113</sup> Human Rights Watch interview, Abobo *woreda*, May 25, 2011.

Watch documented the politicization of food aid and food-for-work programs in various regions of Ethiopia in 2010.<sup>114</sup> A resident of Gog told Human Rights Watch:

The government would not provide food if people did not come [to the new villages]. There was a tiny distribution of wheat at first. When they saw people starting to come to the village they stopped distribution [of food]. Then the World Food Program came with 50 kilograms [of wheat] for every three families, as well as some beans. We had to collect from [nearby village], but then the *woreda* interfered and handed out [the WFP food deliveries] themselves.<sup>115</sup>

Many of the new villages are in areas known to the residents. They had left these lands in the past because the soil was no longer fertile. In many other areas, vegetation is dense and large trees are present, making the area difficult to clear, particularly for a malnourished and often elderly population. This lack of clearing and the late arrival of the rains for the third straight year meant that, as of mid-2011, most farmers had not planted their crops; they usually would have been planted one to two months prior to this time.

“We expect major starvation next year because they did not clear in time,” said a resident of Abobo. “If they cleared we would have food next year but now we have no means for food.”<sup>116</sup>

The disruption at harvest time, the lack of any food reserves, the lack of food aid, and the lack of planting for the upcoming season (maize would be ready for harvest in approximately four months) is making an always precarious food security situation much worse. Almost every villager Human Rights Watch spoke to in Gambella said that the biggest problem they are facing with the villagization process is the lack of food. Seemingly out of touch with the reality in the villages, the minister of federal affairs told Human Rights Watch in December 2011 that “The villagers for the first time in their history started to produce excess product—maize, sorghum, rice, potatoes, beans, vegetables, fruits, etc.—beyond and above their family consumption.”<sup>117</sup>

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<sup>114</sup> See Human Rights Watch, *Development Without Freedom: How Aid Underwrites Repression*, October 2010, <http://www.hrw.org/reports/2010/10/19/development-without-freedom-o>.

<sup>115</sup> Human Rights Watch interviews with a community resident, Gog *woreda*, May 26, 2011.

<sup>116</sup> Human Rights Watch interviews, Abobo *woreda*, May 24 2011.

<sup>117</sup> Letter from Minister of Federal Affairs Shiferaw Teklemariam to Human Rights Watch, December 19, 2011.

## Perbongo Settlement Increase

In the above image (collected May 4, 2011), the red circle indicates the existing structures of Perbongo in 2007. The orange box represents the area of growth that occurred in the period from 2007-December 2010. The green box delineates the area where growth occurred between December 2010 and May 2011, involving 20 new structures.

An Anuak woman living in Perbongo in May 2011 said:

*“There were many of us living along the [Alwero] riverbank, all have been moved. The other side of the river has been cleared by Saudi Star. There is lots of clearing now along the river. [We] used to collect wild honey, fruits, and roots over there, but [it is] all cleared now.”*

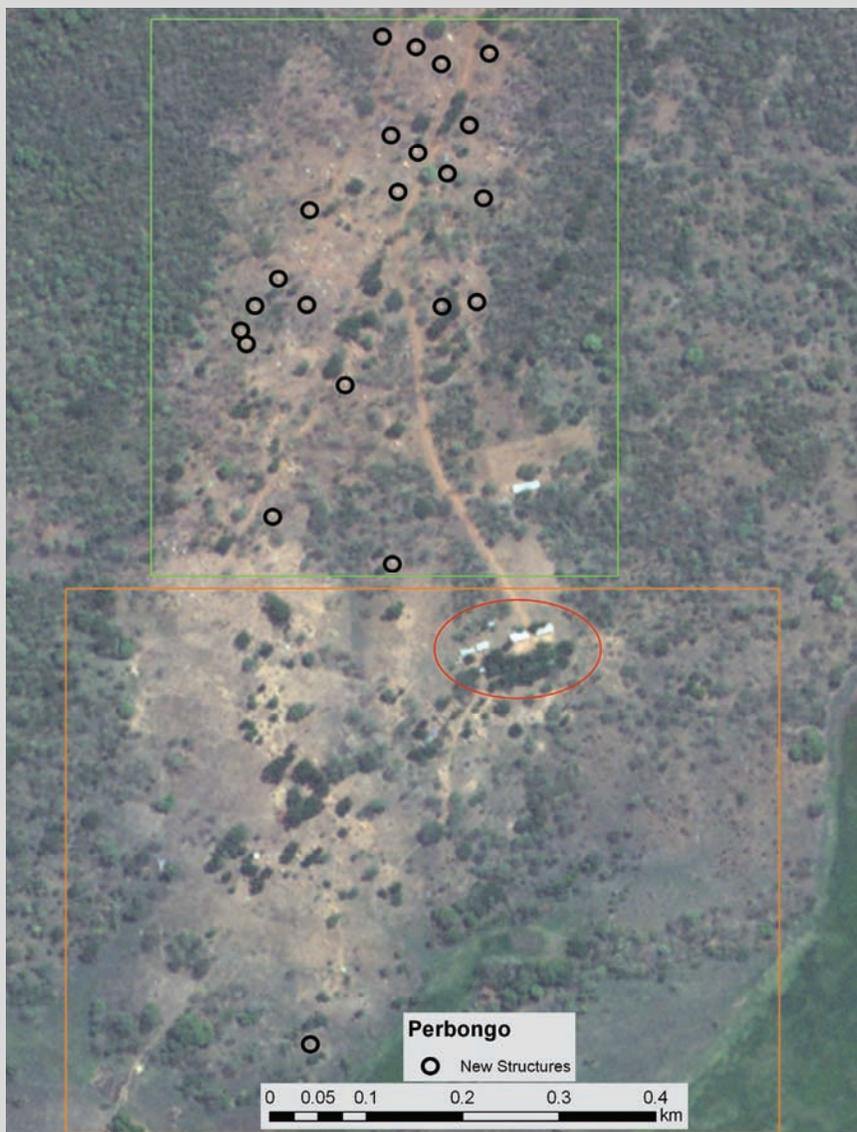


Image ©2011 DigitalGlobe, Inc. Location: 34°27'31.15"E, 7°54'11.4"N.

One villager asked: “We are living on roots, with no maize yields. This is all we will have, we can also hunt for honey, but for how long can we eat honey?”<sup>118</sup>

In past times of famine, the Anuak would turn to the forest to act as a buffer against insecurity, harvesting wild fruits, nuts, plants, fish, and game. Several of the communities we visited were subsisting solely on a starchy wild root while others were living off of the green leaves of several wild plants that were common around the village. But many spoke of the increasing inability to feed themselves from the forest as the forests have been taken and cleared by agricultural investors. Said one elder: “This year no wild fruits. We pray that next year will be different, but they are clearing the forest.”<sup>119</sup>

A woman from a village forced to move during harvest time and whose crops at her old home were destroyed by monkeys said, “Now we eat only green leaves. On the riverbank we had much food: our crops, our fish, and our fruit.”<sup>120</sup>

Several villagers spoke of people that had recently “starved to death.” Some were elderly and some were younger people who had collapsed during foraging activities in the remaining forests nearby. In one village, an Anuak elder, clearly distraught, came into the *tukul* where Human Rights Watch was interviewing to announce that his 25-year-old son, a father of two, had just died:

He was out to look for wild fruits because he and his family are so hungry.... He was out with two friends, and then just collapsed. He was carried back very weak to the village by his two friends. Some watered-down maize [the remains of *quon*]<sup>121</sup> was given to him. He took a few sips, said he needed a nap, and never woke up.<sup>122</sup>

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<sup>118</sup> Human Rights Watch interviews, Gog *woreda*, May 26, 2011.

<sup>119</sup> Ibid.

<sup>120</sup> Human Rights Watch interview, Itang *woreda*, May 26, 2011.

<sup>121</sup> *Quon* is a staple of the Anuak diet and is predominantly ground maize. It is similar to Kenyan *ugali* or Zambian *nshima*.

<sup>122</sup> Human Rights Watch interview, Gog *woreda*, May 25, 2011

## Right to Education

International human rights law provides for the right to education and requires that governments provide universal and compulsory primary education.<sup>123</sup> Several villagers with whom Human Rights Watch spoke said that they had been cautiously optimistic about moving to the new villages in part because they were led to believe that their children would be closer to schools.<sup>124</sup> However, not only have operational schools been completely absent from the new villages, but the government's villagization plan did not even envision schools for the majority of new villages.<sup>125</sup>

This has meant that some children are walking back to their old villages to attend school. However, in most cases the children are not attending school but spending the day with their mothers. The increased army presence in the area has raised concerns among parents about allowing their children, particularly older boys, to walk long distances to go to school, out of fear of them being assaulted.<sup>126</sup> One resident said:

There is a psychological impact on children. No learning is happening. There was a school in the old village, here there is none. No one is going to school now, as they are afraid. Who will protect them going to the old village? Even the children themselves are refusing to go.<sup>127</sup>

Those in school were also at risk. In several schools in which villagization was not occurring at that time government officials had compelled students to provide labor for *tukul* construction at nearby villages. They said that *woreda* officials told them that they would not be allowed to "write their Grade 10 examination" if they did not come. They would typically cut grass or wood.<sup>128</sup>

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<sup>123</sup> International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1996, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976, art. 13.

<sup>124</sup> Human Rights Watch interviews, Gambella and Dadaab, Kenya, May and June 2011.

<sup>125</sup> Gambella Peoples' National Regional State, "Villagization Program Action Plan (2003 EFY)", pp. 10-12.

<sup>126</sup> Human Rights Watch interviews, Abobo *woreda*, May 24, 2011.

<sup>127</sup> Ibid.

<sup>128</sup> Human Rights Watch interviews with a teacher and students, Gog *woreda*, May 26, 2011.

The expulsion of Anuak from urban areas has affected many Anuak youth, who have been compelled to leave their schools in town. This happened in Pugnido, Dimma town, and, to a lesser degree, Gambella town.<sup>129</sup> One boy, who is now a refugee in Kenya, said:

I was a student in Pugnido attending the primary school. During vacation I came to visit my family. That was the day they showed up to tell everyone to go. “This is a national campaign, so you are involved,” I was told. I refused twice. So I was beaten by the police then taken to the police station with the militias for two days. Elders came to prison to talk to me: “It’s happening to us all. Just do it. It will be easier for you.” So I was released in order to go build *tukuls* in the new village, and I just then went to Pugnido and fled to South Sudan. I no longer go to school.<sup>130</sup>

One village that previously had full infrastructure was relocated less than one kilometer away to an area without infrastructure. Students were walking to school at their old location, but teachers told us that the absence of food available in the communities resulted in students who were lethargic and uninterested in learning. Eventually they just stopped going. According to a village elder, teachers have also stopped appearing at school, and now there are plans to close the school.<sup>131</sup>

A government worker in Itang *woreda* told Human Rights Watch:

Before we had school underneath a mango tree, with teachers from our community, which was fine. Now we have a building, but with no teachers, no nothing, and the children do not go to school. But the government can now show the world that there is a “school” whereas before there was “nothing.”<sup>132</sup>

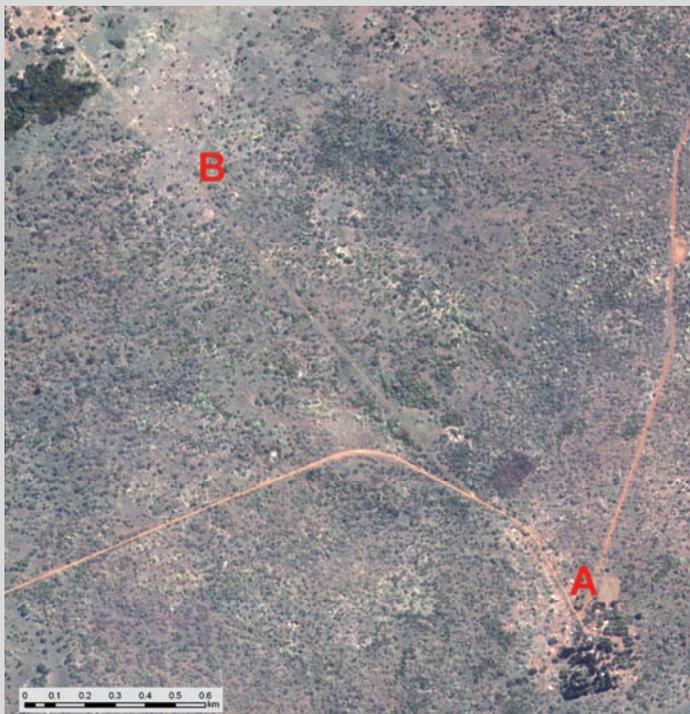
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<sup>129</sup> Human Rights Watch interviews, Dadaab, Kenya, June 18 and 19, 2011.

<sup>130</sup> Human Rights Watch interviews with a former Dimma student, Dadaab, Kenya, June 19, 2011.

<sup>131</sup> Human Rights Watch interview, Gog *woreda*, May 25, 2011.

<sup>132</sup> Human Rights Watch interviews, Itang *woreda*, May 26, 2011.



©2011 DigitalGlobe, Inc. Settlement A: 34°30'12.55"E, 7°34'50.16"N.

## New Construction in Gog Jingjor Area

Two villagized settlements in the Gog Jingjor area. Structures identified were added between January 2010 and May 2011. Interviews were carried out in Settlement A. A school and other community infrastructure were in place in the existing village located just below A (inside the red circle). Villagers in the new structures in Settlement A were moved from the existing settlement (around the red circle) to their new locations 200-500 meters along the road, moving them further away from existing infrastructure.

An Anuak elder said: *"We were moved from literally two minutes away—we were moved to the new village about 400 meters away from the old village. We were not given a reason other than that we needed to be seen by the roadside in order to be called a village—we debated and we argued. But here we are."*

A schoolteacher from the original village described the transfer: *"All of them [the villagers] resisted. There were arguments, but were told to go so they did. They moved further away from the school and clinic. The decision has now been made to close the school because children don't attend anymore because they are starving."*



Settlement B: 34°29'21.27"E, 7°35'38.23"N.



*tukul* in Gog Depache, Gambella. Officials built “model *tukuls*” in many new villages to show relocated villagers how to build their own, usually under close military supervision.

## Forced Labor and the Right to Adequate Housing

The government’s villagization plan endorsed a “participatory approach” as one of its implementation principles, whereby the target beneficiaries should contribute local material and labor.<sup>133</sup> What this meant in practice was that villagers who were moved from their homes to the new locations were all required to build their own *tukuls* without any compensation. The army supervised this process, and slowdowns in work were met with intimidation, beatings, and other abuses.

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<sup>133</sup> Gambella Peoples’ National Regional State, “Villagization Program Action Plan (2003 EFY)”, p. 4.

Additionally, in several *woredas*, government workers were also required to assist in the building of houses in the new villages. This order applied to most government workers, whether they were civil servants, nurses, or teachers: all had to come and help for one to three weeks.<sup>134</sup>

As noted above, the authorities also brought in students from schools in neighboring villages to cut grass or wood for *tukul* construction.<sup>135</sup> Government officials would show up at the schools and tell students that “tomorrow they would go to cut.” Students typically were brought in in the morning and returned in the evening. A teacher said: “As teachers we were told to organize students to cut grasses, usually on weekends but sometimes on Fridays.... The students are not happy about cutting grass. But what can they do?”<sup>136</sup>

In Gog *woreda* and other villages, government officials would show up with trucks, order the men to get in, and take them to neighboring villages to work. Women were brought to cook food for those having to work. In some cases, they returned to their home villages the same day, while in others they stayed for longer until the construction of *tukuls* was finished, sometimes for as long as three weeks. None of the workers was paid, nor was the work voluntary.

During the *tukul* construction process, many people slept under trees in their new communities, while those whose old communities were nearby returned home in the evenings. No food was provided for those villagers who were building their own *tukuls* and many said they feared being mistreated by the soldiers for slow work. One told Human Rights Watch that the “lack of nourishment made it very difficult to build at the speed the army demanded.”<sup>137</sup>

Like other rights violations associated with villagization in Ethiopia, these abuses are not new. The Derg-era resettlement and villagization programs in Gambella were criticized for

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<sup>134</sup> Human Rights Watch interviews, Gambella and Dadaab, Kenya, May and June 2011.

<sup>135</sup> Human Rights Watch interview, Gog *woreda*, May 25, 2011.

<sup>136</sup> Human Rights Watch interviews, Gog *woreda*, May 25, 2011.

<sup>137</sup> Numerous Human Rights Watch interviewees provided similar perspectives. Human Rights Watch interviews, Gambella and Dadaab, Kenya, May and June 2011.

their use of forced labor of the indigenous population to build the new resettlement areas and other government infrastructure projects.<sup>138</sup>

## Displacement, Agricultural Investment, and Indigenous Land Rights

We were told all our old land will be used for rice by Highlanders. We were told this by Government when they came.

—Farmer from Gambella *woreda*, June 2011

Despite official claims that the villagization program is being carried out primarily to ensure better government services to rural populations in Gambella, there is evidence that a major government aim is to make land available for commercial agriculture. Government officials have told villagers that land is to be leased to investors—former government officials involved in the villagization program have confirmed such allegations with Human Rights Watch—and lands being leased to investors are in the areas where villagization is happening.

Residents of six communities told Human Rights Watch that government officials informed them that the underlying reason for villagization is to provide land to investors. One farmer said that during the government’s initial meeting with his village, *woreda* officials told them: “We will invite investors who will grow cash crops. You do not use the land well. It is lying idle.”<sup>139</sup>

A former regional civil servant said that the link between villagization and the transfer of land for agricultural investment was well known within the government: “The [regional] Bureau of Agriculture head told me that land that is left will be given to investors. This all has started at the federal level. I never saw a document or plan about any of this. It was only shared with those at the top. There was a fear that it would get around.”<sup>140</sup>

As there is little transparency about land investment deals between the government and companies in Ethiopia, there is no precise information or mapping available on where land investments have been awarded. But there does appear to be a correlation between where land is being leased to investors and where villagization is focused. In general terms,

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<sup>138</sup> Jason W. Clay and Bonnie K. Holcomb, *Politics and the Ethiopian Famine 1984-1985*, (Cambridge, Mass.: Cultural Survival, 1985), p. 53.

<sup>139</sup> Human Rights Watch interview with a former farmer from Itang *woreda*, Nairobi, Kenya, June 19, 2011.

<sup>140</sup> Human Rights Watch interview with a former regional government official, Dadaab, Kenya, June 18, 2011.

agricultural investment in Ethiopia is focused on the regions of Benishangul-Gumuz, Gambella, Afar and Somali—the same regions where villagization programs are being undertaken. The Oakland Institute, a policy think-tank that has done field investigations of land issues throughout sub-Saharan Africa, reports that, as of November 2010, 42 percent of Gambella’s total land area and 27 percent of the total land area of Benishangul-Gumuz had either been leased to investors or was being actively marketed by the federal government. Federal government marketing efforts have focused on three of the four villagization regions: Afar, Benishangul-Gumuz, and Gambella.<sup>141</sup> In the fourth marketed region, the SNNPR, forced displacement is also occurring to the indigenous populations<sup>142</sup> and has only recently been referred to as “villagization” by the state media.<sup>143</sup> Within Gambella, areas awarded to investors include the Abobo, Itang, and Gog *woredas*, and along the Baro and Alwero Rivers—the very areas where the first year of villagization was focused.<sup>144</sup>

According to the Oakland Institute report, areas vacated for villagization in Gambella have been quickly taken by investors. For example, Ochak Chilla farmland has been leased by Saudi Star.

The village of Abol lost farmland to a London-based diaspora investor. Farmland used by Ilea village is now leased by one of Ethiopia’s largest investors, Karuturi Global Ltd. (“Karuturi”), an Indian company.<sup>145</sup>

In a response to questions sent by Human Rights Watch, Karuturi stated that the company “has not caused in any manner, any displacement of human habitation in order to make way forward for the project and is living in peaceful harmony with the people of

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<sup>141</sup> Oakland Institute, “Understanding Land Investment Deals in Africa,” <http://media.oaklandinstitute.org/understanding-land-investment-deals-africa-ethiopia>.

<sup>142</sup> See forthcoming Human Rights Watch report, *‘What Will Happen if Hunger Comes?’ Agricultural Development and Abuses Against the Indigenous Peoples of the Omo Valley*.

<sup>143</sup> “State to villagize over 20,000 pastoralist households,” *Waltainfo*, December 26, 2011, [http://www.waltainfo.com/index.php?option=com\\_content&view=article&id=1111:state-to-vilagize-over-20000-pastoralist-households&catid=52:national-news&Itemid=291](http://www.waltainfo.com/index.php?option=com_content&view=article&id=1111:state-to-vilagize-over-20000-pastoralist-households&catid=52:national-news&Itemid=291), (accessed December 28, 2011).

<sup>144</sup> Human Right Watch visited the *woredas* where the most intensive commercial agricultural investment was occurring. The majority of the forced evictions associated with villagization seem to be occurring in these same *woredas*. Discussions with former residents of other *woredas* (including Mengesh, Jikao, and Jor *woredas*) in Dadaab, Kenya, and in Gambella town indicated that both agricultural investment and forced evictions have been occurring on a more limited basis in those districts.

<sup>145</sup> Karuturi Global Ltd. has leased 10,000 hectares of land in Bako, Oromia; 100,000 hectares of land in Gambella; and an option for 200,000 hectares of additional land in Gambella. Karuturi Global Ltd. also operates a 435 hectare flower farm.

Gambella.”<sup>146</sup> However, Human Rights Watch’s visit to the Karuturi lease area in May 2011 found that Anuak maize, sorghum, and groundnut crops had been cleared without consent. Some residents moved as a result.<sup>147</sup> Furthermore, the federal government has been actively marketing over 800,000 hectares of large land parcels in Gambella (32 percent of the total land area) for agricultural land investment, and many of the areas that have been moved for villagization are located within these parcels.<sup>148</sup> The regional government also has the authority to grant additional land parcels under 5,000 hectares (approximately 12,300 acres) to investors.<sup>149</sup>

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<sup>146</sup> Letter from Sai Ramakrishna Karuturi, founder and managing director, Karuturi Global Ltd., to Human Rights Watch, December 9, 2011.

<sup>147</sup> Human Rights Watch interviews with residents of Ilea, Gambella, May 2011 and interviews with former Ilea residents, Dadaab, Kenya, June 19, 2011.

<sup>148</sup> Oakland Institute, “Understanding Land Investment Deals in Africa,” <http://media.oaklandinstitute.org/understanding-land-investment-deals-africa-ethiopia>.

<sup>149</sup> Ibid.



**Saudi Star’s irrigation canals. Several small villages used to exist at this location and were moved to make way for Saudi Star’s 10,000 hectare farm development. The irrigation canals were first dug in mid-2010, and the villages were moved in November 2010.**

The residents who were moved from their homes to the new villages expressed concerns about the land being used for agricultural investment, but have received no clear answers. An Anuak now in Kenya said: “We ask them, ‘Have you sold our land?’ They say no. But investors are working on it. Why don’t they go where there are no people?”<sup>150</sup>

An Anuak from Gog *woreda* said: “Just before we were told to move, a Highlander came to check the soil—they took it in their fingers and looked at it. They came to check the quality

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<sup>150</sup> Human Rights Watch interview, Gambella, May 26, 2011.

of the land, and elsewhere we know forests are being cleared for investors, so we believe that it is coming.”<sup>151</sup>

In *woredas* with other significant natural resources, land is being cleared for other ventures. In Jor and elsewhere there is oil exploration.<sup>152</sup> In Dimma *woreda* there is gold exploration. Residents said that villagization is being used as an excuse to clear populations in Dimma, although Human Rights Watch was unable to corroborate their claim. A former Anuak miner described what happened there:

After people were villagized, an airstrip was built near the gold mines. The indigenous are now laborers, investors are Highlanders, laborers provide materials. There are no foreigners there, and many soldiers are in the goldfields. In the last year, everything has changed in the goldfields and everything is under the control of the government.<sup>153</sup>

Similar testimonies were provided by several other interviewees from Dimma *woreda*.<sup>154</sup>

The role of the agricultural investors in the villagization process remains unclear. Two commercial agricultural investors interviewed said they were aware of the villagization process but that it was a “government policy” in which they had no role.<sup>155</sup> There is little evidence of direct involvement of investors in transferring populations, with a couple of exceptions. One former regional government official described a [domestic] investor indirectly paying for villagization:

[I]n Gog, 1 million Birr [US\$59,000] was brought to the district chairman to help this process. “What is this money for?” the *woreda* officials enquired.

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<sup>151</sup> Human Rights Watch interview, Gog *woreda*, Gambella, May 25, 2011.

<sup>152</sup> The Gambella geological basin is an extension of South Sudan’s Melut basin. Exploration drilling last took place in Gambella in early 2006 by Zhongyuan Petroleum Exploration Bureau (ZPEB) under contract from Malaysian giant Petronas. For more information, see Kaleyesus Bekele, “Chinese Oil Company Starts Drilling”, *The Reporter*, March 4, 2006, <http://allafrica.com/stories/200603060328.html>, (accessed August 4, 2011). Reports in November 2011 indicate that Ethiopia’s South West Energy is on the verge of taking over the Gambella concession. South West currently has petroleum concessions around Jimma and in the Ogaden. For more information, see Mahlet Mesfin, “Ministry to Sign Exploration Agreement with South West”, *Addis Fortune*, November 14, 2011, <http://allafrica.com/stories/201111150694.html>, (accessed November 21, 2011).

<sup>153</sup> Human Rights Watch interview with a former Dimma *woreda* resident, Dadaab, Kenya, June 19, 2011.

<sup>154</sup> Human Rights Watch interviews with former Dimma *woreda* resident, Dadaab, Kenya, June 18 and 19, 2011.

<sup>155</sup> Interviews with agricultural investors, Gambella, November 2010.

The investor told them “I was told to bring this by [senior regional official, name withheld].” So *woreda* officials went to the [senior regional official] who told them: “Do you want to do the villagization work or not? Take the money and go do some work.”<sup>156</sup>

One of the largest investors in Gambella, the Indian conglomerate Karuturi Global Ltd., was reportedly told in early 2010 by the regional government that it could relocate the village of Ilea.<sup>157</sup> According to the same media report, Karuturi declined. In response to questions from Human Rights Watch (see Appendix VII), Karuturi denied any knowledge of the offer to move Ilea village and stated that the company has “neither been involved in any way with the Ethiopian Government’s policy on villagization [sic] or re-settlement of people nor is aware of any such program of the Ethiopian Government in any greater detail.”<sup>158</sup> However, residents of Ilea have now been told by the government that they will be moved in the 2011/2012 year of the villagization program.<sup>159</sup>

A United States Agency for International Development (USAID) official who spoke to Human Rights Watch said that his agency had concerns about the underlying motives of the program, and that they had been trying without success to get the government to respond to the allegations of a link with land investment.<sup>160</sup>

Human Rights Watch is unaware of any compensation being offered to any of the villagers for their farms. The regional government plan is silent on the issue of compensation. Villagers with whom Human Rights Watch spoke were generally not aware of their rights in this regard. The strong constitutional and legal basis in Ethiopian law for compensation only applies to those who have registered title and no such land tenure system exists in the regions where villagization is happening.<sup>161</sup> But there is nonetheless an obligation to provide compensation under international law.<sup>162</sup>

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<sup>156</sup> Human Rights Watch interview with a former *woreda* civil servant, Dadaab, Kenya, June 18, 2011.

<sup>157</sup> Mary Fitzgerald, “The New Breadbasket of the World,” *Irish Times*, January 30, 2010.

<sup>158</sup> Letter from Sai Ramakrishna Karuturi, founder and managing director, Karuturi Global Ltd., to Human Rights Watch, December 9, 2011.

<sup>159</sup> Human Rights Watch interview with a former resident of Ilea, Dadaab, Kenya, June 19, 2011.

<sup>160</sup> Human Rights Watch interview with USAID, Addis Ababa, Ethiopia, September 7, 2011.

<sup>161</sup> For example, Proclamation 455 of 2005 outlines expropriation procedures, which includes compensation equivalent to the replacement cost of any improvements/property on the land, and 10 times the average annual income from the previous five years.

<sup>162</sup> See the Legal Framework section below.

Several communities said they were told by the authorities that the new cleared plots of land would be formally registered,<sup>163</sup> and the plan includes “land certification” as one of its implementation strategies “[t]o avoid land disputes and to make sure the land use rights vested to the people in the constitution [are respected], land certification system should be in place.”<sup>164</sup> As of June 2011 no plots of land had been formally registered. The only form of land registration in Gambella is for those investors who have leased land from the federal and regional governments.<sup>165</sup>

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<sup>163</sup> Human Rights Watch interviews, Gambella, May 2011.

<sup>164</sup> Gambella Peoples’ National Regional State, “Villagization Program Action Plan (2003 EFY).”

<sup>165</sup> Human Rights Watch interviews with former regional and district government employees, Dadaab, Kenya, June 18 and 19, 2011.

## ROLE OF INTERNATIONAL DONORS

Ethiopia's foreign donors have a complicated relationship with Ethiopia's villagization program. On the one hand, they clearly understand the risks associated with relocating large numbers of people and have actively encouraged the Ethiopian government to follow best practice and to refrain from using force. On the other hand, through their ongoing budgetary support to regional and local governments, they are, in part, paying for the construction of schools, health clinics, roads, and water facilities in the new villages. They are also funding agricultural programs directed towards resettled populations and the salaries of the local government officials who are implementing the policy.

Encouraging the government to follow best practice and to avoid common abuses associated with resettlement programs such as expropriation, forced displacement, and violations of economic and social rights is positive. However, foreign aid agencies should ensure that their assistance is not contributing to the very same violations by underwriting abusive programs.

### Donor Efforts to Encourage Best Practice

The Development Assistance Group, the collective of foreign government donor agencies in Addis Ababa, coordinates development programs and the donor relationship with the Ethiopian government. The DAG was initially concerned about the villagization program and the risk of rights abuses resulting from a poorly planned and implemented program. They issued a set of guidelines, the "Good Practice Guidelines and Principles Regarding Resettlement" (the "Guidelines"), for the Ethiopian government on best practice for resettlement programs (see Appendix II). In interviews with Human Rights Watch, donor officials repeatedly referred to these guidelines, and that the Ethiopian government had promised to abide by them.<sup>166</sup>

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<sup>166</sup> DFID has publicly stated that the "Government of Ethiopia approached the international community for support for its villagization program" in February 2011. DFID said that in response to this it collaborated with other international agencies and "developed a set of guidelines and principles for transparent and fair villagization/resettlement processes in Ethiopia. These were discussed with and accepted by the Government of Ethiopia. DFID has also provided the Government with examples of good practice relating to resettlement and villagization processes." UK House of Commons Parliamentary Debate, September 12, 2011, <http://services.parliament.uk/hansard/Commons/bydate/20110912/writtenanswers/parto13.html> (accessed October 15 2011).

The DAG Guidelines recognize important concerns related to the villagization program. First, they note that the Ethiopian government is relocating communities at least in part because of a desire to increase commercial investment in Developing Regional States (DRS)—the states of Afar, Benishangul-Gumuz, Somali, and Gambella, where villagization is happening. Second, they point out that the Ethiopian government concedes that safeguards are not yet in place.<sup>167</sup>

Donors to Ethiopia were approached by the government to support the villagization process but as the Guidelines state, “Beyond humanitarian assistance, it is problematic for international partners to respond to such requests in the absence of clear information regarding the policy frameworks, objectives, principles and strategies that federal and regional governments have adopted and on which these activities are based.”<sup>168</sup> Further, the Guidelines note:

Many international development partners employ specific policies and guidelines in relation to resettlement. This is because past experience in a number of countries has shown that where people are resettled without adequate planning and consultation, against the will of individuals and communities such population movements can impact negatively on the wellbeing and livelihoods of those who were intended to benefit. In addition, such movements can create tensions and conflict between resettling groups and host communities which undermine the conditions necessary for effective development and economic growth.<sup>169</sup>

The World Bank, for example, has specific guidelines on involuntary resettlement that set out criteria that the development partner (in this case the government of Ethiopia) must

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<sup>167</sup> The guidelines state: “We also recognize the government’s desire to improve access to basic services and sustainable livelihood opportunities, increase commercial investment to achieve higher rates of sustainable economic growth.... As part of its pursuit of these objectives in the DRS, the government is relocating communities and has indicated that specific process and safeguards need to be put in place to ensure that relocation processes of different kinds are effective and successful.” See Appendix II, Development Assistance Group, “Good Practice Guidelines and Principles Regarding Resettlement,” January 24, 2011, p. 1.

<sup>168</sup> Ibid., p. 1.

<sup>169</sup> Ibid., p. 1.

follow where projects using World Bank funds involve resettlement.<sup>170</sup> The DAG Guidelines closely mirror the principles elucidated in the World Bank policy. Donors are clearly well aware of the risks posed by large-scale resettlement programs. They appear to be less clear on what to do when the Ethiopian government does not abide by the guidelines that it has set out, nor on what the implications of a badly conceived and implemented resettlement policy are for their own involvement in government programs that are directly implicated in paying for the villagization process.

Human Rights Watch research shows that the Ethiopian government's villagization process in Gambella fails to meet the standards set out in the Guidelines. For instance, the program has given little regard to the Guidelines call that, "the development of necessary basic infrastructure and services (for example road access, water, sanitation, health and education) must be in place before relocation takes place."<sup>171</sup> Other major problems—the absence of meaningful consultation and participation in the planning process; the lack of choices about alternatives; the forced nature of the process; and, the complete lack of compensation and redress—demonstrate that the Ethiopian government's policy in Gambella is more an example of worst practice.

In early 2011 as the program got underway, several donors were concerned and commissioned their own assessments of villagization. While these assessments underscored concerns with poor planning and issues relating to food insecurity, donors were not overly alarmed with what they found, and deemed the processes, as noted below, to be voluntary.<sup>172</sup> This finding is inconsistent with Human Rights Watch's field research.

As of September 2011, two official assessments had been carried out by international donors: one in Gambella in March 2011 by the United States Agency for International Development (USAID), the United Nations Children's Fund (UNICEF), and the United Kingdom Department for International Development (DFID), and one in Benishangul-Gumuz in February/March 2011 by the World Bank and the Finnish embassy. Donor

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<sup>170</sup> See World Bank, "OP 4.12 – Operational Policy on Involuntary Resettlement," December 2001 (revised February 2011), <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/0,,contentMDK:20064610~menuPK:64701637~pagePK:64709096~piPK:64709108~theSitePK:502184,00.html>, (accessed January 10, 2012).

<sup>171</sup> Development Assistance Group, "Good Practice Guidelines," p. 4.

<sup>172</sup> Human Rights Watch interviews with the World Bank and the Finnish Embassy, September 9, 2011. These assessments were carried out in Gambella Region by DFID, USAID, EU, and UN agencies, and the Benishangul-Gumuz Region by Finland and the World Bank.

officials told Human Rights Watch that they were relatively free to move around the regions and villages as they deemed appropriate without government interference, although some of the visits in Benishangul-Gumuz were accompanied by government officials.

The USAID/UNICEF/DFID assessment has not been made public. However, officials told Human Rights Watch that the team in Gambella visited 12 villages in March 2011 and reportedly found that aid and infrastructure had not been delivered as promised. It also found that people moved primarily because of the promises of aid. A follow-up visit in June/July found that a lot of people were moving back to their old areas which, according to USAID, provided evidence of the voluntary nature of the move.<sup>173</sup> Negative aspects they identified included the speed, scale, and timing of the moves. DFID and the other participants in this assessment reported similar findings.<sup>174</sup>

The World Bank assessment in Benishangul-Gumuz has also not been made public. Officials told Human Rights Watch that they visited 30 sites out of a possible 75 villages and a follow-up assessment was carried out in July 2011. The World Bank told Human Rights Watch that for their initial assessment of the villagization process in Benishangul-Gumuz they brought in a high-level delegation of World Bank experts on resettlement to assess compliance with World Bank's Operational Policy on Involuntary Resettlement, OP 4.12. The team did not find it necessary to trigger their involuntary resettlement safeguards under OP 4.12, determining that villagization was "voluntary." The World Bank would not publish the assessment but summarized their two key findings of their assessment as:

1. The relocation of households under the Government of Ethiopia commune program<sup>175</sup> in Benishangul-Gumuz appeared to be voluntary, and was not a direct consequence of Bank-assisted investment projects implemented in the region.
2. Some Bank-supported projects in the region are being carried out contemporaneously with the GoE [Government of Ethiopia] commune program, but do not provide direct support to its implementation.<sup>176</sup>

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<sup>173</sup> Human Rights Watch interview with USAID, Addis Ababa, September 7, 2011.

<sup>174</sup> Human Rights Watch interviews with DFID and USAID, Addis Ababa, September 7 and 8, 2011.

<sup>175</sup> Donors now refer to the villagization program as the "commune" program.

<sup>176</sup> Human Rights Watch email communication with World Bank, Sustainable Development Division, Africa Region, October 6, 2011.

As evidence of the program’s voluntary nature, officials cited the relatively small distances people were told to move; the fact that people had chosen to move, motivated by greater access to services; and that people were told they could return to their original homes. The assessments also concluded that the observations of villagers going out and getting their own building materials and building their own *tukuls* (traditional huts) was evidence of their buy-in toward the program. It should be reiterated that this assessment was for Benishangul-Gumuz region, and not for Gambella, the focus of this report.

## Donors’ Involvement

The World Bank commissioned an assessment to establish whether Bank-supported projects were implicated in the implementation of the villagization program. The DAG Guidelines also highlight donor concerns with supporting resettlement programs. And yet, donors may well be supporting villagization without explicitly agreeing to do so.

The largest multilateral assistance program in Ethiopia is the Protection of Basic Services (PBS), a multi-billion dollar, multi-year program coordinated by the World Bank that provides budget support to local governments in Ethiopia in five sectors: health, education, water, roads, and agriculture.<sup>177</sup> The PBS program goes to *woreda* budgets, so at a minimum donor funds account for around 30 percent of health and education expenditure in the *woredas*.<sup>178</sup> In this way, donor funds could be being used for villagization to the extent that they are paying for new infrastructure in the destination villages: schools, hospitals, roads, agricultural programs, and likely food aid in the interim while livelihoods are in transition. For its part, the government is keen to stress donor buy-in. A spokesperson for the Ministry of Agriculture said that “there is financial support through the Productive Safety Net Program (PSNP),” the food for work program that provides a safety net across food insecure areas of the country.<sup>179</sup>

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<sup>177</sup> See Human Rights Watch, *Development Without Freedom*. The largest donors to PBS are the European Union and the United Kingdom. Total project costs for the PBS Phase II program as of February 2011 was US\$4.14 billion, with US\$2.2 billion from donors including the World Bank, and US\$1.9 billion contributed by Ethiopia. Donors are expected to provide an additional US\$366 million. See World Bank, *Projects & Operations*, s.v. “Ethiopia Protection of Basic Services Phase 2 Project,” 2011,

<http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/0,,contentMDK:22886509~menuPK:64282138~pagePK:64614770~piPK:64614834~theSitePK:40941,00.html>, (accessed January 10, 2012).

<sup>178</sup> No publicly available audit is available showing how much of *woreda* expenditure is provided by the Ethiopian government and how much by donors; assistance is, in this sense, budget support.

<sup>179</sup> The Productive Safety Net Program (PSNP) aims to provide predictable transfers of food or cash to food-insecure households through a public works program, or direct transfers to those who cannot work. The program targets between 7 and 8 million beneficiaries and is run by the World Bank and the Ethiopian government. For more information see World Bank,

Western donors told Human Rights Watch that they recognized that villagization might be indirectly funded through the PBS program and food aid programs, like the PSNP. Because they have no way of disaggregating *woreda* expenditure, they do not know.<sup>180</sup> However, given that the PBS funds basic services across the country, indeed this is one of its aims, then it is almost impossible for donor funds not to be contributing to basic services in new villages. At least one other donor said that some of their water-sanitation projects were likely taking place in communities that had been villagized.<sup>181</sup> Several donors said that some infrastructure might have been built in villagized areas with their support and also spoke of the role they played in encouraging the government to ensure that the program complied with the World Bank's operational policy on involuntary resettlement.<sup>182</sup> One major donor to Ethiopia suggested to Human Rights Watch that "since [the] government has endorsed the [World Bank's] principles, [the donor] has been more flexible about the use of [its] funds for the program."<sup>183</sup>

In an email communication the World Bank told Human Rights Watch that "in some instances households had been encouraged to voluntarily cluster in communities where World Bank and other donor-financed infrastructure already exists or is planned to be provided in order to have easier access to water points, schools, health centers and other services." The World Bank noted that the "Government of Ethiopia has not requested financial and/or advisory support from the World Bank for the commune [villagization] program."<sup>184</sup>

However this does not mean that existing World Bank programs like the PBS are not being used to pay for infrastructure in the new villages. The assessment in Benishangul-Gumuz referred to above says that bank-supported projects are being carried out "contemporaneously" with the villagization program but are not providing "direct support

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*Projects & Operations*, s.v. "Public Works and Grants Create Safety Net," 2009, <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/o,,contentMDK:21395349~menuPK:64282138~pagePK:64614770~piPK:64614834~theSitePK:40941,00.html>, (accessed January 10, 2012).

<sup>180</sup> Human Rights Watch interviews with donor officials, Addis Ababa, September 2011.

<sup>181</sup> Human Rights Watch interview with the Ministry of Agriculture spokesperson, Addis Ababa, September 9, 2011.

<sup>182</sup> Human Rights Watch interview with donor officials, Addis Ababa, September 2011; for an overview of the World Bank policy on involuntary resettlement, see World Bank, "OP 4.12," <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/o,,contentMDK:20064610~menuPK:4564185~pagePK:64709096~piPK:64709108~theSitePK:502184,00.html>.

<sup>183</sup> Human Rights Watch interview with a donor official, Addis Ababa, September 9, 2011.

<sup>184</sup> Human Rights Watch email communication with World Bank, Sustainable Development Division, Africa Region, October 6, 2011.

to its implementation,” without spelling out what that means. The assessment in Benishangul-Gumuz should be made public and the World Bank should make clear whether PBS funds are being used in this way. If PBS funds are being used in the construction of new villages, then it would appear to constitute the World Bank’s “direct support” for the implementation of the villagization program.

Since the Protection of Basic Services is such a huge program involving block grants to regional governments and since audit procedures are vague, it is hard to determine how donor funds are being used in specific *woredas*.

Furthermore, without seeing the Benishangul-Gumuz assessment, it is not clear how the World Bank determined that villagization was voluntary, and thus why its findings did not trigger resettlement safeguards. If it had found that the process was involuntary, then according to Bank policy Ethiopia would have had to draw up “resettlement instruments,” including a resettlement framework and policy that complied with the Guidelines. This would add a major new dimension to the PBS program, requiring additional approval by the Bank’s board and which, if Ethiopia failed to implement the policy satisfactorily, would result in supervision by the bank.<sup>185</sup>

A cursory examination of the requirements of OP 4.12 (summarized in the Guidelines in the Appendix) shows that Ethiopia has met virtually none of those requirements in Gambella. Human Rights Watch is deeply concerned that the World Bank’s approach in Benishangul-Gumuz may be the basis for its actions in Gambella. While Human Rights Watch did not undertake research in the Benishangul-Gumuz region and so cannot assess compliance with OP 4.12, were the World Bank’s assessment in Benishangul-Gumuz to be applied to the villagization process in Gambella, alarm bells should ring.

Requests for access to copies of these assessments were denied, but discussions with donors indicate that donor assessments only included testimonies from villagers still present in the villagized areas.

Donor investigations did not seek personal accounts from those who had recently left the region. Human Rights Watch found significant differences between interviews conducted

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<sup>185</sup> World Bank, *Operation Manual*, s.v. “Archived: Operation Manual: BP 4.12 – Involuntary Resettlement,” December 2001, <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/o,,contentMDK:20064675~menuPK:64701637~pagePK:64709096~piPK:64709108~theSitePK:502184~isCURL:Y,oo.html>

outside of Ethiopia, where people are free to speak without fear of retribution, and interviews conducted in Ethiopia, where fear and intimidation limit the freedom to speak openly and where witnesses speaking to foreign human rights monitors and media are subjected to questioning, suspicion, and intimidation.

This general atmosphere of intimidation and fear that surrounds the expression of dissenting opinions in Ethiopia in general, and Gambella in particular, is critical to understanding the level of “voluntariness.” It is critical that donor assessments of programs are conducted independently of the Ethiopian government and include those who have left the new villages as well as those who remain.

Donors did recognize some areas of concern regarding villagization, but it is unclear to what extent those concerns affected their practices in the country. They found, as did Human Rights Watch, that government consultation with affected communities was limited and information provided was poor.<sup>186</sup> This should have been of particular concern in a situation involving the transfer of an indigenous population that has had customary use of land for grazing and shifting cultivation. Donors should be concerned about any potential facilitating role they have in such expropriation.

Donors also recognized that regional governments were putting pressure on national and international nongovernmental organizations to support villagization by effectively telling NGOs, “either you support our villagization effort or you are out.” At least one donor has raised this issue with the federal government after receiving complaints from some of their partner NGOs in Gambella.<sup>187</sup>

International NGOs are concerned that no humanitarian needs assessment has been conducted in Gambella during 2011.<sup>188</sup> Such an assessment is normally conducted in all food insecure areas of the country and would be crucial to determining whether relocated populations need humanitarian assistance. International nongovernmental staff said they were concerned that the government may have been blocking such an assessment because

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<sup>186</sup> Human Rights Watch interview with DFID and the World Bank, Addis Ababa, September 8 and 9, 2011.

<sup>187</sup> Human Rights Watch interview with a donor official, Addis Ababa, September 7, 2011.

<sup>188</sup> Human Rights Watch telephone interview with two staff from international NGOs active in Ethiopia, December 21 and 22, 2011.

it wanted to avoid revelations of people starving in the new villages.<sup>189</sup> A joint donor-NGO monitoring group on the humanitarian impact of villagization had been set up in January 2011 but rapidly stopped meeting. Humanitarian assessments for all villagized areas should be a priority to measure the impact of villagization and provide assistance where necessary.

Donors also voiced their concern about the increased potential for conflict in Gambella as a result of this process, including the exacerbation of clan divisions within the Nuer communities and the potential exacerbation of the Nuer-Anuak conflict over political representation.

Some donors also expressed concern about the link between villagization and land investment, with USAID continuing to press the Ethiopian government over the potential links.<sup>190</sup> Other donors, including the World Bank, have said that they have not found any evidence of such a link, although it is not clear how that conclusion was reached.<sup>191</sup>

Ultimately the donors have sought to distance themselves from villagization by claiming that any role they play is indirect, and focusing instead on engagement. As one donor put it, we are “engaging but not supporting.”<sup>192</sup> They emphasized their role was one of playing “quiet diplomacy.” Given the enormous amount of funds flowing through the PBS to every *woreda* in the country, however, Human Rights Watch believes donors’ claims of no responsibility in the villagization process to be disingenuous.<sup>193</sup>

Human Rights Watch calls on Ethiopia’s donors to fully monitor the villagization program—speaking to affected individuals both inside and outside the country—and ensure that no form of support is given to the program, including through the construction of infrastructure in new villages using the PBS program, until rights violations associated with the program are investigated and measures for consultation and compensation are in place. Provisions in the Ethiopian constitution guaranteeing land tenure security, consultation, and protections from inappropriate expropriation need to be respected, as should Ethiopia’s obligations under international human rights law.

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<sup>189</sup> Ibid.

<sup>190</sup> Human Rights Watch interview with USAID, Addis Ababa, September 7, 2011.

<sup>191</sup> Human Rights Watch interview with a donor official, Addis Ababa, September 7, 2011.

<sup>192</sup> Human Rights Watch interview with a donor official, Addis Ababa, September 8, 2011.

<sup>193</sup> Human Rights Watch interviews with donors, Addis Ababa, September 6-9, 2011.

## LEGAL FRAMEWORK

### Land Tenure under Ethiopian Law

The Ethiopian constitution decrees that all land in Ethiopia is state-owned. But in practice Ethiopia's land tenure system is a complex mix of traditional and modern systems of land tenure. As a result the nature of state-owned land has long been a divisive issue.

When the Derg came to power in 1974, it largely abolished existing customary land tenure systems and instituted communal (state) ownership of land. Since Prime Minister Meles Zenawi's EPRDF took power in 1991, the Ethiopian government has reaffirmed state ownership of land on the ostensible grounds "that opening land markets would provide inroads for involuntary dispossession of land from poor and vulnerable peasants."<sup>194</sup> Since that time, the EPRDF has taken several steps toward a more private land tenure model including permitting land to be rented and, more recently, the government's long-term leasing out of large parcels of land to foreign investors.

The Ethiopian government has partially implemented a formal land tenure system with significant donor support in four of Ethiopia's nine regions (Amhara, SNNPR, Oromia, and Tigray). Different land tenure systems have been undertaken in each of those regions based on the intricacies of the regional legislation.<sup>195</sup> But no formal system of land tenure is yet in place in the four regions where villagization is occurring. Benishangul-Gumuz recently passed enabling land administration legislation and land registration was scheduled to begin earlier this year,<sup>196</sup> while the Somali and Afar regions are in the process of passing enabling legislation.<sup>197</sup> Gambella has not yet passed regional legislation that would enable the development of a formal land tenure system. International NGOs have been very active in assisting with land registration processes under these land tenure

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<sup>194</sup> Tesfaye Teklu, "Land Scarcity, Tenure Change and Public Policy in the African Case of Ethiopia: Evidence on Efficacy and Unmet Demands for Land Rights," 2005, <http://homepages.wmich.edu/~asefa/Conference%20and%20Seminar/Papers/2005%20papers/Tesfaye%20Teklu%20on%20Land%20Tenure%20in%20Ethiopia.pdf> (accessed July 18, 2011), p. 6.

<sup>195</sup> For example, in Tigray region alone the land tenure system permits ex-TPLF fighters and early migrants to maintain rural land even if they live in urban areas.

<sup>196</sup> Personal communication, Benishangul-Gumuz Regional Government Bureau head, November 2010.

<sup>197</sup> USAID Land Tenure and Property Rights Portal, "USAID Program Brief: Land Tenure and Property Rights in Ethiopia," 2011, <http://usaidlandtenure.net/usaidltpproducts/program-briefs/program-brief-ethiopia> (accessed September 3, 2011), p. 1.

systems to increase tenure security, with some success. Generally speaking, these processes have involved granting leases or certificates of land holdings to farmers, residents, and other land users.

In Gambella land is managed and administered according to traditional systems. Boundaries are understood according to local customs and land-based conflicts are resolved in traditional forums. As described by the Oakland Institute:

Everyone in the village knows the territory, and where the traditional demarcation is. The territory is respected as people fear the ancestral spirits.... [L]and according to the village is divided into agriculture, (shifting cultivation all over your own territory but not in another without consultation and permission), used for fishing (rivers and ponds), alluvial soil used for permanent agriculture, areas used for hunting (called *dwa*), and some areas are used for protection (dense forest) during times of conflict. These areas are respected. Some areas have trees to be worshipped in that place.<sup>198</sup>

The Ethiopian government has not recognized traditional systems of land tenure in Gambella, continuing to call the land “unused” or “underutilized.” This is despite there being a strong basis in the constitution for the recognition of customary rights. Article 40(5) of the constitution states: “Ethiopian pastoralists have the right to free land for grazing and cultivation as well as the right not to be displaced from their own lands. The implementation shall be specified by law.”<sup>199</sup>

Historically, Ethiopia has disregarded pastoralist land rights and the system of communal land use that underpin these pastoral traditions.<sup>200</sup> The lack of a formal land tenure system greatly diminishes security of tenure for Gambella’s population and provides a more limited legal recourse for displacements and expropriations.

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<sup>198</sup> Oakland Institute, “Understanding Land Investment Deals in Africa,” <http://media.oaklandinstitute.org/understanding-land-investment-deals-africa-ethiopia>.

<sup>199</sup> Constitution of the Federal Democratic Republic of Ethiopia, No. 1/1995, art. 40(5).

<sup>200</sup> Tobias Hagmann, “Confronting the Concept of Environmentally Induced Conflict,” *Peace, Conflict and Development*, Issue 6, January 2005.

Nonetheless, the Ethiopian constitution and to lesser degree federal legislation provide protection from expropriation and the right to compensation. The constitution states:

Ethiopian peasants have the right to obtain land without payment and the protection against eviction from their possession. The implementation of this provision shall be specified by law.<sup>201</sup>

Without prejudice to the right to private property, the Government may expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of the property.<sup>202</sup>

All persons who have been displaced or whose livelihoods have been adversely affected as a result of State programs have the right to commensurate monetary or alternative means of compensation, including relocation with adequate State assistance.<sup>203</sup>

This constitutional framework is codified in federal legislation. “A Proclamation to Provide for the Expropriation of Land Holdings for Public Purposes and Payment of Compensation” outlines expropriation and compensation procedures.<sup>204</sup> Crucially, however, this legislation is only applicable to land where the individuals have legal title. As discussed, in all of the regions where villagization is taking place, none of the inhabitants have legal title. For those without legal title but having customary or other entitlements to land, there are no other expropriation or compensation procedures under Ethiopian law to implement the constitutional provisions.

Human Rights Watch did not find a single example where Gambella’s populations that had been forced to relocate were offered any compensation, alternative resettlement options,

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<sup>201</sup> Constitution of the Federal Democratic Republic of Ethiopia, No. 1/1995, art. 40(4).

<sup>202</sup> *Ibid.*, art. 40(8).

<sup>203</sup> *Ibid.*, art. 44(2).

<sup>204</sup> A Proclamation to Provide for the Expropriation of Land Holdings for Public Purposes and Payment of Compensation, Proclamation No. 455/2005, Federal Democratic Republic of Ethiopia, <http://www.ethiopian-law.com/federal-laws/substantive-law-legislations/property-and-land-laws/land-laws/150-expropriation-of-land-for-public-purposes-proc-no-455-2005.html> (accessed September 10, 2011). Compensation is to be equivalent to the replacement cost of property on the land, any improvements (value of capital and labor) made to the land and 10 times the average annual income from the previous five years.

or any avenue for redress. Not only has the villagization program in Gambella been in contravention of the Ethiopian constitution, it has resulted in violations of fundamental human rights protected under international law.

## **International Human Rights Law, Forced Evictions, and Indigenous Peoples' Rights**

### *International Human Rights Law*

Ethiopia is a party to the key international human rights conventions including the International Covenant on Civil and Political Rights (ICCPR),<sup>205</sup> the International Covenant on Economic, Social, and Cultural Rights (ICESCR),<sup>206</sup> and the African Charter on Human and Peoples' Rights.<sup>207</sup> These multinational treaties set out fundamental rights to which all persons are due, including rights to the security of the person; to be free from arbitrary arrest; to have access to a livelihood, food, and housing; to education; and to the highest obtainable standard of health. This report details numerous instances in which the Ethiopian government violated these and other rights in the course of its ongoing villagization program.

Under international law, states have an obligation to investigate grave violations of human rights and to punish the perpetrators.<sup>208</sup> They also have an obligation to ensure that victims of abuses have an effective remedy and that persons claiming such a remedy shall have their rights determined by competent judicial, administrative, or legislative authorities.<sup>209</sup>

### *Forced Evictions*

International human rights law protects the right to property. The Universal Declaration of Human Rights, which is broadly recognized as customary international law, states that

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<sup>205</sup> International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976. Ethiopia ratified the ICCPR in 1993.

<sup>206</sup> Ethiopia ratified the ICESCR in 1993.

<sup>207</sup> African [Banjul] Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force Oct. 21, 1986. Ethiopia ratified the Banjul Charter in 1998.

<sup>208</sup> The duty to try and punish those responsible for grave violations of human rights has its legal basis in various treaties, including the ICCPR, art. 2(2).

<sup>209</sup> See ICCPR, art. 2(3). Guidance on reparation to victims can be found in the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, G.A. Res. 60/147, U.N. Doc. A/RES/60/147 (December 16, 2005). The Principles reaffirm that a state should provide adequate, effective, and prompt reparation to victims for acts or omissions constituting violations of international human rights norms.

“[e]veryone has the right to own property alone as well as in association with others.” Furthermore, “[n]o one shall be arbitrarily deprived of his property.”<sup>210</sup> Nonetheless, governments are generally entitled to expropriate land for public purposes, if done, as noted below, according to law with public participation, due process, and adequate compensation.

Whether or not they are considered to be in ownership of the property in question, individuals are protected from human rights violations that may arise out of forced evictions.<sup>211</sup> In its general comment on forced evictions, the UN Committee on Economic, Social and Cultural Rights discussed the interrelationship between forced evictions and violations of other human rights, such as the right to the security of the person and the right to an adequate standard of living.<sup>212</sup> It noted that forced displacement can take place in connection with forced population transfers and in the name of development.<sup>213</sup> The committee concluded that before an eviction can occur the authorities must explore all feasible alternatives in consultation with affected groups, and that those evicted must receive adequate compensation for affected property. Forced evictions may only be carried out if they are in accordance with general human rights law.<sup>214</sup>

Other UN bodies have made statements regarding forced evictions that highlight their impact on other human rights. For instance, the UN Commission on Human Rights Resolution 1993/77 affirms that forced eviction constitutes a gross violation of human rights, particularly the right to adequate housing.<sup>215</sup> The UN Human Rights Fact Sheet No.

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<sup>210</sup> Universal Declaration of Human Rights, G.A. res. 217A (III), U.N. Doc A/810 at 71 (1948), art. 17. See, for example, Banjul Charter, art. 14, “The right to property shall be guaranteed. It may only be encroached upon in the interest of public need or in the general interest of the community and in accordance with the provisions of appropriate laws.”

<sup>211</sup> “Forced evictions” have been defined as “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.” CESCR, General Comment No. 7 on the right to adequate house; forced evictions (1993), para. 3.

<sup>212</sup> *Ibid.*, para. 4. The UN Committee Against Torture (CAT), which monitors state compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, has held on several occasions that forced evictions can amount to acts of cruel, inhuman or degrading treatment or punishment. In 2004, for example, the CAT expressed concern regarding the ill-treatment of Roma in Greece who were forcibly evicted or relocated by the authorities. Conclusions and Recommendations of the Committee against Torture regarding the fourth periodic report of Greece, UN Doc. CAT/C/CR/33/2 (10/12/2004), sec. 5(j), Annex 31.

<sup>213</sup> CESCR, General Comment No. 7, paras. 1-7

<sup>214</sup> *Ibid.* paras. 11, 13, and 14.

<sup>215</sup> UN Commission on Human Rights, Resolution 1993/77, para. 1.

25 on Forced Evictions and Human Rights focuses on treating forced evictions as a serious human rights violation rather than as a side-effect of some broader issue.<sup>216</sup>

### *Indigenous Peoples' Rights*

Populations affected by the relocations in Gambella include the Anuak, Nuer, and other groups that identify themselves as indigenous to the area. While it has not adopted an official definition of “indigenous peoples,” the UN and its specialized agencies consider self-identification as a fundamental criterion for indigenous status.<sup>217</sup>

Indigenous peoples' rights derive from the core international human rights instruments to which Ethiopia is party.<sup>218</sup> For instance, there are specific references to indigenous peoples in the Convention on the Rights of the Child and in the UN Committee on the Elimination of Racial Discrimination's General Recommendation 23 on Indigenous Peoples. Many of the communications brought under article 27 of the ICCPR on the protection of minorities have been submitted by members of indigenous peoples.<sup>219</sup>

The treaty provisions most applicable to indigenous populations are reflected in the UN Declaration on the Rights of Indigenous Peoples, which was adopted by the UN General Assembly in 2007 after many years of negotiation.<sup>220</sup> The declaration interprets key rights, including those regarding lands and resources.<sup>221</sup>

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<sup>216</sup> UN Office of the High Commissioner for Human Rights, Fact Sheet No.25, Forced Evictions and Human Rights, Vienna Declaration and Programme of Action (Part 1, para. 30), adopted by the World Conference on Human Rights, Vienna, June 23, 1993 (A/CONF.157/24 (Part 1), Chapter 3, <http://www.ohchr.org/Documents/Publications/FactSheet25en.pdf>, (accessed January 10, 2012).

<sup>217</sup> There is no formal definition of indigenous people under international law. However, the *Study of the problem of discrimination against indigenous populations*, E/CN.4/Sub.2/1986/7, 1986 (known as the Martínez-Cobo Study), provided a widely accepted definition of indigenous peoples as: “having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems.”

<sup>218</sup> For instance, the UN Committee on Economic, Social and Cultural Rights in General Comment No. 7 on Forced Evictions recognizes that indigenous peoples are often affected disproportionately by forced evictions.

<sup>219</sup> See Manfred Nowak, *UN Covenant on Civil and Political Rights: CCPR Commentary* (Kehl: NP Engel, 2005, 2<sup>nd</sup> ed.), p. 651.

<sup>220</sup> Declaration on the Rights of Indigenous Peoples, G.A. Res. 61/295, U.N. Doc. A/RES/47/1 (2007).

<sup>221</sup> See also International Labour Organization, *Indigenous and Tribal Peoples Convention*, 1989 (No. 169), art. 1(2).

Then-UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, Rodolfo Stavenhagen, stated in his February 2007 report that the Declaration on the Rights of Indigenous Peoples:

[M]ust be a fundamental part of the discussion about future international standards relating to indigenous peoples, not only at the international level, but also in regional or specialized areas. Its adoption also gives a strong impetus to the clarification of emerging customary law concerning indigenous rights at the international level, and should similarly energize the processes of legislative reform and domestic court proceedings.<sup>222</sup>

Indigenous land rights under international law are guided by contemporary understandings of cultural integrity and self-determination.<sup>223</sup> The UN Committee on the Elimination of Racial Discrimination in its general recommendation on indigenous peoples calls upon states to:

[R]ecognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and resources and, where they have been deprived of their lands and territories traditionally owned or otherwise inhabited or used without their free and informed consent, to take steps to return those lands and territories. Only when this is for factual reasons not possible, the right to restitution should be substituted by the right to just, fair and prompt compensation. Such compensation should as far as possible take the form of lands and territories.<sup>224</sup>

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<sup>222</sup> United Nations, Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen, UN Doc. A/HRC/4/32 (2007), sec. 79, annex 15. See generally, United Nations Permanent Forum on Indigenous Issues, “Frequently Asked Questions: Declaration on the Rights of Indigenous Peoples,” <http://www.un.org/esa/socdev/unpfii/documents/FAQsindigenousdeclaration.pdf> (accessed August 13, 2011). Ethiopia did not take a position on this Declaration and was absent from the vote when the Declaration was passed at the UN General Assembly.

<sup>223</sup> See S. James Anaya, *Indigenous Peoples in International Law*, (Oxford University Press: New York, 1996), pp. 104-107.

<sup>224</sup> Committee on the Elimination of Racial Discrimination, General Recommendation 23 on Indigenous Peoples (Fifty-First Session, 1997) U.N. Doc. A/52/18, Annex V. Ethiopia has been a party to the International Convention on the Elimination of All Forms of Racial Discrimination since 1976. The relationship between indigenous peoples and land and its legal implications was earlier developed in the International Labor Organization (ILO) Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. ILO Convention No. 169 sets out that governments shall respect the special importance for the cultures and spiritual values of indigenous peoples of their relationship with the lands they occupy or otherwise use. ILO Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries, adopted June 27, 1989, 76th Session of the General Conference of the ILO, entry into force, Sept. 5, 1991, art. 13(1).

The Declaration on the Rights of Indigenous Peoples provides that states should put into place mechanisms for prevention of any action that has the aim or effect of dispossessing indigenous peoples of their lands, territories or resources, or any form of forced population transfer that similarly violates or undermines their rights.<sup>225</sup> Indigenous peoples shall not be forcibly removed from their lands or territories: “[n]o relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.”<sup>226</sup> They shall have the right to the lands, territories, and resources that they have traditionally owned, occupied, or otherwise used or acquired.<sup>227</sup>

In accordance with the Declaration, states shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples’ laws, traditions, customs, and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories, and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.<sup>228</sup> Where indigenous peoples are entitled to redress, this should be by restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories, and resources that they have traditionally owned or otherwise occupied or used.<sup>229</sup>

Several regional and international bodies have been created to promote respect for the rights of indigenous peoples, including the Working Group on Indigenous Populations/Communities of the African Commission on Human and Peoples’ Rights, the UN Working Group on Indigenous Populations, the UN Special Rapporteur on the rights of indigenous peoples, and the UN Permanent Forum on Indigenous Issues.

International indigenous rights case law is expanding on the meaning of the rights

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<sup>225</sup> Declaration on the Rights of Indigenous Peoples, art. 8(2)(b-c).

<sup>226</sup> *Ibid.* art. 10.

<sup>227</sup> *Ibid.* art. 26. Ownership of land by indigenous and other peoples’ has been recognized regardless of title deed. In *The Mayagna (Sumo) Awas Tingni v Nicaragua*, the Inter-American Court of Human Rights ruled that “[a]s a result of customary practices, possession of the land should suffice for indigenous communities lacking real title to property of the land to obtain official recognition of that property.” *The Mayagna (Sumo) Awas Tingni Community v. Nicaragua*, Judgment of August 31, 2001, Inter-Am. Ct. H.R., (Ser. C) No. 79 (2001), secs. 151-152, <http://www1.umn.edu/humanrts/iachr/AwasTingnicase.html>.

<sup>228</sup> Declaration on the Rights of Indigenous Peoples, art. 27.

<sup>229</sup> *Ibid.* art. 28.

discussed in the Declaration.<sup>230</sup> A February 2010 decision by the African Commission on Human and Peoples' Rights, in the first ruling of an international tribunal finding a violation of the right to development, found that the eviction of Kenya's Endorois people, with minimal compensation, violated their rights as an indigenous people to property, health, culture, religion, and natural resources, and ordered Kenya to restore the Endorois to their historic land and provide compensation. This landmark ruling could prove to significantly advance the rights of indigenous peoples over their traditional lands in Africa.<sup>231</sup>

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<sup>230</sup> Inter-American Commission on Human Rights, "Indigenous and Tribal Peoples' Rights over their Ancestral Lands and Natural Resources," 2009, <http://www.cidh.org/countryrep/Indigenous-Lands09/Chap.VI.htm> (accessed August 30, 2011).

<sup>231</sup> African Commission on Human and Peoples' Rights, Case 276 /2003, Centre for Minority Rights Development (Kenya) and Minority Rights Group International on behalf of Endorois Welfare Council v Kenya (February 4, 2010), [http://www.hrw.org/sites/default/files/related\\_material/2010\\_africa\\_commission\\_ruling\\_o.pdf](http://www.hrw.org/sites/default/files/related_material/2010_africa_commission_ruling_o.pdf); see also, "Kenya: Landmark Ruling on Indigenous Land Rights," Human Rights Watch news release, February 4, 2010, <http://www.hrw.org/en/news/2010/02/04/kenya-landmark-ruling-indigenous-land-rights>.

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**APPENDIX I: GAMBELLA PEOPLES' NATIONAL REGIONAL STATE,  
"VILLAGIZATION PROGRAM ACTION PLAN (2003 EFY)"**



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**Gambella Peoples' National Regional State**

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**Villagization Program Action Plan (2003  
EFY)**

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August 2002 E.C  
Gambella

## 1. Preamble

Although the Gambella Region is endowed with natural resources suitable to expand agricultural production it is one of food unsecured areas of the country. Traditional/cut & burn farming practices; scattered settlement; and river side settlement are the causes for the vulnerability among others. To alleviate the problem the regional government has developed strategy on villagization program on voluntarily, participatory and up on thorough investigation.

This program has got support from the beneficiaries and is meant to give access to socio-economic infrastructures and to exercise good governance and the program would have been done before to find solution to this paradox. This program will be launched in all districts of the region on selected kebeles. It has a three years life span and it is targeted to resettle 45,000 households. The program is started in 2003 EFY having 15,000 households target beneficiaries.

It is also envisaged that the resettlement will be based on watershed and each beneficiary household will have access to arable land up to 3-4 hectare. The 2003 EFY action plan of the program is described here with in detail.

### Goal

- To have access to basic socioeconomic infrastructures of those people who are settled scattered and along the riverside which are prone to flood hazard and those who practiced cut & burn shifting cultivation & ultimately to enable them food secured and to bring socioeconomic & cultural transformation of the people.

### Objectives

- 45,000 rural households (in 2003-05 EFY) of which 15,000 HH will be settled on voluntarily basis in selected 49 kebeles.
- 60,000 ha area will be delineated and given for housing and arable land for the targeted beneficiaries.
- Socio-economic infrastructures will be erected on those settlement areas, viz-a- viz; 19 primary schools, 51 water schemes, 22 health posts, 18 vet. Clinics, 40 flour mills, 49 ware houses/ storages and 195 km roads.

### Enabling Environment and opportunities

The program has backup by the political leaders from federal to the grass root level. Accordingly, the objective and the strategy of the program is propagated to the

community stakeholders in different sessions and reached at consensus. In some parts of the regional districts the community has inquired the local authority to resettle some years before.

Villagization according to this program is to move the beneficiaries within the same locality. That is to say there is no movement from one zone to the other and from one wereda to the other. Therefore, the people will shift from the vulnerable area to the new nearby area with no significance distances from their original land. It is rather clustering the people in the ideal place up on their interest and makes ease of delivering development services to bring tangible and radical change to the lives of the rural community.

Implementation arrangement is also set so that from the region to the local levels steering & technical committees has been established with their respective duties and responsibilities. (Implementation manual has prepared and endorsed by the regional government council)

## **2. Program activities**

### **2.1 Capacity building**

Cognizant to this continuous awareness raising is mandatory to different stakeholders at all levels. This is critical to make the program achievable. There is no idea left to be dubious. The role of the government and the role of the community should be identified & put clearly so that the program will be implemented in coordination between the two parties.

Training will also be rendered to surveyors, zonal administrators; woreda steering & technical committee members; local administrators (kebele) and community leaders on how to allocate lands for housing and arable farming.

### **2.2 Socio-economic infrastructure development**

The erection of socioeconomic infrastructure is paramount important and should be in place before moving the target population to the new sites. However, this needs an outlay of huge amount of money. Therefore, the following infrastructures will be set in the new settlement sites which did not have infrastructure before.

#### **Rural road**

Road is an essential part of infrastructure for any development. None the less, it demands huge investment. Thus, a total of 195 km rural roads will be opened to the sites and this will be done either on labor base or using machines.

**Education**

Universal access to primary education is one of the millennium development goals. To this end, the federal and the regional governments have given due attention and considerable result had obtained. Concerted effort to the accessibility and quality will continue to be vested up on the sector in general. Hence 19 primary schools will be constructed in the settlement sites.

**Health**

Similarly, to achieve the health sector policy which is geared to give primary health education through deployment of health extension agents in the initial plan period 22 health posts will be erected in the settlement areas.

**Animal health clinics**

Where the livestock resources are the domain for the lives of the target beneficiaries 18 animal health clinics will be constructed.

**Water**

Depending on the area or the locality where the settlement is due 51 water schemes will be constructed of which 10 schemes are on spot spring development.

**Flour mills & ware houses**

The rural community especially women are subjected to arduous work in preparing flour using partly buried wooden made mortar for the meals of the society. Therefore, to mitigate the problem 40 flour mills are going to be purchased & installed in the settlement sites. Together, 49 ware houses for the mill and other goods (grains) should also be constructed.

**2.3 Provision of Agricultural & other inputs**

The outcome of this program is to realize the target beneficiaries whom production and productivity is boomed so that they are capable of making wealth. To do so, provision of extension services is mandatory. Under the policy framework of the agriculture & rural development, three agricultural extension agents should be engaged at each kebeles. And the extension agents should enthusiastically follow and consult the target beneficiaries.

In the program entry point the beneficiaries rarely had assets to overcome the lean period till they enjoy the first year agricultural production. Therefore, agricultural inputs like improved/quality crop seeds, farm implements (agricultural hand tools including oxen for

plowing) will be rendered. In addition, grain ration and cooking oil shall be considered for utmost 8 months.

In the mean time villagization activities are logically interconnected with the natural resource use. Hence, due consideration will be given not to destruct the natural resource recklessly. In this regard, nursery sites should be established and tree seedlings will be raised to replenish the loss that would be used for construction, fuel wood, etc.

#### 2.4 Establishment of cooperatives

On voluntarily basis, the target beneficiaries should establish cooperatives in order to get synergy to manage and sustainably use the common properties in their respective kebeles as flour mill and to have access to credit among others.

### 3. Implementation strategy

This villagization program is the regional government development agenda and it is regulated by the regional government through the structural arrangement which were in place to the grass root level. It is also implemented per the principles put clearly in the implementation manual. Of which partnership is one of the principles. Though the government plays the leading role any developer be it private or company including NGOs does have its own stake to realize the plan.

In general terms, the capacity of the regional government is limited and only industrial products and services will be delivered to erect the socio-economic infrastructures in the new villagization sites. In virtue of this to change the existing fertile land and abundant water resource that the region is naturally endowed much is expected from the people (target beneficiaries).

To this end, the role of the government officials, experts and other partners is also critical to add value to the aforementioned endeavors.

The following points are some of the implementation strategies;

- **Transparency** and clear understanding of the objectives and goals of the program at all levels should be made;
- **Participatory approach**-the target beneficiaries should contribute local material & labor; and encouragement of private sectors & NGOs involvement;
- **Timeliness**: as far as possible those infrastructures (as packages-water, health, education, etc) should be in place before the relocation of target beneficiaries; and those agricultural inputs should also be delivered in time;

- **Land certification**-to avoid land disputes and to make sure the land use rights vested to the people in the constitution, land certification system should be in place;
- **Monitoring & evaluation (M&E)**-it is one of the management tools to realize the plan and it should be done at all levels continuously.

#### **4. Threats**

- Owing to different cultural affiliation the target beneficiaries might change their ideas against the program;
- Lack of resource/budget;
- Some of the deliverables may not be in place in a logically sequenced manner due to project management problems (late of erection of basic infrastructures, etc.).

Table 1: Villagization Action Plan for 2003 EFY

S. No	Activities	Unit of measure' mt	Target	Implementer	Implementation Schedule												
					1 <sup>st</sup> Quarter			2 <sup>nd</sup> Quarter			3 <sup>rd</sup> Quarter			4 <sup>th</sup> Quarter			
					July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	
1	Training on land measurement & allotment		783			783											
	Surveyor	No.	30	Region		30											
	Weredas' & kebeles' Steering & Tech. committees and zonal administrators	No.	753	Region		753											
2	Awareness raising on the program at various levels	No.	2411		141	870											
	Zone & Woreda Administrators	No.	141	Region	141	-											
	Das & kebele administrators	No.	560	Zone, woreda		560											
	Community stakeholders	No.	210	Zone, woreda		210											
	Target beneficiaries	No.	15,000	>>													
3	Land arrangement for settlement & due of land certificate	No	15,000														
	Godere Woreda	No.	850	Zone, W./K		X	X	X									
	Other Woredas	No.	14,150	Zone, W./K			X	X	X	X	X						
4	Infrastructure Building																
	Primary Schools	No.	19	BoE		X	X	X	X	X	X						
	Health posts	No.	22	BoH		X	X	X	X	X	X	X					
	Vet. clinics	No.	18	Wore/keb		X	X	X	X	X							
	Ware houses	No.	49	Coops agency		X		X	X	X	X						
	Procurement of flour mill	No.	40	BoARD		X	X	X									
	Rural road	kms	195	R/R/Authority		X	X	X	X	X	X	X					
	Water schemes	No.	51	BoWMED		X	X				X	X	X				

S. No	Activities	Unit of measure'mt	Target	Implementer	Implementation Schedule											
					1 <sup>st</sup> Quarter			2 <sup>nd</sup> Quarter			3 <sup>rd</sup> Quarter			4 <sup>th</sup> Quarter		
					July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
5	Provision of Agricultural inputs & food grain															
	Food grain (ration)	Qts.	90,000	NGOs	1125	1125					1125	1125	1125	1125	1125	1125
	Cost of pounding & oils	Birr ('000)	4,200	>>	525	525					525	525	525	525	525	525
	Oxen (plowing)	No.	200	BoARD								200				
	Farm Implements	No. ('000)	105	BoARD			105									
	Agricultural Inputs	Qts	3,940	BoARD								3940				
	Cuttings (sweet potato)	No. ('000)	750	BoARD										750		
6	House Construction & resettlement	No.	15,000	Reg/Zone/W /Kebeles					X	X	X	X	X	X		
7	Monitoring & Evaluation	Rounds	12/4/4	Woreda/Z/R	X	X	X	X	X	X	X	X	X	X	X	X

Table 2: Activity plan in respect of financial flow

S. No	Activities	Unit of measure'mt	Target	Implementation Schedule								Total Budget	Budget Source
				1 <sup>st</sup> Quarter		2 <sup>nd</sup> Quarter		3 <sup>rd</sup> Quarter		4 <sup>th</sup> Quarter			
				Physical	Financial	Physical	Financial	Physical	Financial	Physical	Financial		
1	Training on land measurement & allotment												
	Surveyor	No.	30	30	80,000							290,000	
	Wereda & kebele Steering & Tech. committees and zonal administrators	No.	753	753	210,000							210,000	
2	Awareness raising on the program at various levels	No.	2,411	2,411									
	Zone & Woreda Administrators	No.	141	141									
	Das & kebele administrators	No.	560	560									
	Community stakeholders	No.	210	210									
	Target beneficiaries	No.	15,000	15,000									
3	Land arrangement for settlement & due of land certificate											140,000	
	Land allotment	Ha	60,000			3,400		56,600					
	House construction	No.	15,000			850		14,150					
4	Infrastructure Building						49,545,000					49,545,000	
	Primary Schools	No.	19			19	9,500,000					9,500,000	
	Health posts	No.	22			22	2,200,000					2,200,000	
	Vet. clinics	No.	18			18	1,800,000					1,800,000	
	Ware houses	No.	49			49	4,900,000					4,900,000	
	Procurement of flour mill	No.	40			40	3,200,000					3,200,000	
	Rural road	kms	195			195	19,500,000					19,500,000	
	Water schemes	No.	51				8,445,000					8,445,000	

S. No	Activities	Unit of measure'mt	Target	Implementation Schedule								Total Budget	Budget Source
				1 <sup>st</sup> Quarter		2 <sup>nd</sup> Quarter		3 <sup>rd</sup> Quarter		4 <sup>th</sup> Quarter			
				Physical	Financial	Physical	Financial	Physical	Financial	Physical	Financial		
5	Provision of Agricultural inputs & food grain												
a	Food grain (ration)	Qts.	90,000					45,000		45,000		54,000,000	NGOs
b	Cost of pounding & oils	Birr ('000)	4,200						2,100,000		2,100,000	4,200,000	NGOs
	<b>S. Total</b>											58,200,000	
c	Oxen (plowing)	No.	200					200	300,000			300,000	
d	Farm Implements	No. ('000)	105			105,000	3,080,000					3,080,000	
	• Spade	No.	15,000			15,000	675,000					675,000	
	• Machetes	No.	15,000			15,000	450,000					450,000	
	• Sickle	No.	15,000			15,000	455,000					455,000	
	• Axe	No.	15,000			15,000	600,000					600,000	
	• Traditional plow sheer (Maresha)	No.	15,000			15,000	225,000					225,000	
	• Wogel (Iron metal)	No.	15,000			15,000	225,000					225,000	
	• Hoe	No.	15,000			15,000	450,000					450,000	
	<b>Sum (c &amp; d)</b>											<b>3,380,000</b>	
e	Agri. Seeds												
	• Maize	Qts	1,875					1,875	2,531,250			2,531,250	
	• Sorghum	Qts	563					563	281,500			281,500	
	• Rice	Qts	1,000					1,000	1,000,000			1,000,000	
	• Sesame	Qts	500			500	75,000					75,000	
	• Sweet potato cuttings	No.	500,000							500,000	100,000	100,000	
	• Vegetable seeds	Qts	3							3	100,000	100,000	
	• Tree seeds	Qts	2							2	50,000	50,000	
f	Input Transportation cost	Birr	500,000									500,000	
6	Monitoring & Evaluation	Birr	800,000		200,000		200,000		200,000		200,000	800,000	
	<b>Total</b>											<b>58,792,750</b>	
	<b>Contingency (5.2%)</b>											<b>3,107,250</b>	
	<b>Grand Total</b>											<b>61,900,000</b>	

N.B: The cost for food grain (a & b) which is amounted to Eth. Birr 58,200,000 is not included in the Grand Total Cost estimation.

Table 3: Program Targeted Kebeles and Woredas with the proposed socio-economic infrastructures

S. No	Woreda	Kebele	Primary Schools	Health Posts	Vet. Clinics	Water Schemes	Flour Mills	Ware House	Rural Road (Kms)	Remarks
1	Godere	5	1	-	-	5	3	5	50	
		Gelesha				1 (Spring)		1		
		Goshinie				1 (Spring)		1		
		Dunchai				1 (Spring)	1	1	15	
		Chemi				1 (Spring)	1	1		
		Gonchi	1	1		1 (Spring)	1	1	35	
2	Mengeshi	5	-	3	-	5	3	5	4	
		Baya		1		1 (Spring)	1	1		
		Kumi		1		1 (Spring)		1	4	
		Kokori				1 (Spring)	1	1		
		Dushi		1		1 (Spring)		1		
		Godere Mission				1 (Spring)	1	1		
3	Gog	3	-	1	-	3	2	3	10	
		Jangjor				1 (SHW)	1	1		
		Awkoy		1		1 (SHW)	1	1	10	
		Dipach				1 (SHW)		1		
4	Abobo	4	1	1	-	4	2	4	6	
		Tegne	1	1		1 (SHW)	1	1		
		Ukuna				1 (SHW)		1		
		Chebokir				1 (SHW)		1	3	
		Perpengo				1 (SHW)	1	1	3	
5	Gambella	6	-	1	-	6	4	6	7	
		Abolkir				1 (SHW)	1	1	1	
		Pignkew				1 (SHW)	1	1		
		Opagna				1 (SHW)	1	1	6	
		Pimoli		1		1 (SHW)	-	1		
		Gnekwo				1 (SHW)	-	1		
		Uchoi & Elay				1 (SHW)	1	1		
6	Dima	2	1	1		4	2	2		

S. No	Woreda	Kebele	Primary Schools	Health Posts	Vet. Clinics	Water Schemes	Flour Mills	Ware House	Rural Road (Kms)	Remarks
		Akula	1	1	-	2 (SHW)	1	1		
		Achagna	-	-	-	2 (SHW)	1	1		
7	Jor	4	2	4		4	4	4		
		Utel-01		1		1 (SHW)	1	1		
		Shentewa-02		1		1 (SHW)	1	1		
		Alemi		1		1 (SHW)	1	1		
		Olew		1		1 (SHW)	1	1		
8	Itang	3	1		3	3	3	3		
		Drowong	1		1	1 (SHW)	1	1		
		Puldeng			1	1 (SHW)	1	1		
		Wankey			1	1 (SHW)	1	1		
9	Jikawo	4	2	2	4	4	4	4	17	
		Bildak		1	1	1 (SHW)	1	1		
		Kwatguar	1		1	1 (SHW)	1	1	4	
		Lekchour	1	1	1	1 (SHW)	1	1	5	
		Nibnib			1	1 (SHW)	1	1	8	
10	Wantwa	4	4	3	4	4	4	4	13	
		Gadie	1	1	1	1 (SHW)	1	1	3	
		Cholpiew	1	1	1	1 (SHW)	1	1	3	
		Pajing	1	1	1	1 (SHW)	1	1	7	
		Moun	1		1	1 (SHW)	1	1		
11	Lare	5	3	2	3	5	5	5	12	
		Katir			1	-	1	1	12	
		Koworly	1			1 (SHW)	1	1		
		Kwotnewal				1 (SHW)	1	1		
		Kowormechar	1	1	1	1 (SHW)	1	1		
		Etai	1	1	1	2 (SHW)	1	1		
12	Akobo	4	4	4	4	4	4	4	76	
		Buye	1	1	1	1 (SHW)	1	1	7	
		Tore	1	1	1	1 (SHW)	1	1	12	
		Kochair	1	1	1	1 (SHW)	1	1	20	

S. No	Woreda	Kebele	Primary Schools	Health Posts	Vet. Clinics	Water Schemes	Flour Mills	Ware House	Rural Road (Kms)	Remarks
		Yiryir	1	1	1	1 (SHW)	1	1	37	
	<b>Total</b>	<b>49</b>	<b>19</b>	<b>25</b>	<b>18</b>	51 (10 springs)	<b>41</b>	<b>49</b>	<b>195</b>	

# APPENDIX II: DAG, “GOOD PRACTICE GUIDELINES AND PRINCIPLES REGARDING RESETTLEMENT”

Guidelines and Principles for Resettlement, 24 Jan 2011

## Good Practice Guidelines and Principles Regarding Resettlement

### Introduction

International development partners fully support the need to accelerate development in the four Developing Regional States. We also recognise the government’s desire to improve access to basic services and sustainable livelihood opportunities, increase commercial investment to achieve higher rates of sustainable economic growth and reduce risk and vulnerabilities to natural disasters. As part of its pursuit of these objectives in the Developing Regional States, the government is relocating communities and has indicated that specific processes and safeguards need to be put in place to ensure that relocation processes of different kinds are effective and successful.

Development partners currently working in DRS regions have been approached to support government initiatives that involve the relocation of individuals and communities. Beyond humanitarian assistance, it is problematic for international partners to respond to such requests in the absence of clear information regarding the policy frameworks, objectives, principles and strategies that federal and regional governments have adopted and on which these activities are based. Development partners therefore wish to request that both federal and regional government make available as a basis for dialogue the relevant documents regarding:

- The vision for accelerated development in Developing Regional States and the contribution that relocating populations will make to achieving these objectives as described in existing policies, strategies and plans.
- Guidelines and principles that have been developed regarding the relocating of populations in the different regions.
- Any background information, needs assessment, analysis and feasibility studies that have been carried out to support the planning for relocating communities.

While these approaches have been variously referred to as *villagization*, *clustering* or as a *commune strategy*, all of these concepts fit within what most development partners define as *resettlement* in that they involve a process to assist people who relocate through the provision of basic infrastructure and services and support to build sustainable livelihoods. Many international development partners employ specific policies and guidelines in relation to resettlement. This is because past experience in a number of countries has shown that where people are resettled without adequate planning and consultation, against the will of individuals and communities such population movements can impact negatively on the wellbeing and livelihoods of those who were intended to benefit. In addition, such movements can create tensions and conflict between resettling groups and host communities which undermine the conditions necessary for effective development and economic growth.

For this reason, and at the request of the Government of Ethiopia, development partners have developed this paper to share a proposed set of good practice guidelines and principles governing resettlement processes. This document therefore sets out:

1. Key elements of resettlement processes that should be implemented,
2. A set of proposed guidelines and principles governing resettlement.

**1. Key elements of resettlement processes:**

**A. Information and Consultation**

Information is made available to all affected and host communities and the public in concerned regions and woredas, regarding:

- a. The rationale and policy objectives for resettlement
- b. Alternatives to resettlement that have been considered (eg alternative models of service delivery, livelihoods diversification options etc)
- c. Options available to affected communities and how these choices can be implemented
- d. The rights of individuals and communities in relation to resettlement, clear eligibility criteria and procedures to access resettlement support and compensation where appropriate and mechanisms available to consider complaints and grievances (*see below*)

Relevant stakeholders including potential resettling and host communities should be consulted at all stages of the decision-making, design and planning of resettlement including:

- a. Public consultation meetings are widely advertised and the results of consultation are made public and taken into account in the decision-making process and planning of resettlement
- b. Resettlement plans are made publicly available to all people and organisations in the concerned woredas and to development partners and other stakeholders

**B. Development of a Resettlement Plan**

A comprehensive resettlement plan is developed with the full participation of the affected communities. The resettlement plan should include

- a. Objectives of the resettlement and identification of potential social, economic, environment and cultural impacts
- b. Analysis of the needs of resettling communities in terms of:
  - basic social service requirements,
  - economic opportunities disruption of existing livelihoods and support required to restore and improve livelihoods, with a timeline for implementation.
  - likely impact on existing tensions between clans and ethnic groups and mechanisms to ensure harmonious coexistence and the peaceful resolution of potential conflicts, endorsed by both the resettling and the host communities.
  - environmental impact on proposed resettlement sites and appropriate mechanisms for the sustainable management of natural resources.
- c. Detailed land use plans and technical feasibility studies to support the selection and design of infrastructure development on the resettlement sites
- d. Implementation arrangements for developing resettlement sites including organisational responsibilities and a clear timeline for implementation
- e. Costing and budget for implementing resettlement including identification of available resources and funding mechanisms
- f. Outline of governance arrangements for resettlement including
  - Criteria for eligibility and access to resettlement support and compensation for loss of property and access to other resources
  - Grievance procedures to address complaints regarding the resettlement process (*See below*)
  - Monitoring and evaluation arrangements (*See below*)

**C. Implementation of the Resettlement Plan before relocation of populations**

The implementation of infrastructure, basic social services and other resettlement support services is put in place according to the resettlement plan before populations are moved from their current place of residence to resettlement sites.

**D. Mechanisms for monitoring, safeguards, appeals and redress put in place**

Safeguards are put in place to ensure that households and communities are resettled in a manner that protects their basic human rights and respects their choices. This includes developing mechanisms through which communities or individuals can confidentially petition and receive a hearing regarding decisions that involve their potential resettlement. There are several options for such a system, these include:

- a. *Administrative and judicial mechanisms* that allow grievance and complaints from individuals, families or communities related to resettlement to be dealt with using existing administrative and judicial systems. Such as woreda or kebele development planning mechanisms, administrative complaints procedures or the courts.
- b. *Community / traditional dispute resolution mechanisms* where grievances and complaints are brought to community governance bodies for discussion and where community governance structures are empowered to mediate with government and other partners to obtain resolution.
- c. *Independent, third party mechanisms* through which grievances and complaints are brought to bodies operating or established in the community for discussion and these organisations are empowered to mediate with parties to obtain resolution.
- d. *Specific programme based monitoring and redress mechanisms* established as part of the resettlement process with the specific mandate to monitor implementation, identify potential conflicts and injustices and report these to the appropriate authorities or intervene directly to resolve them. These bodies should conduct regular monitoring visits to all resettlement sites. For example a special unit at regional government level or a committee at woreda level to report on progress and investigate and/or resolve complaints and grievances or refer these for resolution to the programme oversight bodies. There could, for example, be a quarterly meeting of the programme oversight bodies preceded by site visits to the resettlement sites at which issues arising can be discussed and resolved.

**2. Guidelines and Principles related to resettlement:**

- 1- Resettlement of communities should be avoided where feasible, or minimized, exploring all viable options and alternatives first.
- 2- Where resettlement is considered it should be on a voluntary basis and resettled persons and communities should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programmes.
- 3- Individuals and communities affected by resettlement should be:
  - (i) informed about their options and rights pertaining to resettlement;
  - (ii) provided with technically and economically feasible resettlement alternatives
  - (iii) able to make choices between these alternatives on the basis of informed consent.
- 4- Processes for planning resettlement should allow sufficient time for adequate needs assessment, feasibility studies, infrastructure and land use planning and consultation and dialogue with resettling and host communities,

- 5- The focus of resettlement planning should be on creating the environment and incentives to encourage people to relocate to areas where their improved standard of living is assured. This means that the development of necessary basic infrastructure and services (eg road access, water, sanitation, health, education) must be in place before relocation takes place.
- 6- In the new resettlement sites, infrastructure and public services should be provided to an acceptable standard to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources should be provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder).
- 7- Resettled persons and communities should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to at least pre-resettlement levels. Possible disruption to existing livelihoods and coping mechanisms must be analysed and measures put in place to ensure these are minimized.
- 8- Any resettlement should include measures to ensure that the resettled persons are provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the resettlement, based on clear entitlement criteria.
- 9- Resettlement should respect cultural and ethnic boundaries and dynamics and should be compatible with the cultural preferences of the resettled population and the hosting community. Patterns of community organization in the resettlement area should be based on choices made by the displaced persons. To the extent possible, the existing social and cultural institutions of resettlers and any host communities are preserved and resettlers' preferences with respect to relocating in preexisting communities and groups are honored. Resettlement planning should include the definition of mechanisms to mitigate and resolve conflicts between resettling and host communities.
- 10- Provision should be made for regular monitoring of resettlement processes, including appropriate and accessible grievance mechanisms to which individuals and groups can take complaints and seek redress.

## HUMAN RIGHTS WATCH

350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299  
Tel: 212-290-4700  
Fax: 212-736-1300  
Fax: 917-591-3452

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Rona Peligal, *Deputy Director*  
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Siphokazi Mthathi, *South Africa Director*  
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Jehanne Henry, *Senior Researcher*  
Lindsey Hutchison, *Associate*  
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## APPENDIX III: HUMAN RIGHTS WATCH LETTER TO THE GOVERNMENT OF ETHIOPIA ON GAMBELLA

November 16, 2011

Dr. Shiferaw Teklemariam  
Minister of Federal Affairs  
Ministry of Federal Affairs  
PO Box 5718  
Addis Ababa, Ethiopia

*Via email: shiferawtmm@yahoo.com*

### RE: Villagization and Rights Abuses in Ethiopia's Gambella Region

Dear Dr. Shiferaw,

Human Rights Watch is an international organization that conducts research and advocacy on human rights issues in over 70 countries worldwide.

We would like to share with you the key findings of recent research we have been carrying out on the "villagization" process in Gambella Regional State in Ethiopia. Under the villagization process, the authorities are displacing the population of entire villages from their original locations to new larger locations. The government claims the purpose of the exercise is to enhance access to services.

Human Rights Watch conducted interviews with over 100 individuals who have been part of this process in its first year. Approximately 50 were interviewed in Gambella, and another 50 interviews were carried out among newly arrived refugees from Gambella interviewed in Kenya. Researchers visited two thirds of the locations where villagization was underway during year one of the program.

Our research found that in Gambella, the villagization process is not voluntary, and is accompanied by various human rights abuses. Government soldiers frequently beat or arrested individuals who questioned the motives of the program or refuse to move to the new villages. Community leaders and young men are targeted. There have also

been credible allegations of rape and sexual assault by government soldiers. Fear and intimidation was widespread.

The Regional Government plan lists challenges in providing infrastructure for a scattered rural population as one of the justifications for the program, but the early implementation of the program appears to refute that justification. Virtually none of the infrastructure promised has been provided, and some communities were walking back to their old communities to access old infrastructure. Women were walking further to access water, and most residents no longer have access to even basic healthcare services. Children were not going to school due to lack of buildings in the new villages, long distances to access old schools, and fear of the soldiers present in the area. Former local government officials told Human Rights Watch that in fact the real reason for the displacement is to clear the way for the leasing of land for commercial agriculture. Villagers had been told the same by current local government officials.

In the new locations villagers were being forced to build their own *tukuls* (traditional huts) under the close supervision of the military. Resting or communication between villagers was met with threats and violence from soldiers. In some other cases, the *woreda* government forcibly led neighboring villagers (and in one case school students) to assist in *tukul* construction.

The food security situation in many new villages is dire. The forced movements to the new village occurred at the worst possible time – at the beginning of the harvest– and the areas where people have been moved are often dry with poor-quality soil. When villagers returned to their old fields, they found crops destroyed by baboons and rats. Despite government pledges, land had not been cleared in the new villages, and agricultural extension services or input provision had not been provided. Food aid provided was minimal. Livelihoods have been decimated.

There is also involuntary displacement of the indigenous Anuak population from several urban areas to nearby villages, where there is little infrastructure, food, or available shelter.

Gambella is the only one of Ethiopia's 10 regions where land certification processes are not being implemented. Without these land certification processes, the region's shifting cultivators, agro-pastoralists, and sedentary farmers have no security of land tenure. Despite strong constitutional guarantees, they have no protection from expropriation, receive no compensation, and international standards on the protection of indigenous rights are ignored– a serious concern in a region where 42 percent of the land area is either being marketed as available for agricultural land investment or has already been leased to investors.

As a result of the rights violations associated with the villagization program, many villagers have fled to the bush or to refugee camps in South Sudan or Kenya. In many of the new villages, women, children, the elderly and the ill are the only individuals remaining.

Human Rights Watch would appreciate the Government of Ethiopia's response to the above findings. In addition, we would welcome your feedback on the following questions:

1. Does the government of Ethiopia intend to undertake years two and three of the villagization program in Gambella as scheduled?
2. Is the Government of Ethiopia undertaking a land use planning process for Gambella? If so, what is the status of the process and how are civil society and indigenous people being consulted in its development?
3. Will the Government of Ethiopia allow people to freely return to their own villages? What steps is the government taking to ensure that those who do so do not face threats and violence from the military or the police?
4. What is the Government of Ethiopia's rationale for the displacement of Anuak from Gambella's urban areas? What steps has the government taken – or will it take – to ensure that no Anuak is displaced involuntarily?
5. Why has Ethiopia not implemented a land tenure security system in Gambella for shifting cultivators/pastoralist peoples, thereby providing some tenure security for the region's inhabitants, as outlined in the Constitution, prior to villagization or agricultural land investment? Compensation procedures in the Constitution do not differentiate between shifting cultivators/pastoralists and sedentary agriculture, so why has compensation not been given to shifting cultivators/pastoralists?

We would appreciate your response to these questions by December 15, 2011 so that it can be reflected in our published report. We would also be pleased to discuss these questions in person with you at your earliest convenience.

Sincerely,



Rona Peligal  
Deputy Director, Africa Division  
Human Rights Watch

Cc:

Bereket Simon, Minister for Government Communications  
Wondirad Mandefro, Minister for Agriculture  
Shimeles Kemal, Chief Prosecutor  
Ambassador Girma Birru, Special Envoy to the United States

## **APPENDIX IV: REPLY FROM THE GOVERNMENT OF ETHIOPIA TO HUMAN RIGHTS WATCH REGARDING GAMBELLA**

To: Rona Peligal, Deputy Director, Africa Division

Human Rights Watch

**Re: Combined Response to Human Rights Watch Enquiry, “Villagization in Gambella and development initiatives in South Omo Research findings”**

Dear Ms. Peligal,

The Federal Democratic Republic of Ethiopia has long put in place development policies and strategies that have and give due consideration to local reality and context while at the same time drawing relevant lessons from successful experiences elsewhere. The basic objective of these policies and strategies is to fight against poverty and ignorance that has bedeviled the country for decades. Since 1991 a series of medium term poverty alleviation plans were implemented that have over the years achieved remarkable growth and brought development dividend for citizens. The Current five year Growth and Transformation Plan (2010-2015) is an extension of this process that builds on the experiences of average growth of 11% of the last consecutive eight years. The villagization programs in Gambella as well as the development interventions in South Omo are efforts to tackle poverty and ignorance and to usher in a new era of Ethiopian renaissance. It is also the government’s constitutional commitment to deliver special intervention packages that help safeguard economic and political equality among minorities in Ethiopia.

Hoping that setting the record straight might help the Human Rights Watch research group to re-examine their research methodology and to think twice about their groundless allegations, the following remarks are given by way of explanation on the numerous issues raised and allegations made in your letters.

The villagization (commune program) program in Gambella regional state has single objective: improved livelihood within the framework of national Growth and Development Plan. The targets are to provide efficient and effective economic and social services (safe drinking water, optimum Health care, Education, improved agronomy practices, market access etc.), create an access to infrastructure (road, power, telecommunication etc.) and ensure the citizens’ full engagement in good governance and democratic exercise.

The villagization programs as well as other development interventions were implemented in accordance with FDRE constitution and relevant democratic principles. It was fully conducted on voluntary basis and with the full consent and participation of the beneficiaries. The sites for commune program were selected with full study into the availability of surface & ground water and adequate arable and grazing land. Utmost care was taken to make sure the critical social and economic services i.e. water, health services, education and improved agronomy practices are put in place before the beneficiaries were relocated to the new areas. The commune program was largely conducted in the very vicinities of the beneficiary communities. Most locations are even merely a

walking distance from the original location; with no challenges of customization to a different environmental setup and climatic adaptations. It is in their own village or district and most of the time in areas where already a good number of dwellers had settled before. They have also all the right to return to their original locations whenever and if they want. Therefore, so-called research findings regarding forced displacement, the allegation that the new locations being unproductive and the possibility of new security threats lack evidence and credibility.

The Gambella Regional state covers an area of 34,063 square kilometers and population density is calculated at 9.01 persons per square kilometer. Based on the recent census the population of the region is estimated at 306,916. About 20,243 households have already become beneficiaries of the year one program out of the total three years plan for commune program. The actual plan of action for the fiscal year was 15,000 households, though the performance surpassed by more than 5,000. This was a clear and bold sign of not only volunteerism but also an active demand by the beneficiaries themselves.

In the 43 villagization ( commune program) sites of Gambella, 22 Health facilities, 19 Schools, 72 water schemes, 128 kilometer rural road , 18 animal health clinics, 30 grain mill facilities, 407 water pumps and 27 farmers training centers were newly constructed and are functional. These facilities were built within one year in order to cater in time for the beneficiaries at their new commune sites. No allegation or fabricated report could detract from the reality on the ground and mislead citizens who are actually enjoying the benefits; a fact that could be verified by anyone who cares to know. About 50,000 citizens now enjoy these facilities with better agronomic practices and improved productivity. The other villages do have these facilities already.

The villagers for the first time in their history started to produce excess product—maize, sorghum, rice, potatoes, beans, vegetables, fruits, etc.—beyond and above their family consumption. The agronomy practices are supported by agricultural extension programs and by the provision of improved inputs. They have already begun to bring their products to close-by markets thereby earning additional income and have even started to send children to schools. The new institutions have certainly created access for the most needy and neglected people including children and mothers. This is in line with our constitutional responsibility for our citizens, five years Growth and Transformation Plan, and the Government’s commitment to achieving Millennium Development Goals.

The commune program in Gambella is a new program which the regional state is conducting as part of its Growth and Development Plan for the next five years. Thanks to the age-long alienation by successive regimes, Gambella regional state had long remained one of the worst off regions of Ethiopia in terms of access to development facilities. The efficacy of development endeavors already underway in the region and the capacity to deliver effective and efficient results must therefore be seen in the context of this reality. The obstacles created all along by anti-development, anti-peace and rent-seeking elements who tried their level best to derail the progress in the region have also often played havoc with the speed and effectiveness of development projects. Such elements are not only averse to any prospect of growth and development in the region but also have done

everything to set the clock back on the region's progress through a concerted campaign with the support of their foreign handlers. For such elements growth and development militate against their hideous political objectives and thus would not stop at nothing to sabotage the success of any and all development projects in the region. In fact, these elements have several times attempted to achieve their sinister objectives by producing a series of fictitious reports with a view to misleading beneficiaries until their duplicitous campaign was finally revealed by the people to be utterly false. Yet another challenge in this regard was the delay in few villages under the commune program to complete in time the necessary facilities mainly because of financial constraints and lack of efficiency on the part of contractors. If anything, the experience from the execution of phase one of the commune program has helped develop better planning, implementing and monitoring capacity for the forthcoming development programs.

The objective of the commune program is not and it will not be what the tendentious report of the so-called Human Rights Watch research makes out to be. The allegations that military and police force was used to implement the commune program; that the Anuak were displaced from Gambella's most urban areas; that military and police were forcefully obstructing settlers from freely returning to their own villages; and claims that police and the military are routinely deployed in this commune program etc. are downright fabrications. Contrary to what your report alleges, there has not been and never will be a need for the deployment of the police, much less the military in these projects. The totally uncalled for—totally inaccurate, no less--assertion that the “Anuak population” is involuntarily displaced from several urban areas clearly betrays HRW's game plan: using false allegations to ignite a conflict among the regions' inhabitants thereby creating a contrived fact on the ground. This rather outrageous claim in fact clearly shows the ill-disguised motive of the Human Rights Watch research group to unfairly paint a dark image of Ethiopia.

The allegation that no facilities of school, health, safe water, and infrastructure were available in the commune program demonstrates how the HRW's claim of having visited two third of villagization sites was a total lie and an exercise in imagination. It is simply a mere fabrication with no factual basis at all. Unbiased, genuine and fact finding mission could be conducted to look into the reality in the respective 43 villagization sites. The so-called research finding willfully ignores the fact that more than 50, 000 people are utilizing these services from the newly built and functional institutions. The fact finding mission from Ethiopia Donor Assistance Group visited Gambella and observed these facilities while they were up and running. Human Rights Watch could get valid information from this group if it wants. If past its pattern is any guide, however, Human Rights Watch never has the stomach for the truth other than for their Nairobi-based projection of virtual reality.

The reference to “newly arrived refugees in Kenya and South Sudan” fleeing the commune program and interviewed by Human Rights Watch researchers could again be a further evidence of baseless allegation and total fabrication. The report mentioned that Gambella is left only with women, children and the elderly with the rest having already fled to the refugee camps in South Sudan and Keya. If indeed this was even remotely true, there must certainly have been an official report from

UNHCR or the Governments of Kenya and South Sudan about such major event and it would have reflected on the population pyramid of Gambella. There is no such report, simply because there are no such refugees.

Quite simply, “Human Rights Watch research group and informants in Ethiopia” are phantom characters in HRW ‘researchers’ fertile imagination. This case is a crystal clear indication that Human Rights Watch mission in Ethiopia is more political and ideological than part of any genuine concern for human rights as such. It is clear that Human Rights Watch is not an institution concerned with human rights when in fact it is callously standing against Ethiopia’s endeavors to address the deep rooted poverty and ignorance in the country.

Despite Human Rights Watch’s fatuous claim to have visited two thirds of the commune program sites, the findings nonetheless reflect more grave problems in the research methodology, and on the motives of ‘researchers’ and ‘informants’ and/or their credibility thus casting huge doubt on the true intentions of Human Rights Watch.

The report also stated that the basic reason for commune program is to clear the way for the leasing of land for commercial agriculture. As we stated earlier, the basic objective of the commune program is to ensure improved livelihood for our own citizens. It is common knowledge that scattered population lacks the effective means—in the face of given resource constraint—for collective voice and universal access to improved social and economic services as well as good governance. It is also a fact that one need not displace anyone in Gambella to secure a commercial land as there is an adequate land that is not owned by anyone else. The average size of shifting land owned by one household in Gambella is 0.42 hectares. Through villagization program, a household is given an average of four hectares of land. First level land certification was conducted and at year two all villagers will get the second level certificate. The commune program is also in line with the land use development corridor study conducted in the region. We also believe a robust land use study reconciling different objectives is an imperative and this is currently being considered by the Gambella regional state.

With a total area of 34,063 square kilometers and density of 9 persons per square kilometer and cultivable land mass of 3,400,063 hectares of land, close to 1.226 million hectares of land has already been identified to be appropriate for commercial purposes in Gambella. Even out of the identified amount of land it is only about 225,012 (18%) hectares of land that has been transferred to local and international investment firms in a very transparent and environment friendly manner . In addition to technology transfer, such investment brings comprehensive area development that in turn creates a great employment opportunity for the residents of the regional state. The above facts and figures speak for themselves and it is not entirely clear why the government would be suspected of displacing people to prepare land for commercial purposes.

The same also holds true for allegations about South Omo development projects. They reflect more the personal biases of Human Rights Watch’ informants’ in Ethiopia rather than the reality on the ground. Here again the methodology used and the informants deployed must have been

politically and ideologically driven and far removed from reality. The so called “study findings” have no merit and are not worth the paper they are written on.

Allegations about the engagement of military and police emanate from the willful ignorance of Human Rights Watch Research group in Ethiopia about the discipline of Ethiopian security forces. In fact, no military is deployed in these areas nor is there a need to. The government of Ethiopia will not displace a single person involuntarily whether in Gambella or elsewhere in the country. The FDRE constitution and the EPRDF Government’s commitment to the cause of the peoples of Ethiopia means that no citizen will be forced out of his/her location without their individual will for resettlement or any other purpose. If such complaint is filed by any one, the justice system and governance structures in the country have put in place mechanisms for redress.

The South Omo valley projects outlined in the report is part of the Plan towards accelerated and sustainable development to end poverty in Ethiopia. The government of Ethiopia is open so far and will be open in the future to ensure access to donor agencies and media with proper knowledge and permission from appropriate government authority for fact finding or similar missions meant in good faith. This was of course what the Ethiopia based Donor Assistance Group did and there is no reason why this will not continue if and when a legitimate request is made. There already is a joint working group mechanism in place for this purpose that needs to be further strengthened.

It is rather mind-boggling to see HRW claim that the fight against poverty is indeed a violation of human rights. On the contrary, though, any sabotage against development interventions to end citizens’ poverty can be clearly labeled as Human Rights Violation.

With regard to your seemingly innocuous query, we would like to indicate that all the concerns mentioned about environmental and social impacts of these projects were well studied including the consultations with the neighboring countries and beneficiary communities in South Omo.

The project site and the selected locations in South Omo are not anywhere close human dwellings to disturb inhabitants’ lifestyle. It is an area which is hardly inhabited at all except at a widely scattered pattern. The population density in Selamago woreda, South omo project site; is below 5 persons per square kilometer. The project has designated about 1700 hectares of land and will be provided with access to irrigation schemes. Social and economical facilities and infrastructures will be provided that will certainly impact the livelihood and quality of life in positive terms. Rural Road access of 18 kilometers is under construction to connect the project area with the district capital, Hana.

An irrigated land of 0.75 hectares of land each is prepared for 2050 households. There will not be any land scarcity for any family with a capacity to produce more. Training on improved agronomy practices, technology inputs and livestock management including range land will be provided.

The projects also create a job opportunity for a wider mass in the SNNPR region and the whole nation including an out grower options for those who would like to join the same in Selamgo district. Such initiatives and actions in South Omo, Selamago district will go a long way in ensuring

that the citizens enjoy their national development dividend rather than face Human Rights violations. These development interventions will in fact lift the South Omo minority populations out of their dismal living conditions.

The concern about the indigenous culture and group identity could only be a mere diversion. The FDRE constitution respects all individual and group rights as opposed to the beliefs of Human Rights Watch, which clearly is averse to group rights. Therefore, Human Rights Watch has no moral ground to criticize Ethiopia for issues related to group rights when in fact this is one of the pillars of our constitution in addition to individual rights which are equally sacred.

Finally, we would like to assure Human Rights Watch that the Federal Democratic Republic of Ethiopia lives up to its commitment to the cause of the peoples of Ethiopia and to the FDRE constitution. We do also respect and implement to our level best international human rights conventions which also form integral part of Ethiopia's laws. However, as we pointed out at several occasions, Human Rights Watch's research methodology, choice of informants, and content of report follows the same baseless fabrications replete with biased 'testimonies' of people who have an axe to grind with the government. Africa's regional director for your organization springs to mind. While the decision remains entirely yours, your reports must be based on facts, figures, and two sided consultations and unbiased for them to serve any positive purpose. The FDRE government on its part would also be open to discuss any issues if in fact there is a good faith move on your part.

Best regards,

Shiferaw

## HUMAN RIGHTS WATCH

350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299  
Tel: 212-290-4700  
Fax: 212-736-1300  
Fax: 917-591-3452

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Daniel Bekele, *Executive Director*  
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# APPENDIX V: HUMAN RIGHTS WATCH LETTER TO THE DAG ON GAMBELLA

November 15, 2011

Eugene Owusu  
UN Resident Coordinator/UNDP Resident Representative  
United Nations Development Program  
PO Box 5580  
Addis Ababa, Ethiopia  
(On behalf of the Development Assistance Group)

*Via email: eugene.owusu@undp.org*

## RE: Villagization and Rights Abuses in Ethiopia's Gambella Region

Dear Mr. Owusu,

Human Rights Watch is an international organization that conducts research and advocacy on human rights issues in over 70 countries worldwide.

We would like to share with you the key findings of recent research we have been carrying out on the "villagization" process in Gambella Regional State in Ethiopia. Under the villagization process, the authorities are displacing the population of entire villages from their original locations to new larger locations. The government claims the purpose of the exercise is to enhance access to services.

Human Rights Watch conducted interviews with over 100 individuals who have been part of this process in its first year. Approximately 50 were interviewed in Gambella, and another 50 interviews were carried out among newly arrived refugees from Gambella interviewed in Kenya. Researchers visited two thirds of the locations where villagization was underway during year one of the program.

Our research found that in Gambella, the villagization process is not voluntary, and is accompanied by various human rights abuses. Government soldiers frequently beat or arrested individuals who questioned the motives of the program or refuse to move to the new

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villages. Community leaders and young men are targeted. There have also been credible allegations of rape and sexual assault by government soldiers. Fear and intimidation was widespread.

The Regional Government plan lists challenges in providing infrastructure for a scattered rural population as one of the justifications for the program, but the early implementation of the program appears to refute that justification. Virtually none of the infrastructure promised has been provided, and some communities were walking back to their old communities to access old infrastructure. Women were walking further to access water, and most residents no longer have access to even basic healthcare services. Children were not going to school due to lack of buildings in the new villages, long distances to access old schools, and fear of the soldiers present in the area. Former local government officials told Human Rights Watch that in fact the real reason for the displacement is to clear the way for the leasing of land for commercial agriculture. Villagers had been told the same by current local government officials.

In the new locations villagers were being forced to build their own *tukuls* (traditional huts) under the close supervision of the military. Resting or communication between villagers was met with threats and violence from soldiers. In some other cases, the *woreda* government forcibly led neighboring villagers (and in one case school students) to assist in *tukul* construction.

The food security situation in many new villages is dire. The forced movements to the new village occurred at the worst possible time – at the beginning of the harvest– and the areas where people have been moved are often dry with poor-quality soil. When villagers returned to their old fields, they found crops destroyed by baboons and rats. Despite government pledges, land had not been cleared in the new villages, and agricultural extension services or input provision had not been provided. Food aid provided was minimal. Livelihoods have been decimated.

There is also involuntary displacement of the indigenous Anuak population from several urban areas to nearby villages, where there is little infrastructure, food, or available shelter.

Gambella is the only one of Ethiopia's 10 regions where land certification processes are not being implemented. Without these land certification processes, the region's shifting cultivators, agro-pastoralists, and sedentary farmers have no security of land tenure whatsoever. Despite strong constitutional guarantees, they have no protection from expropriation, receive no compensation, and international standards on the protection of indigenous rights are ignored – a serious concern in a region where 42 percent of the land area is either being marketed as available for agricultural land investment or has already been leased to investors.

As a result of the rights violations associated with the villagization program, many villagers have fled to the bush or to refugee camps in South Sudan or Kenya. In many of the new villages, women, children, the elderly and the ill are the only individuals remaining.

Human Rights Watch would welcome your feedback on the above findings and on the following questions:

1. What role have DAG members played in the villagization program in Gambella (or any other region), including financial, technical, or other form of support? What is DAG's general assessment of the program?
2. Has DAG received reports of human rights abuses occurring in the villagization program? What steps has it taken in response to such reports? Would DAG be willing to share the reports of any independent assessments that have been carried out, notably the March 2011 DFID-led assessment in Gambella?
3. Does DAG conduct monitoring activities in Gambella to reduce the chance of human rights abuses being committed in the program?
4. Would DAG consider assisting the government of Ethiopia in implementing a land tenure security system in Gambella for shifting cultivators/pastoralist peoples to provide some tenure security for the region's inhabitants?

We would appreciate your response to these questions by December 15, 2011 so that your response can be reflected in our published report, unless you specifically request that it be kept confidential. We would also be pleased to discuss these findings in more detail with you at your earliest convenience.

Sincerely,



Rona Peligal  
Deputy director, Africa Division  
Human Rights Watch

Cc: Members of the Development Assistance Group

African Development Bank  
Australian Agency for International Development (AusAid)  
Austria Development  
Spanish Agency for International Development (AECID)

Canadian International Development Agency (CIDA)  
UK Department for International Development (DFID)  
Delegation of the European Commission to Ethiopia  
Embassy of Belgium to Ethiopia  
Embassy of Denmark to Ethiopia  
Embassy of Finland to Ethiopia  
Embassy of France to Ethiopia  
Embassy of Germany to Ethiopia  
Embassy of India to Ethiopia  
Embassy of Japan to Ethiopia  
Embassy of the Netherlands to Ethiopia  
Embassy of Norway to Ethiopia  
German Development Cooperation (GIZ)  
International Monetary Fund  
Irish Aid  
Italian Cooperation  
Japan International Cooperation Agency  
Norwegian Agency for Development Cooperation (NORAD)  
Swedish International Development Cooperation Agency (SIDA)  
Turkish International Cooperation Agency  
United Nations Children's Fund (UNICEF)  
US Agency for International Development (USAID)  
World Bank  
World Food Program (WFP)

# APPENDIX VI: REPLY FROM THE DAG TO HUMAN RIGHTS WATCH REGARDING GAMBELLA



December 9, 2011

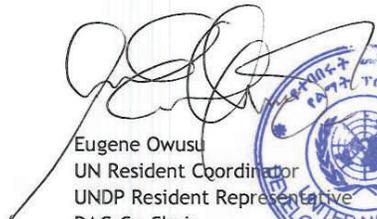
Dr Rona Peligal,  
Deputy Director, Africa Division  
Human Rights Watch

**Re: Allegations of Rights Abuses in Gambella and South Omo**

This is to acknowledge receipt of your letters dated November 15th and 16th, the contents of which have been noted.

As we have expressed to your organization in the past, we take any allegations of human rights abuses seriously. We look forward to receiving your full report and evidence of the incidents that you refer to in your letter.

Regards,

  
Eugene Owusu  
UN Resident Coordinator  
UNDP Resident Representative  
DAG Co-Chair

The logo of the United Nations Development Programme (UNDP). It is a circular seal with the United Nations emblem in the center. The text around the perimeter includes "UNITED NATIONS DEVELOPMENT PROGRAMME" and "1972".

  
Thomas H. Staal  
Mission Director  
USAID Ethiopia  
DAG Co-Chair

The logo of the United States Agency for International Development (USAID). It is a circular seal with the USAID emblem in the center. The text around the perimeter includes "United States Agency for International Development" and "USAID".

## HUMAN RIGHTS WATCH

350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299  
Tel: 212-290-4700  
Fax: 212-736-1300  
Fax: 917-591-3452

# APPENDIX VII: HUMAN RIGHTS WATCH LETTER TO KARUTURI GLOBAL LTD. ON GAMBELLA

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RIGHTS  
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Carina Tertsakian, *Senior Researcher*  
Anneke Van Woudenberg, *Senior Researcher*  
Jamie Vernaelde, *Associate*  
Matthew Wells, *Researcher*

November 22, 2011

Sai Ramakrishna Karuturi  
Managing Director  
Karuturi Global Ltd  
#204, Embassy Centre  
11 Crescent Road  
Bangalore, India, 560 001

*Via facsimile: +91-80-22259782*

## RE: Villagization and Rights Abuses in Ethiopia's Gambella Region

Dear Mr. Karuturi,

Human Rights Watch is an international organization that conducts research and advocacy on human rights issues in over 80 countries worldwide.

We are writing to you as you are a major investor in Ethiopia's Gambella Regional State. We would like to share with you the key findings of recent research we have carried out into the "villagization" process in Gambella. Under this process, Ethiopia's state authorities are displacing and combining the populations of entire villages from their existing locations to a smaller number of new locations. The government asserts the purpose of the program is to enhance access to government services and infrastructure, although this has been slow to materialize. There is evidence to suggest that an additional underlying motive may be to facilitate agricultural investment in those recently vacated areas.

Human Rights Watch conducted interviews with over 100 individuals who have gone through the villagization process in its first year. About half were interviewed in Gambella, with the other half in refugee camps in Dadaab, Kenya. Our researchers visited two-thirds of the locations where villagization is taking place.

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James Ross, *Legal & Policy Director*  
Joe Saunders, *Deputy Program Director*  
Frances Sinha, *Human Resources Director*  
James F. Hoge, Jr., *Chair*

We found that in Gambella the villagization process is not voluntary, and is accompanied by serious human rights violations. Government soldiers frequently beat or arrest individuals who question the motives of the program or refuse to move to the new villages. Community leaders and young men are targeted, and beatings and arrests serve as a warning to others as to what will happen to those who oppose government programs. The interviewees also provided credible allegations of rape and sexual assault by government soldiers.

The government cites the challenges in providing infrastructure for a scattered rural population as one of the justifications for the program, but the new villages seem to provide even fewer resources than the existing ones. Virtually none of the infrastructure promised has been provided, and some communities are walking back to their old communities to access old infrastructure. Children are not going to school due to lack of schools in the new villages, long distances to access schools in the old locations, and fear of the soldiers present in the area. Women are walking farther to access water, and most residents no longer have access to even basic healthcare services.

Human Rights Watch also found evidence of coerced labor. In the new locations, villagers were forced to build their own *tukuls* (traditional huts) under the close supervision of the Ethiopian military. Resting or communication between villagers was met with threats and violence from soldiers. In some other cases, the government forcibly led neighboring villagers (and in one case school students) to assist in *tukul* construction.

The food security situation in many new villages is dire. The forced movements to the new village occurred at the worst possible time – at the beginning of the harvest time – and the areas where people have been moved are often dry with poor-quality soil. When villagers have returned to their old fields, they have found crops destroyed by baboons and rats. Despite government pledges, land has not been cleared in the new villages, and agricultural extension services or input provision has not been provided. Food aid provided has been minimal. Livelihoods have been decimated.

There is also involuntary displacement of the indigenous Anuak population from several urban areas to nearby villages, where there is little infrastructure, food, or available shelter.

Gambella is the only one of Ethiopia's 10 regions where land certification processes are not being implemented. Without these land certification processes, the region's shifting cultivators, agro-pastoralists, and sedentary farmers have no security of land tenure. Despite strong constitutional guarantees, they have no protection from expropriation, receive no compensation, and international standards on the protection of indigenous rights are ignored – a serious concern in a region where 42 percent of the land area is either being marketed as available for agricultural land investment or has already been leased to investors.

As a result of the rights violations associated with the villagization program, many villagers have fled to the bush or to refugee camps in South Sudan or Kenya. In many of the new villages, women, children, the elderly and the ill are the only individuals remaining.

Numerous media reports quote Karuturi Global Limited as suggesting that Gambella's regional government offered to relocate the village of Ilea, but that Karuturi declined the government's offer. Human Rights Watch has found that residents of Ilea are nonetheless being told by government officials that they will be relocated during the upcoming 2011/2012 villagization process. In addition, Human Rights Watch found that villagers living along the Openo (Baro) River within the boundaries of Karuturi's concession are being displaced.

Human Rights Watch would welcome your feedback on the above findings and on the following questions:

1. The October 25, 2010 lease agreement between Karuturi and Ethiopia's Ministry of Agriculture and Rural Development requires the development of an Environmental and Social Impact Assessment, to be conducted and delivered by January 25, 2011. Has this assessment been completed? If so, how have the impacts to livelihoods been mitigated? If such an assessment has been completed would you be able to share a copy with us?
2. How were local communities in the vicinity of your lease areas consulted? This includes not only Ilea, but those Anuak communities located along the banks of the Openo River. What were their concerns? How were their concerns addressed by Karuturi? Did they give their free and informed prior consent either to the government or your company for your agricultural operation?
3. There is documented evidence that Anuak used and occupied land that is now part of Karuturi's lease area. What process has Karuturi undertaken to ensure that appropriate compensation, as per Ethiopian law and international best practices, has been paid out to local farmers?
4. Has Karuturi been involved in any discussions with the Ethiopian government regarding the involuntary displacements described above? Has Karuturi expressed any concerns to the Ethiopian government regarding these involuntary displacements and their legality under international human rights law? What steps will Karuturi undertake to ensure that it is not lending any form of support to any of these activities that violate international human rights law?
5. According to several sources, Ilea is scheduled to be part of the villagization program in 2011/2012. What steps has or will Karuturi take to make sure that any displacement is in accordance with Ethiopian and international human rights law and that appropriate consultation and compensation is provided?

6. There have been reports of Karuturi requesting Anuak families to relocate from along the Openo River. What steps is Karuturi taking to ensure that no displacements are involuntary, in violation of international human rights law? Has Karuturi found incidents of involuntary displacement, and, if so, what steps has it taken in response and to prevent such abuses in the future?
7. What steps has Karuturi taken to ensure that the rights violations described in this letter do not occur within Karuturi's concession area?

We would appreciate your response to these questions by December 22, 2011 so that your response can be reflected in our published report. We would also be pleased to discuss these findings in more detail with you at your earliest convenience.

Sincerely,



Rona Peligal  
Deputy Director, Africa Division  
Human Rights Watch

# APPENDIX VIII: REPLY FROM KARUTURI GLOBAL LTD. TO HUMAN RIGHTS WATCH REGARDING GAMBELLA

12/12 2011 05:21

#4381 P.001/005



Date: 09/Dec/2011

To,  
Rona Peligal  
Deputy Director, Africa Division  
Human Rights Watch  
350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299

Ref: Reply to your letter dated Nov 22nd 2011 regarding Villagization and Rights abuse in Ethiopia's Gambela region

Dear Ms. Peligal,

This refers to your mail dated 22<sup>nd</sup> Nov 2011. Our comments to the questions by you are as under:

1. We have conducted Environmental and Social Impact study (ESIA) from a reputed Institution recognized by the World Bank. The study has been conducted with reference to the internationally standardized code of practices. The report has been submitted to the Minister of Agriculture in Addis and the regional government in Gambela. The conclusion of the ESIA is as mentioned below:  
Quote : *To conclude with, the Environmental Impact Study has considered all feasible alternatives which may include different methods of understating the project and minimizing the adverse impacts and came up with conclusion that it is better development alternative as far as the development of lower Gambela Plain is concerned. There are no conditions that lead to "no - go" options provided all mitigation and enhance measures are strictly taken and recommendations are implemented in due time.* Unquote

1

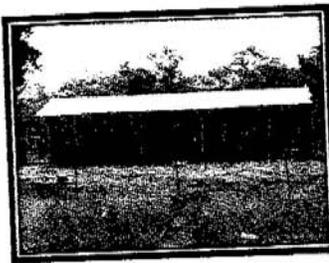
Karuturi Global Limited

2. Karuturi has initiated agriculture operations in the Gambella region with our base camp near Ilea village. Karuturi is working only on the land given by the government and that is free from any of the possession claims by communities / farmers. Karuturi respects the laws of land and concerns of the locals and as such has voluntarily moved back from the river Baro as the local community people were cultivating maize and sorghum in those areas. Also, based on the EIA study, Karuturi has provided for about 10000 Ha of land as a wild life corridor on the western side of the farm near Jikaw even after having made significant developments and investments on the land.  
Our presence in the area has given effect to employment, skill up gradation, training and other CSR activities like drinking water and providing electricity. Our ever changing boundaries of the maps to accommodate local concerns are a testimony of our flexibility in favor of local communities and environment. We are now proposing to volunteer to build a 25 km road into the forest to facilitate and encourage tourists and view Exhaustive wild life. We are also building a camp site near to the wild life reserve to facilitate wild life tourism which will bring much needed prosperity to the local community.
3. It is indeed true that Anuak community use and occupy land within the Karuturi's lease area without any disturbance. Karuturi has made no efforts to disturb their habitation and they still live in that area. Karuturi co-exist with them. Karuturi has learnt from them how and when to plant maize as their traditional knowledge and history though not documented is invaluable for our agriculture operations.
4. Karuturi has neither been involved in any way with the Ethiopian Government's policy on villagization or re-settlement of people nor is aware of any such program of the Ethiopian Government in any greater detail.

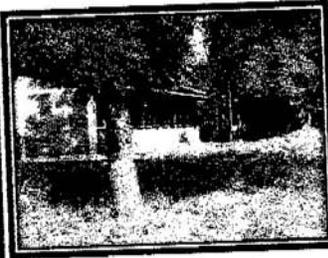
It would be of interest to know that Gambela is very sparsely populated with a population of 306916 people (census 2007 data) over a 25,802 sq km land area. The population density in Gambela is around 11.9 people per square km and one of the lowest in the world. Hence, our biggest challenge in Gambela is the absence of people and not the presence of people. Karuturi has been in Gambela for the last 3 yrs and we have been working in harmony with the constituents of the local ecosystem. We respect the local people, their customs and traditions and will continue to do so and exist in peaceful harmony with a mutual win-win relationship. At Karuturi, people are synonymous with assets and we employ around 5000 people in Ethiopia and 7500 people across the world. Karuturi has not caused in any manner, any displacement of human habitation in order to make way forward for the project and is living in peaceful harmony with the people of Gambela. As a matter of fact our first camp site has been built near village after due permission by the village chief. The farm is 80km long and we propose to build 6 camp sites, each of these camp sites will accommodate 2000 people in addition to the existing local population as we require a large workforce to enable us to achieve our objective.

5. Ilea village has a population in excess of 1000 people and has it has fully functional primary as well as high school with large no of students, has a functional hospital, a beautiful brick and mortar Church has been recently constructed and Karuturi has initiated electrification of the village. Karuturi does not have any knowledge beyond this with respect to the concerns raised by you in your letter.

Some of the photos of the developments in Ilea are as annexed below.



Ilea Church



Ilea School



Polyclinic in Ilea

6 & 7. Already covered in the previous answers

Karuturi has been working relentlessly to ameliorate the impending grave food crisis that this part of the world is likely to witness in the coming years. There are currently over 400 Indian investment projects in Ethiopia which shall undoubtedly have a positive impact on the lowest common denominator and ensure the fulfillment of basic needs of the local population.

'Every small change counts' is the inspiration for Karuturi's CSR efforts. The company aims to build a new tomorrow with its CSR Initiatives. In Ethiopia, one of the biggest social initiatives is "Ban the Can", where the goal is to provide tap water to people who are currently fetching water using jerry cans from distant areas. The company has contributed USD 75,000 towards drinking water supply project in Holetta town. At Gambela, we have already provisioned 25 bore holes as part of our mission "Ban the can". In Kenya, Karuturi runs a full fledged hospital with state of the art facilities providing free health care to the localities and employees. It also runs a school with 2,200 students to create a new and better tomorrow. We are attempting to provide electricity for lighting; piped drinking water, permanent housing, schools and hospitals apart from entertainment facilities including cinemas and sporting clubs for people in our ecosystem to live a balanced life. It also is a proud sponsorer of Karuturi Football team and the Kenyan National Cricket team. Future generations of

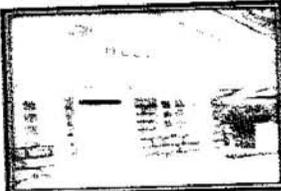
4

Ethiopians will find the FDI into Ethiopian Agriculture leading to surplus lower inflation apart from a significant employment generation directly for over 25,000 jobs and in directly by up to 100,000 jobs. Karuturi has a vision for Gambela: "To see Gambela transform into another Amhara, the current food bowl of Ethiopia"

Some pictures of our CSR activities in Ethiopia and Kenya are annexed below for your reference:



Chairman distributing food to the Gambela children



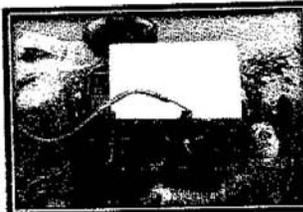
Full fledged hospital with state of the art facilities providing free health care



School for 2200 children



Providing drinking water by "ban the can" initiative



Electrification of Ilea village inaugurated by Vice President, Gambela



I really appreciate your concern and shall be available for any further clarifications. Please feel free to contact me for any further clarifications.

Thanking you.

Yours sincerely,

Sai Ramakrishna Karuturi  
Founder and Managing Director  
Karuturi Global Limited

# “WAITING HERE FOR DEATH”

## Displacement and “Villagization” in Ethiopia’s Gambella Region

The Ethiopian government has forcibly relocated to new villages some 70,000 mostly indigenous people during the first year of a three-year “villagization” program. Under the program, the Ethiopian government plans to move 200,000 people in Gambella region and 1.5 million in four other regions during the next three years. Human Rights Watch found that contrary to government claims that the transfers would improve access to infrastructure and basic services, the relocations were not voluntary, and that promised schools, hospitals, and agricultural support were not provided in the new villages.

*“Waiting Here for Death”: Displacement and “Villagization” in Ethiopia’s Gambella Region* is based on interviews with over 100 transferred villagers, including refugees presently in Kenya. It details the inadequate consultation, the lack of compensation and intimidation, assaults and arbitrary arrests committed by state security forces against those who questioned the villagization program or refused to move. The food security situation in many new villages is dire because of disrupted harvests and insufficient food aid. Livelihoods have been disrupted, health care inadequate, and access to education and other services greatly limited.

Villagization is happening in areas where the Ethiopian government is marketing and leasing land to investors for commercial agriculture. Villagers were told the reason for their displacement was because they were not farming the land productively and that commercial investors would make better use of it.

Human Rights Watch calls upon the government of Ethiopia to halt ongoing human rights violations in the name of villagization and punish the perpetrators. Transfers to new villages should be voluntary, adequate compensation provided, and infrastructure should first be in place before people are relocated to these new villages.

Ethiopia’s foreign donors are concerned about the villagization program and have commissioned assessments of its effects but have not published their findings. The villagization program is indirectly funded in part by Western donors through the Protection of Basic Services (PBS) program. Human Rights Watch urges Western donors to ensure that no aid goes towards the villagization program.



*The new village of Bildak in Ethiopia's Gambella region, which the semi-nomadic Nuer who were forcibly transferred there quickly abandoned in May 2011 because there was no water source for their cattle.*

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