ቁጥር 8
እትም 8

AHRE

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ሰብአዊነት

የስብስብ ለሰብአዊ መብቶች በኢትዮጲያ መጽሄት



Heran Teshome

Getayawkal Mehari

Zossima Alebel

ርዕሰ አንቀጽ

ስብስብ ለሰብአዊ መብቶች በኢትዮጲያ (ስሰመኢ) መንግስታዊ ያልሆነ፣ ለትርፍ ያልተቋቋመ እና ከፖለቲካ ነፃ የሆነ በሀገራችን የሰብአዊ መብቶች አያያዝን ለመሻሻል ጥልቀት ያላቸው የሰብአዊ መብት ምርምሮችን በመስራት በማስረጃ የተደገፉ ምክረ ሀሳቦችን የሚያቀርብ እና በሰብአዊ መብቶች ዙሪያ የተለያዩ ስልጠናዎችን የሚሰጥ ተቋም ነው፡፡ ስሰመኢ ከተለያዩ የሀገር ውስጥና የውጪ ድርጅቶች ጋር በትብብር በመስራት ያምናል፤ በመሆኑም ከተለያዩ አለም አቀፍ እና ሀገር በቀል ድርጅቶች ጋር ይሰራል፡፡ በተጨማሪም ለተለያዩ የሀገር ውስጥ ሲቪል ማህበራትና ሌሎች ድርጅቶች ሰብአዊ መብቶችን በተመለከተ ስልጠናዎችን በመስጠት ድጋፍ ያደርጋል፡፡ ከላይ ከተጠቀሱት ስራዎች በተጨማሪ ስብስብ ለሰብአዊ መብቶች በኢትዮጲያ በሰብአዊ መብቶች ዙሪያ የሚያጠነጥን እና ፤ ሰብአዊነት በሚል ርዕስ የሚያሳትመውን መጽሄት ከሚያዚያ ወር 2013 ዓ.ም ጀምሮ ለአንባቢያን እያቀረበ ይገኛል፡፡ መፅሄታችን የተለያዩ በሰብአዊ መብቶች ዙሪያ ግንዛቤን የሚፈጥሩ እንዲሁም በወቅታዊ የሰብአዊ መብቶች አያያዝ ላይ ያተኮሩ ጽሁፎችን የሚይዝ ሲሆን ጸሀፊዎች ስራዎቻቸውን የሚያቀርቡበት አምድ ነው።

መልካም የንባብ ጊዜ

ሰዎችን አስገድዶ ለዉትድርና ስልጠና መመልመል ከሰብዓዊ መብ አንፃር ሰ ቃኝ

በሔራን ተሾመ

ሰብዓዊ መብቶች ሰዎች ሰብዓዊ ፍጡር በመሆናቸው ብቻ የሚያገኟቸው እና በዘር: በቀለም: በቋንቋ: በፖለቲካ አቋም: በአመለካከት: በዜግነት: በሀብት ደረጃ ወዘተ ልዩነት ሳይደረግባቸው ሰው በመሆናቸው ብቻ እውቅና እና ጥበቃ ሊሰጣቸው የሚገቡ ከሰዎች ሰብዓዊ ክብር ጋር የተቆራኙ የማይነጠሉ መብቶች ናቸው። በመሆኑም መብቶቹ ከሰዎች ተፈጥሮአዊ ባህሪ የሚመነጩ ሰዎች እንደሰው የተሟላ ኑሮ ለመኖር ሊከበሩ እና ሊሟሉላቸው የሚገቡ መሰረታዊ መብቶች ናቸው። እነዚህም መብቶች በባህረያቸው የማይገረሰሱ፤ የማይነጠሉ፤ አለማቀፍዊ እና ተፈጥሮአዊ በመሆናቸው ከሌሎች መብቶች በአይነታቸው ልዩ ያደርጋቸዋል።[1] ከነዚህም መሰረታዊ መብቶች መካከል የነፃነት መብት አንዱ ተጠቃሽ ነው። በኤ.ፌ.ዲ.ሪ. ሕገመንግስት በአንቀጽ 27 ላይ በተጠቀሰው መሰረት የነፃነት መብት የማሰብ፤ የህሊና፤ የሀይማኖት ነፃነት የሚያጠቃልል ሲሆን በዚህ ፅሁፉም ከዚሁ መብት ጋር በተያያዝነት የሚጠቀሰውን የራስ አገዛዝ ነፃነት (personal autonomy)[2] መብት አተገባበር እና ጥሰቶቹ የምንዳሰስ ይሆናል። የራስ አገዛዝ ነፃነት ሰዎች ያለምንም ተፅዕኖ በራሳቸው የግል ውሳኔዎችን ማለትም ከትዳር፣ የኑሮ ቦታ፣ የስራ ምርጫ ወዘተ ጋር ተያይዞ ሰዎች በነፃነት ውሳኔዎችን የመወሰን መብትን እንዳላቸው የሚገልፅ ፅንሰ ሀሣብ የያዘ ነው። በዚሁ መሰረት ሰዎች በራሳቸው ህይወት ይበጀኛል የሚሉትን ውሳኔዎች በመወሰን ይሄን መብታቸውን ሲጠቀሙ ብንመለከትም በዛው ልክ ይህ ሰብዓዊ መብት በተለያዩ አጋጣሚዎች በተለያዩ አካላት ሲጣሱም እንመለከታለን። ይህንም ሰብዓዊ መብት ጥሰት ከሚያስከትሉ ሁነቶች መካከል ሰዎችን አስገድዶ ለዉትድርና ስልጠና የመመልመል አግባብ (forced conscription) አንዱ ተጠቃሽ ነው። በኢ.ፌ.ዴ.ሪ. ህገመንግስታችን አንቀፅ 93 ንኡስ አንቀፅ 4/ሐ መሰረት በአስቸኳይ ጊዜ አዋጅ ወቅት የሚኒስትሮች ምክር ቤት የአስቸኳይ ጊዜ አዎጅ ስር የሚያወጧቸው ድንጋጌዎች የሚወስዷቸውን እርምጃዎች ከሰብዓዊ መብቶች መካከል የሆኑት ኢሰብአዊ አያያዝ መከልከል (prohibition against inhuman treatment) እና የእኩልነት መብት (equality) በማናቸውም ረገድ ሊገደቡ እንደማይችሉ ይደነግጋል።[3] ይህ ማለት በአስቸኳይ ጊዜ የሚደነገገው አዋጅ በልዩነት የነፃነት መብትንም ጨምሮ በሌሎች ሰብዓዊ መብቶች ላይ ገደብ ሚጣልባቸው አግባብ መኖሩ በግልፅ የሚያመላክት ነው:: ይሁን እንጂ የነፃነት መብት ህገመንግስታችን ላይ ከተቀመጠው አግባብ ውጪ በተለያዩ አጋጣሚዎች በተለያዩ አካላት ሰዎች ይሄን ሰብዓዊ መብታቸውን እዳይጠቀሙት ሲደረግ እንመለከታለን:: ከዚህም ምክንያቶች ውስጥ ሰዎችን አስገድዶ ለዉትድርና ስልጠና የመመልመል ተግባር ዋነኛው ተጠቃሽ ነው።

ይህም ጉዳይ በአሁኑ ወቅት በተለይም በኦሮሚያ ክልል ከመብት ጥሰት ባለፈ የክልሉን ነዋሪዎች ታላቅ ፍርሃት ውስጥ የከተተ ጉዳይ ጭምር ሆንዋል:: ከዚሁ ጉዳይ ጋር ተያይዞ ቲክቫ ኢትዮጵያ(TIKVAH-ETHIOPIA) የተሰኘ የቴሌግራም ቻናል በሰጠው ፅሁፋዊ መረጃ በኢትዮጵያ ውስጥ በተለይም በኦሮሚያ ክልል ዉስጥ በተለያዩ አከባቢዎች እየተከናወኑ ነው በተባሉ የመከላከያ ሰራዊት አባላት ምልመላ ከፍላጎት ዉጪ እየተከናወነ

[1] የሰብዓዊያን፡ መብቶች፡ ብሄራዊ ፡ ድንጋጌ (Universal Declaration of Human Rights preamble)

[2] ኤ.ፌ.ዴ.ሪ. ህገመንግስት) አንቀፅ 27

[3] ኤ.ፌ.ዴ.ሪ. ህገመንግስት) አንቀፅ 93

መሆኑን የአይን ምስክሮች መናገራቸውን ገልጿል። በዚህም የኤ.ፌ.ዴ.ሪ መከላከያ ሚኒስቴር የህዝብ ግንኙነት ዳይሬክተር ኮረኔል ጌትነት አዳነ ከወራት በፊት በወቅታዊ የጸጥታ ጉዳይ ላይ ለመከላከያ ቴሌቪዥን በሰጡት መግለጫ ላይ የሰራዊት ምልመላ አስመልክቶ ማብራሪያ ሰጥተዋል። [4] ማብራሪያውም "የመከላከያ ሰራዊት ህገመንግስታዊ ኃላፊነቱን ለመወጣት በተፈጥሮም ሆነ በሰው ሰራሽ ማለትም በሞት፣ በተለያዩ ተፈጥሮአዊ አደጋ፣ በህመም እንዲሁም በፖሊሲ ለውጥ ፣በግል ጉዳይ በመሳሰሉ ሰው ሰራሽ ምክንያቶች ሚወጣን ሰው ለመተካት እንዲሁም ሚዛን የጠበቀ የኃይል አሰላለፍ ታሳቢ ያደረገ የሰራዊት ዝግጅት ያስፈልጋል" ሲሉ የምልመላ አስፈላጊነትን ጠቅሰዋል። ኮ/ል ጌትነት፡ ተቋሙ በሚያወጣው መደበኛ የምልመላ መስፈርት ወጣቶችን ወደ ሰራዊቱ መቀላቀል በየትም ዓለም አቀፋዊ አሰራር ያለ ነውሲሉ ገልጸዋል። ዳይሬክተሩ የምልመላ መስፈርቶች ብለው ካቀረቧቸው በዋናነት ህገ-መንግስቱን የተቀበሉ፤ ዕድሜያቸው ከ18 ዓመት በላይ የሆነ፤ ሀገራቸውን ለማገልገል ሙሉ ፈቃደኛ የሆኑ ከማንኛውም ፖለቲካ ድርጅቶች ወገኝተኝነት ነጻ የሆኑ፤ ስልጠናውን ከወሰዱ በኋላ 7 ዓመት ለማገልገል ውል የሚገቡ፤ የሚወጡትን አካላዊ መስፈርቶች የሚያሟሉ የሚሉት በጥቂቱ የሚጠቀሱት ናቸዉ ብሏል። አክለውም አፈፃፀሙን በተመለከተ የምልመላ ሂደቱ በወረዳ እና በቀበሌ ያሉ የፀጥታ እና የመስተዳድር አካላት በኮሚቴ ሆነው የሚያከናውኑት ነው ሲሉ አፈጻጸሙን በተመለከተም ለመከላከያ ሪፖርት የሚቀርብበት መሆኑን አንስተዋል። እንደ ተቋም የተቀመጡት መስፈርቶች እነዚህ ቢሆንም መሬት ላይ ያለው ተጨባጭ እውነታ ግን ተግባሩ ፍፁም ተቃራኒ ከመሆንም አልፎ አለማቀፍ ህጎችን ጥሰት እያስከተለም ጭምር ነው።

የኢትዮጵያ ሰብአዊ መብቶች ኮሚሽን (ኢሰመኮ) በኦሮሚያ ክልል የተለያዩ አካባቢዎች የክልሉ የአስተዳደር እና የጸጥታ አካላት የመከላከያ ሰራዊት አባል ለመሆን የሚፈልጉ ዜጎችን ምልመላ እናከናውናለን በሚል የሰራዊቱን ቤተሰቦቻቸው ገንዘብ እንዲከፍሉ ስለማስገደዳቸው የደረሱትን መረጃዎች ተከትሎ በክልሉ የተለያዩ አካባቢዎች አሠራር እና መስፈርቶች በጣሰ ሁኔታ ሕፃናትን ጨምሮ ሰዎችን በግዳጅ ስለመያዛቸው እና የተያዙትን ለመልቀቅ ቤተሰቦቻቸው እንዲከፍሉ ስለማስገደዳቸው የደረሱትን መረጃዎች ተከትሎ በክልሉ የተለያዩ አካባቢዎች ከጎዳር 4 እስከ 20 ቀን 2017 ዓ.ም ድረስ ክትትል እና ምርመራ አከናውኗል። ኢሰመኮ በዚህ ክትትል እና ምርመራ በኦሮሚያ ክልል፣ በአዳማ፣ በቢሾፍቱ፣ በጅማ እና በሻሸመኔ ከተሞች የሚገኙ እጩ የመከላከያ ሰራዊት አባላት ማቆያ ስፍራዎችን በመጎብኘት፤ በማቆያ ስፍራዎቹ ውስጥ የሚገኙ ሰዎችን እና ቤተሰቦቻቸውን በማነጋገር፤ እንዲሁም የሚሊሻ እና የፖሊስ ተቋማትን ጨምሮ ከክልል እስከ ቀበሌ መዋቅር ያሉ የመንግሥት የሥራ ኃላፊዎችን በማወያየት ስለጉዳዩ መረጃዎችንና ማስረጃዎችን አሰባስቧል።[5] የኢትዮጵያ ሕገ መንግሥት አንቀጽ 17 ማንኛውም ሰው በሕግ ከተደነገገው ሥርዓት ውጪ ነጻነቱን ሊያጣ፣ ሊያዝ እንዲሁም ከስ ሳይቀርብበት ወይም ሳይፈረድበት ሊታሰር እንደማይችል ይደነግጋል። በተጨማሪም ኢትዮጵያ ያጸደቀቻቸውና በሕገ መንግሥቱ መሠረት የሀገሪቱ የሕግ አካል የሆኑት የሲቪልና ፖለቲካ መብቶች ዓለም አቀፍ ቃልኪዳን፣ የሕፃናት መብቶች ስምምነት እና ሌሎች ዓለም አቀፍ የሰብአዊ መብቶች ሰነዶች ለነጻነት መብት ጥበቃ

[4] ቲክቫ ኢትዮጵያ(TIKVAH-EETHIOPIA) telegram channel https://t.me/tikvahethiopia

[5] ኦሮሚያ ክልል :ሕፃናትን ጨምሮ ሰዎችን ከሕግ ውጪ መያዝን በተመለከተ: December 5, 2024

ያደርጋሉ። የመከላከያ ሰራዊት አዋጅ ቁጥር 1286/2015 በአንቀጽ 6(1) የመከላከያ ሚኒስቴር በሚያወጣው መመዘኛ መሠረት ለወታደርነት ብቁና ፈቃደኛ የሆኑ ሰዎችን ሊመለምል እንደሚችል ይደነግጋል። በአለማቀፍ ሰብዓዊ መብት ድንጋጌ (international human right law) መሰረት እንዲሁም በ international humanitarian law መሠረት ለውትድርና የመመልመል የእድሜ ወለል 18 ዓመት መሆኑ ተደንግጓል። እዲሁም በልዩነት ከ15-17 የእድሜ ክልል ውስጥ ሚገኙ ታዳጊዎች የውትድርና ምልመላውን በፍቃደኝነት መቀላቀል እንደሚችሉ ነገር ግን በቀጥታ ጦርነቶች ላይ መሳተፍ እንደማይችሉ እና በምንም አግባብ ምልመላው ያለፍቃዳቸው መሆን እንደሌለበት ሀገሪቷ ለነዚህ ታዳጊዎች አስፈላጊውን ጥበቃ እና እንክብካቤ እንድታደርግ አከለውም እድሜአቸው ያልደረሱ ህፃናት ለጦርነት ማዘጋጀትም ሆነ ማሳተፍ ወንጀል መሆኑን ይደነግጋል።[6] በሚኒስቴር መሥሪያ ቤቱ መመሪያ መሠረት እንዲሁም ስለኢትዮጵያ ፌደራላዊ ዴሞክራሲያዊ ሪፐብሊክ መከላከያ ሠራዊት መተዳደሪያ የወጣ የሚኒስትሮች ምክር ቤት ደንብ አንቀጽ 16 መሰረት የውትድርና ምልመላ መስፈርቶች ተቀምጠዋል፡:[7] እነሱም ዜግነቱ ኢትዮጵያዊ የሆነ፤ ለሕገ መንግስቱ ተገዥ የሆነ፤ መልካም ሥነ-ምግባር ያለው፤ ዕድሜው ከ 18 እስከ 22 ዓመት የሆነ፤ ለውትድርና አገልግሎት የሚያበቃው የተሟላ ጤንነት ያለው፤ የወንጀል ጥፋት ሪከርድ የሌለው፤ ከአሁን በፊት የመከላከያ ወይም የፖሊስ አባል ያልነበረ እንዲሁም በዚሁ ሚኒስቴሩ አስፈላጊ ሆኖ ሲያገኘው ዕድሜው ከ22 ዓመት በላይ የሆነ ሰው ሊቀጥር እንደሚችል ተደንግጓል ። የኦሮሚያ ክልል አስተዳደርም የምልመላ ሂደቱን በመከላከያ ሚኒስቴር መስፈርቶች መሠረት እንዲያከናውን የተጠየቀ መሆኑን ለመረዳት ተችሏል። ሆኖም ግን መሬት ላይ ያለው እውነታ በመመሪያው ላይ ከሰፈረው መስፈርት የራቀ መሆኑን የሚያሳይ ሲሆን ለዚህም ማረጋገጫ ይሆን ዘንድ የኦሮሚያ ክልል የአስተዳደር አካላት እና የጸጥታ ኃይሎች አባላት በመከላከያ ሚኒስቴር ከተገለጸው የምልመላ መስፈርት ውጪ ሕፃናትን ጨምሮ በርካታ ሰዎችን "የመከላከያ ሰራዊትን እንዲቀላቀሉ" በሚል በግዳጅ እንደያዙ እንዲሁም በአንዳንድ የክልሉ አካባቢዎች በዚህ አግባብ የተያዙ ሰዎችን ለማስለቀቅ ቤተሰቦቻቸው ከፍተኛ ገንዘብ እንዲከፍሉ ማስገደዳቸውን ኢሰመኮ ባከናወነው ምርመራ አረጋግጧል። ኢሰመኮ በሻሸመኔ ከተማ ባደረገው ክትትል እና ምርመራ ዕድሜያቸው ከ18 ዓመት በታች መሆኑን የገለጹ ሕፃናት "ወታደራዊ ስልጠና ትገባላችሁ" በሚል ወደ ማቆያ አዳራሾች እንዲገቡ መደረጋቸውን አረጋግጧል። በሁሩፋ ክፍለ ከተማ፣ ሀሌሉ ወረዳ ውስጥ በማቆያ አዳራሽ ከነበሩ እና ኢሰመኮ ካነጋገራቸው 32 ሰዎች መካከል 14ቱ ዕድሜያቸው ከ15 እስከ 16 ዓመት መሆኑን የገለጹ ሲሆን አንድ ሕፃን ደግሞ ዕድሜው 11 ዓመት መሆኑን ገልጿል። ከትምህርት ቤት ሲወጡ ከነዩኒፎርማቸው ሀሌሉ ወረዳ ወደ ሚገኘው ማቆያ አዳራሽ እንዲገቡ የተደረጉ የ5ኛ ክፍል ተማሪ የሆኑ ሁለት የ15 ዓመት ሕፃናት ወደ አዳራሽ ከገቡ ሁለት ሳምንት እንደሆናቸው ገልጸው የገቡበትን ሁኔታ ሲያስረዱ፡- "ከትምህርት ቤት ስንመለስ መከላከያ ለሚገቡ 25,000 ብር ይሰጣል ብሎ አንድ ግለሰብ በባጃጅ አሳፈረን፤ ከዚያ 010 ቀበሌ (ሀሌሉ ወረዳ) ወደ ሚገኘው አዳራሽ ገባን፤ ነገር ግን ከገባን በኋላ መውጣት አልቻልንም" ሲሉ ለኢሰመኮ ገልጸዋል፡፡ በተመሳሳይ መልኩ ምስራቅ ጎጃም ሞጣ ቀራኒዮ ከተማ የአከባቢው ነዋሪ የሆነና ስሙ

[6] See the preamble of International humanitarial law

[7] የሚኒስትሮች ምክር ቤት ደንብ ቁጥር ፻፩፫ /፪ሺ፰ዓ.ም / 385/2016

እንዳይጠቀስ የጠየቀ ግለሰብ በደቡብ ጎንደር ዞን ጋይንት ወረዳ ባሉ ንዑስ ወረዳዎች ወጣቶች ብቻ ሳይሆኑ የ11 ዓመት ታዳጊ ጭምር በመንግስት የፀጥታ ሀይሎች መውሰዳቸውንና ልጆቻቸውን ለማስለቀቅ ወደ ደብረታቦር የሄዱ ወላጆችም እያለቀሱ መመለሳቸውን እንደተመለከተ ገልጾልናል። እንዲሁም በአዳማ ከተማ ነዋሪ የሆነች ለድህንነቷ ሲባል ስሟ ያልተጠቀሰ እናት በደረሰባት አደጋ የአልጋ ቁራኛ ትሆናለች። በዚሁ ምክንያት ተድላ ሂርጎ የተባለ የ17 አመት ልጇ ትምህርቱን አቋርጦ በገበያ አከባቢ ጫኝ አውራጅ በመስራት ቤተሰቡን ለማስተዳደር ይገደዳል።ታዲያ በዚሁ ስራ ላይ ባለበት ወቅት ነበር ነሀሴ 5/ 2016 ከሌሎች ወጣቶች ጋር በፖሊስ ወደ ማረሚያ ቤት የተወሰደው። የሄኖክ አጎትም በደረሰዉ ጥቆማ መሠረት ከፖሊስ ጣቢያ በመገኘት ስለሁኔታው ፖሊሶችን ይጠይቃል። እነሱም ልጁን ወደ ውትድርና ስልጠና እንደሚልኩት ነገር ግን 30,000 ብር ከከፈሉ እንደሚያስቀሩላቸዉ ይነግሩታል። እናትየውም ይሄን ምታደርግበት አቅም ስለሌላት ልጇን ወደ እቅፏ ሳታስመልስ ቀርታለች። [8] በተመሳሳይ በአዳማ ከተማ በአንጋቱ ወረዳ ጥቅምት 19 ቀን 2017 ዓ.ም. ከቀኑ 10፡00 ሰዓት አካባቢ ዳቦ ለመግዛት ከቤት የወጣ የ15 ዓመት ሕፃን እና የ8ኛ ክፍል ተማሪ በወረዳው ሚሊሻዎች ተይዞ ጨፌ ቀበሌ ፊት ለፊት በሚገኝ የእህል መጋዘን ውስጥ ተይዞ እንደነበር የገለጸች ኢሰመኮ ያነጋገራት እናት ምግብና ልብስ መውሰድ እንደማይፈቀድና በሚሊሻ እንደሚቀርብለት እንደነገሯት፤ በመጋዘኑ ቁጥራቸው በርከት ያሉ ወጣቶች በተመሳሳይ ሁኔታ ተይዘው እንደነበሩ እና የአብዛኞቹ ቤተሰቦች ከ20,000 እስከ 100,000 ብር መጠየቃቸውን መስማቷን ገልጻለች። በዚሁ ጨፌ ቀበሌ ፊት ለፊት በሚገኘው መጋዘን ተይዞ የነበረ ሌላ የ15 ዓመት ሕፃን ወላጆች 20,000 ብር ካልከፈሉ ልጃቸው "ለወታደራዊ ስልጠና" እንደሚላክ የተነገራቸው መሆኑን ለኢሰመኮ ገልጸዋል። ይህ ትርክት አይደለም በአሁን ጊዜ በሀገራችን በተለያዩ ክልሎች በተለያዩ አከባቢዎች እየተከናወነ ያለ ህገ-ወጥ ድርጊት ነው። በርካቶች ያለፍቃዳቸው ለውትድርና አገልግሎት እየተወሰዱ ነው፡፡ በአስራዎቹ እድሜ ክልል ውስጥ ሚገኙ ታዳጊዎች በመቦረቂያ እና መማሪያ እድሜያቸው ከመጋዘን ተገኝተዋል፤ በርካቶች ህልማቸው ያልሆነውን ህይወት እየኖሩ ነው፤ እያንዳንዱ ቀን ተስፋ ከመቁረጥ ጋር ትግል እየሆነባቸው ነው፤ ወላዶች ልጆቻቸውን በማጣት እየተሰቃዩ ነው። እንደ ጎርጎሮሳውያን ዘመን አቆጣጠር በ2021 እና 2022 UN (የተባበሩት መንግስታት) ባወጣው ሪፖርት መሰረት በአለማችን በከፍተኛ ደርጃ እድሜያቸው ብቁ ያልሆኑ ህፃናትን ለጦርነት የመጠቀም ወንጀል ተሳታፊ ከሆኑት ስድስት ሀገራት ውስጥ ዲሞክራቲት ኮንጎ፣ ማሊ፣ እና ሶማሊያ በቀዳሚነት ተጠቃሽ መሆናቸውን እነዚህም ሀገራት አፍሪካ ውስጥ በመገኘታቸው አንደ አህጉር ምን ያህል የሰብዓዊ መብት ጥሰት ላይ ተሳታፊ እንደሆኑ በሪፖርቱ አስታውቋል። ይሁን እንጂ እነዚህ ሶስቱ ሀገራቶች በአንደኝነት ደርጃ ይጠቀሱ እንጂ አሁን ላይ ኢትዮጵያም የዚህ ወንጀል ሰለባ መሆንዋን ሪፖርቱ ገልፀዋል። [9] በኢትዮጵያም ኢሰመኮ በክትትል እና ምርመራው የደረሰባቸውን ግኝቶች አስመልክቶ በወቅቱ ያነጋገራቸው የክልሉ ሰላም እና ጸጥታ ቢሮ ኃላፊዎች ችግሩ መኖሩን የሚያውቁ መሆኑን ገልጸው የመከላከያ ሰራዊት ካስቀመጠው መስፈርት ውጪ የተከናወኑ ምልመላዎች በአፋጣኝ እንዲታረሙ መመሪያ መሰጠቱን በክልል አመራር ደረጃ ወደታችኛው አስተዳደር እርከን መዋቅር በመውረድ የምልምል ማቆያ ስፍራዎችን በመጎብኘት ያለፈቃዳቸው ወይም የመከላከያ ሰራዊት

[8] Ethiopian Obsever report https://www.ethiopiaobserver.com/

[9] UN Prevention Recriument of Child Soliders in Conflict situation 2021 report

መስፈርቶችን በማያሟላ መንገድ እንዲመለመሉ በሚል የተያዙ ሰዎች እንዲለቀቁ በማድረግ ላይ የሚገኙ መሆኑን አስረድተዋል። አከለውም በመደለያም ሆነ በግዳጅ ሕፃናትን ጨምሮ ከመስፈርቱ ውጪ የሆኑ ሰዎችን የመለመሉ የጸጥታ አባላት ላይ እርምጃ እንደሚወስዱ ገልጸዋል። እንዲሁም የአስተዳደር አካላት ባሰባሰባቸው ማስረጃዎች በኦሮሚያ ክልል የተከናወነው የመከላከያ ሰራዊት አባላት ምልመላ በተለይም በወረዳ፣ ከተማ እና በቀበሌ ደረጃ የሚገኙ የክልሉ መንግሥት ኃላፊዎች እና የጸጥታ አካላት የተቀመጠላቸውን የምልመላ ኮታ ለማሟላት አንዳንዶች ደግሞ በሂደቱ ያልተገባ የገንዘብ ጥቅም ለማግኘት በተስፋፋ ሁኔታ ሕፃናትንና ሌሎች ሰዎችን በመደለያ እና በግዳጅ መያዛቸውን እንዲሁም አልፎ አልፎ የተያዙ ሰዎችን ለማስለቀቅ ቤተሰቦቻቸው ከፍተኛ ገንዘብ እንዲከፍሉ ያስገደዱ መሆኑን ለማረጋገጥ ተችሏል። በነዚህ ተግባራት በዓለም አቀፍ የሰብአዊ መብቶች ስምምነቶች እና በሕገ መንግሥቱ ጥበቃ የተደረገለትን የነጻነት መብት የሚጥሱ የሕገወጥ እና የዘፈቀደ እስራት ናቸው ብሏል።ይህ የሚያሳየው በሀገራችን የሰብዓዊ መብት ጥሰት የደረሰበትን ደረጃ ነው። ሰዉ ሁሉ ወታደር የመሆን መከላከያ ሰራዊቱን የመቀላቀል ፍላጎት አይኖረዉም። ምክንያቱም ሁላችንም ሰዉ እንደመሆናችን መጠን በመልክ በአስተሳሰባችን እንደምንለያይ ሁሉ ኑሮን ለማሸነፍ ህልማችን ጋር ለመድረስ ምናቅደው ምናስበው መሆን ምንፈልገው ሁሉ ሰዉ ከሰዉ ይለያል።

በማጠቃለያም ሰብአዊ መብቶች ፅንሰ-ሀሳቦችብቻ አይደሉም ይልቁንስ በሕብረተሰቡ ውስጥ ፍትህ፣ እኩልነት እና አክብሮት እንዲሰፋን የሚያረጋግጡ መሠረታዊ ግንቦች እንጂ የእያንዳንዱ ሀገራት ቀዳሚው ሀላፊነት የሰብአዊ መብቶች ጥበቃ መሆን አለበት ብዬ አምናለው። ምክንያቱም ሀገር ማለት ሰው ነው ሰው ማለት ሀገር ነው እንደሚባለው ሀገር ሚኖረው ሰው ሲኖርነውና የሰውን ህልውና ከሚያረጋግጡ ሁነቶች መካከል ዋነኛው የሆነውን የሰዎችን ሰብዓዊ መብት እናክብር። አንድ መንግስት ሰብዓዊ መብቶችን በሚጠብቅበት ወቅት እያንዳንዱ ዜጋ በአዎንታዊ ሁኔታ መኖር የሚቻልበት እና ያለ ፍርሃት ወይም ጭንቀት ህይወቱን ሚመራበት ታላቅ እድል ያገኛል። የዜጎችን ሰብዓዊ መብት በመጣስ ሰላም እና መረጋጋት እንዲሰፍን እድገት እንዲመጣ መጠበቅ ያልዘሩትን ለማጨድ እንደመዘጋጀት ነውና የአንድ ሀገር መሰረት የሆነውን የዜጎችን ደህንነት በመጠበቅ የላቀ ደረጃ ላይ ለመድርሰሰ እንትጋ። መንግስት ሰብአዊ መብት ኮሚሽን፣ የፀጥታ አስከባሪ አካላት እንዲሁም ይህ ጉዳይ የሚመለከታቸው አካላት በሙሉ ይህን ሰብዓዊ መብት በማስጠበቅ ሂደት ውስጥ ትልቁን ድርሻ ቢወስዱም የሰብዓዊ መብቶችኝ የማስጠበቅ ሀላፊነት የእነርሱ ድርሻ ብቻ ነው ማለት ግን አይደለም። የኢ.ፌ.ድ.ሪ መከላከያ ሚኒስቴርም በበኩሉ በኦሮሚያ ክልል እና በሌሎች ክልሎች የሚካሄዱ የሰራዊት አባላት ምልመላ ሥራዎች በሰራዊቱ መስፈርቶች እና አሠራር ሥርዓቶች መሠረት ብቻ መከናወናቸውን ለማረጋገጥ ጥብቅ ቁጥጥር እንዲያደርግ፤ እንዲሁም በኦሮሚያ ክልል ከሰራዊቱ መስፈርቶች ውጪ በግዳጅ ሰዎችን ለመመልመል በተንቀሳቀሱ የክልሉ አስተዳደር እና የጸጥታ መዋቅር ኃላፊዎች እና ሠራተኞች ላይ ተጠያቂነት እንዲረጋገጥ ከክልሉ ጋር በመስራት ጥብቅ የሆነ ክትትል በማድረግ አፈፃፀሙን በመገምገም በምላሹ ሚያስፈልገውን እርምጃ በመውሰድ የበኩሉን ድርሻ እንዲወጣ ደግሞ እኛም ዜጎች በተሰማራንበት ዘርፍ የሰብዓዊ መብት ጥሰትን እንከላከል። እንዲህም በማድረግ ሀገራችንን የላቀ የብልፅግና ማማ ላይ በማድረስ ሂደት ውስጥ የበኩላችንን ድርሻ እንወጣ።

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Silencing the Watchdogs: A Legal and Political Analysis of Press Freedom in Ethiopia

By- Getayawkal Mehari

"Everyone has the right to freedom of expression without interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds."[10]

Introduction

When those in power silence the press, they silence the people. Around the world, journalists are facing intimidation, imprisonment, and even death—proof that freedom of the press is not just under threat, it's on trial. In 2024 alone, at least 124 journalists and media workers were killed worldwide — the deadliest year on record, according to the Committee to Protect Journalists.[11] Nearly 70% of those deaths were tied to the Israel-Gaza conflict, and dozens more were imprisoned or forced into hiding.[12]

Ethiopia provides a stark example of how press freedom is under assault in many parts of the world. According to International Media Support (IMS), at least 43 journalists were arrested, imprisoned, or kidnapped in 2024, with the majority of these cases occurring in conflict-affected regions such as Amhara, Oromia, and Benishangul-Gumuz.[13] The Committee to Protect Journalists (CPJ) further reports that journalists currently behind bars in Ethiopia face terrorism-related charges, a tactic that not only criminalizes journalism but could also carry a more harsher penalty.[14]

The international watchdog Reporters Without Borders (RSF) ranks Ethiopia 141st out of 180 countries in its 2024 Global Press Freedom Index, a clear indication of the country's deteriorating media environment.[15] CPJ has similarly noted a "significant decline in press freedom" over the past five years, citing arbitrary arrests, the closure of independent media outlets, and restrictions on foreign correspondents.[16] Local press freedom advocates estimate that since 2019, over 200 journalists and media workers have been detained at various times, illustrating a

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[10] FDRE Constitution, Article 29

[11] https://cpj.org/special-reports/2024-is-deadliest-year-for-journalists-in-cpj-history-almost-70-percent-killed-by-israel/ (Last Accessed October 22, 2025)

[12] Ibid

[13] AllAfrica. *Journalists' Safety Assessment Report: Ethiopia*. (2025, April 2). Retrieved from allafrica.com (Last Accessed October 22, 2025)

[14] Africa Press. *Ethiopia among worst jailers of journalists in Africa, CPJ says*. (2024, Dec). Retrieved from africa-press.net (Last Accessed October 22, 2025)

[15] Addis Standard. *Ethiopia ranked 141st in 2024 RSF Global Press Freedom Index*. (2024, May). Retrieved from addisstandard.com (Last Accessed October 22, 2025)

[16] AllAfrica.). *CPJ: Significant decline in press freedom in Ethiopia*. (2024, Nov 12 Retrieved from allafrica.com

long-term pattern of suppression rather than isolated incidents.[17]

Recent months have seen a surge in the targeting of media professionals, undermining free expression and journalistic independence. [18] Ethiopia's experience highlights a worrying decline in press freedom, with journalists increasingly subjected to abduction, arbitrary arrest, and prolonged detention.[19]

This essay examines the state of press freedom in Ethiopia, framed within relevant international and national legal contexts. It explores the essence of press freedom, outlines the international and domestic frameworks that protect it, analyzes Ethiopia's current situation and the factors affecting it, and concludes with an assessment of the impact of its violation and recommendations for reform.

1. The Essence of Press Freedom

Press freedom is both a fundamental human right and an instrumental right — vital for democracy, transparency, and accountability. It enables citizens to make informed choices and ensures that those in power remain answerable to the public.

In practice, restrictions on press freedom weaken democratic participation, foster corruption, and fuel misinformation. In countries like Ethiopia — marked by ethnic diversity, regional conflict, and political fragility — the absence of independent journalism exacerbates tension and deepens mistrust among communities.

2.International Legal Framework

A) Universal Declaration of Human Rights (UDHR) – Article 19

Adopted by the United Nations General Assembly in 1948, the UDHR recognizes the right to freedom of opinion and expression. Article 19 states:

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

This foundational document sets the global standard for press freedom and is widely regarded as customary international law, influencing national constitutions and legal systems worldwide.

B) International Covenant on Civil and Political Rights (ICCPR) – Article 19

The ICCPR, adopted in 1966 by the UN General Assembly, legally binds state parties to uphold civil and political rights, including freedom of expression. Article 19(2) specifies:

"Everyone shall have the right to hold opinions without interference; everyone shall

[17] African Arguments. *In Abiy's Ethiopia, 200 journalists have been arrested since 2019*. (2024, June). Retrieved from africanarguments.org (Last Accessed October 22, 2025)

[18] Ibid

[19] http://africabizmonitor.com/2025/08/22/Ethiopia-journalists (Last Accessed oct 25,2025)

have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds... either orally, in writing or in print, in the form of art, or through any other media of his choice."

3.Ethiopian National Legal Framework

A. Constitution of the Federal Democratic Republic of Ethiopia – Article 29

Article 29 of the 1995 Ethiopian Constitution guarantees the right to freedom of expression, including freedom of the press and other mass media. The Constitution prohibits censorship and mandates access to information of public interest. However, it allows for limitations on this right, provided they are prescribed by law and necessary to protect public safety, peace, health, education, public morality, or the fundamental rights and freedoms of others.

B. Media Proclamation No. 1238/2021

This proclamation, enacted in 2021, aims to regulate media operations in Ethiopia. It introduces provisions for media licensing, content regulation, and the establishment of the Ethiopian Media Authority. While it seeks to promote media freedom, there are concerns about its potential to restrict press freedom through vague content regulations and the concentration of regulatory power.[20]

C. Hate Speech and Disinformation Prevention and Suppression Proclamation No. 1185/2020

Enacted in 2020, this law criminalizes the dissemination of hate speech and disinformation, particularly on social media platforms. Offenses under this proclamation can lead to fines and imprisonment. Critics argue that the law's broad definitions and stringent penalties may be used to suppress free expression and target dissenting voices.[21] Sources asserts that Ethiopia's 2020 Proclamation is incompatible with international standards on freedom of expression and risks fostering censorship, fear, and suppression of legitimate public discourse.[22]

4. Status of Press Freedom in Ethiopia

Ethiopia's media landscape has grown increasingly restrictive in recent years. According to International Media Support (IMS), at least 43 journalists were arrested, imprisoned, or kidnapped in 2024, particularly in conflict-affected regions such as Amhara, Oromia, and Benishangul-Gumuz .[23] CPJ further reports that five of six journalists currently imprisoned face terrorism-related charges, reflecting a

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[21] Ethiopia: Hate speech and disinformation law must not be used to suppress the criticism of the Government - ARTICLE 19 (Last Accessed October 24, 2025)

[22] Ibid

[23] International Media Support (IMS), *Press Freedom Report*, 2024.

troubling trend of using security laws to suppress media work.[24]

Since 2019, over 200 journalists have been detained, many without charge or trial, signaling a systemic pattern rather than isolated incidents. [25] Independent media outlets have faced shutdowns, while foreign correspondents report restricted access and surveillance. These practices have cultivated a climate of fear and self-censorship among journalists.

5. Factors Affecting Press Freedom in Ethiopia

5.1 Security Justifications

Authorities frequently cite national security and counterterrorism as grounds for arresting journalists and censoring reporting on sensitive topics such as ethnic violence and government operations. International Media Support (IMS) found that "authorities detained journalists under what the report describes as 'national security and national interest as a justification for threatening journalists'.26

5.2 Legal Ambiguity and Restrictive Laws in Ethiopia's Media Landscape

A critical challenge undermining press freedom in Ethiopia is the legal ambiguity surrounding national legislation on speech and security. Two key instruments—the Hate Speech and Disinformation Prevention and Suppression Proclamation No. 1185/2020 and the Anti-Terrorism Proclamation No. 1176/2020—have drawn significant criticism from international human rights organizations for their vague definitions, disproportionate penalties, and potential misuse against journalists.

The 2020 Hate Speech and Disinformation Proclamation was introduced to curb online incitement and misinformation but, in practice, its provisions are **overbroad** and incompatible with international standards. ARTICLE 19 highlights that the definition of "hate speech" in Article 2 encompasses any expression that "promotes hatred or discrimination" against a person or group, without requiring *intent to incite violence*, as required under Article 20(2) of the *International Covenant on Civil and Political Rights* (ICCPR). [27] This broad wording enables authorities to criminalize legitimate criticism, political commentary, or journalistic reporting. The law also compels service providers to remove flagged content within twenty-four hours of notice, without clear procedures for judicial review or appeals, thereby creating a mechanism for arbitrary censorship.[28]

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[24] CPJ, *Journalists Imprisoned in Ethiopia*, 2024.

[25] Ethiopian Human Rights Commission, *State of Media Rights Report*, 2023.

[26] https://addisstandard.com/report-finds-43-journalists-arrested-imprisoned-or-kidnapped-in-ethiopia-in-2024-amid-rising-threats-to-press-freedom (Last Accessed October 24, 2025)

[27] ARTICLE 19, *Ethiopia: Analysis of the Hate Speech and Disinformation Prevention and Suppression Proclamation* (2020).

[28] Ibid

Moreover, the law prescribes severe criminal penalties, including imprisonment, for disseminating what the government deems "false information." [29] These sanctions violate the principle of proportionality under Article 19(3) of the ICCPR, which requires that any restriction on freedom of expression be lawful, necessary, and the *least intrusive* means to achieve a legitimate aim.[30] In effect, journalists reporting on sensitive topics such as ethnic conflict or government corruption risk criminal prosecution under the guise of combating disinformation.

Similarly, the Anti-Terrorism Proclamation No. 1176/2020, though framed as a reform of the 2009 law, continues to employ vague terminology such as "encouragement of terrorism" or "moral support for terrorist acts." [31] In practice, this law has been instrumentalized to target journalists and human rights defenders covering armed conflicts in regions like Amhara and Oromia. [32] The Committee to Protect Journalists (CPJ) has documented multiple cases in which journalists were detained and charged with terrorism-related offenses merely for publishing reports that diverged from official narratives.[33]

Both proclamations therefore reflect a pattern of legal overreach that allows selective enforcement and politicized interpretation. They blur the line between protecting national security and suppressing dissent, contrary to the standards set forth in the *Rabat Plan of Action*, which emphasizes that restrictions on speech must be narrowly defined and subject to strict necessity and proportionality tests.[34] As a result, Ethiopia's current legal framework fosters a climate of self-censorship and fear, weakening the role of the press as a democratic watchdog and undermining public access to reliable information.

5.3 Political Pressure and Intimidation

Journalists critical of government policies face harassment, online abuse, and threats from both state and non-state actors. The Human Rights Watch notes that "many longtime private journalists have been detained numerous times and have received hundreds of threats from security officials, ruling party cadres…"[35]

5.4 Weak Institutional Protection

Despite the establishment of the Ethiopian Media Authority, limited autonomy and

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[29] Ibid

[30] UN Human Rights Committee, *General Comment No. 34 on Article 19 of the ICCPR* (2011).

[31] Federal Democratic Republic of Ethiopia, *Anti-Terrorism Proclamation No. 1176/2020*.

[32] Reporters Without Borders (RSF), *Ethiopia Country Profile* (2024).

[33] Committee to Protect Journalists (CPJ), *Ethiopian Journalists Held on Terrorism-Related Charges* (2024).

[34] United Nations Office of the High Commissioner for Human Rights (OHCHR), *Rabat Plan of Action on the Prohibition of Advocacy of National, Racial or Religious Hatred* (2012).

[35] https://www.hrw.org/report/2015/01/21/journalism-

political interference hinder its capacity to protect journalists effectively. A survey by Afrobarometer reports that in 2021 the board of the Ethiopian Media Authority (EMA) was appointed by politicians, despite law requiring an open, non-partisan process undermining institutional independence.[36]

6. Impact of Arbitrary Infringement on Press Rights

The consequences of press repression are profound. The silencing of journalists not only restricts individual freedoms but undermines democratic governance by reducing public access to accurate information. Lack of transparency encourages corruption and weakens public trust in institutions.

The criminalization of journalism also deters investigative reporting — essential for exposing human rights violations and government misconduct. When journalists are forced into exile or silence, society loses a critical mechanism of accountability and reform.

Conclusion

Defending press freedom is not merely about protecting journalists — it is about preserving the public's right to know and participate meaningfully in governance. Restoring Ethiopia's media independence requires genuine political will, legal reform, and international solidarity. Only then can the press truly serve its role as the voice of the people and guardian of democracy.

Recommendations

Protecting press freedom requires a multifaceted approach involving governments, the private sector, and international organizations. No single solution works for every context, but a combination of creative policies and collaborative actions can help ensure journalists can work without fear.

To strengthen and protect press freedom in Ethiopia:

1. **Legal Reform:** Narrow the scope of the Hate Speech and Media Proclamations to prevent misuse and align them with international human rights standards.
2. **Judicial Oversight:** Establish independent review mechanisms to ensure arrests or detentions of journalists are lawful and proportionate.
3. **Institutional Independence:** Empower the Ethiopian Media Authority to operate free from political control, with transparent and accountable procedures.
4. **Protection Mechanisms:** Create a rapid-response system to address

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not-crime/violations-media-freedoms-ethiopia (Last Accessed October 24, 2025)

[36] https://www.afrobarometer.org/wp-content/uploads/2024/05/AD801-Ethiopians-support-free-media-holding-government-accountable-Afrobarometer-1may24.pdf Last Accessed October 24, 2025

threats or attacks against journalists, including legal aid and safety training.

5. **International Cooperation:** Work with international organizations such as UNESCO, RSF, and CPJ to implement the *UN Plan of Action on the Safety of Journalists* and the *Global Media Defense Fund.*
6. **Public Awareness:** Promote media literacy and public campaigns emphasizing the importance of free press as a cornerstone of democracy.

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Internally Displaced Persons in Ethiopia: Legal Obligations of the State under International, Regional, and National Frameworks

By- Zossima Alebel

Introduction

IDPs are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border. [37] Internal displacement represents one of Ethiopia's most profound human rights and humanitarian crises. [38] According to a June 2025 UNDP report referencing the Internal Displacement Monitoring Centre (IDMC), Ethiopia currently hosts approximately 2.38 million internally displaced persons (IDPs) due to conflict and violence, alongside an additional 757,000 displaced by disasters. [39] Complementary data from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) indicates that roughly 4.5 million people remain displaced across the country as of July 2024, with the Somali Region hosting about 1.2 million, Oromia and Tigray each hosting approximately 1.1 million, and Amhara over 400,000. [40] Conflict remains the predominant driver, accounting for nearly 73% of displacement, while climate-related factors such as drought contribute around 12–18%. [41] This pervasive and protracted displacement places the primary legal responsibility squarely on the Ethiopian state. Unlike refugees, who fall under international protection, IDPs remain within national

[37] United Nations High Commissioner for Refugees (UNHCR), Internally Displaced Persons (IDP) Definition, para . 3, available at: https://www.unhcr.org, published 13 June 2025, last accessed 24 November 2025.(Hereinafter cited as UNHCR, IDP Definition, 2025)

[38] International Organization for Migration (IOM), Ethiopia: Internal Displacement Overview, June 2024, para. 2, available at: https://displacement.iom.int, published 4 July 2024, last accessed 6 November 2025.

[39] United Nations Development Program (UNDP), Durable Solutions Program, 27 June 2025, Para 2. (See section starting "Context"), URL: https://www.undp.org/ethiopia/news/durable-solutions-programme, last accessed 01 November 2025. (hereinafter cited as UNDP, Durable Solutions Program, 2025)

[40] United Nations Office for the Coordination of Humanitarian Affairs (OCHA), Ethiopia: Internal Displacement Overview (June 2024), para. 3, available at: https://www.unocha.org/publications/report/ethiopia/ethiopia-internal-displacement-overview-june-2024 , published 4 July 2024,

[41] United Nations High Commissioner for Refugees (UNHCR), Internal Displacements by Conflict and Disasters in 2024, para. 2, available at: https://www.unhcr.org, published 2024, last accessed 1 february 2025.

borders and thus under their own country's duty to protect, assist, and provide durable solutions. However, despite the strong normative framework offered by international instruments, regional treaties, and constitutional guarantees, implementation continues to fall short. Humanitarian access remains uneven, legal protection is fragmented, and sustainable reintegration often remains elusive. [42] Against this backdrop, the following essay provides a comprehensive legal analysis of Ethiopia's obligations toward its displaced population under international, regional, and domestic law. It explores how the state must prevent arbitrary displacement, ensure protection during periods of crisis, and facilitate durable solutions, while highlighting gaps in practice and offering actionable recommendations for closing them.

I. International Legal Protection of IDPs

At the international level, the cornerstone of IDP protection is the United Nations Guiding Principles on Internal Displacement (1998).[43] Although non-binding, these principles consolidate existing obligations from human rights law, humanitarian law, and refugee law by analogy. Principle 1 affirms that IDPs retain all rights under international and domestic law without discrimination. [44] Principle 6 prohibits arbitrary displacement, whether caused by armed conflict, generalized violence, human rights violations, or development projects carried out without due process and safeguards. [45] Principle 18 guarantees IDPs the right to an adequate standard of living, including access to food, shelter, health care, water, and sanitation[46], while Principle 28 places on the state the primary duty to create conditions for voluntary, safe and dignified return,

[42] United Nations High Commissioner for Refugees (UNHCR), Executive Committee of the High Commissioner's Program, Standing Committee, Ninetieth Meeting, 14 June 2024, English and French, para. 1, available at: https://www.unhcr.org.

[43] Internal Displacement Monitoring Centre (IDMC), Guiding Principles on Internal Displacement, available at: https://www.internal-displacement.org/internal-displacement/guiding-principles-on-internal-displacement/.

[44] United Nations, Annex 1: Guiding Principles on Internal Displacement, U.N. Doc. E/CN.4/1998/53/Add.2, 1998, para. 1, available at: https://www.internal-displacement.org/internal-displacement/guiding-principles-on-internal-displacement/, last accessed 01 November 2025.(Hereinafter cited as UN, Guiding Principles Annex 1, 1998)

[45] Brookings Institution, Addressing Internal Displacement: A Framework for National Responsibility, April 2005, available at: https://www.brookings.edu/fp/projects/idp/idp.htm, last accessed 29 November 2025.

[46] United Nations, Foreword to the Second Edition of the Guiding Principles by Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator Mr. Jan Egeland, September 2004, para. 1, available at: https://www.internal-displacement.org.

resettlement, or reintegration.[47] Ethiopia's recurrent displacement, including forced evictions linked to large-scale development projects, demonstrates repeated breaches of these guiding principles, especially regarding the prohibition of arbitrary displacement and the state's obligation to provide durable solutions.

In addition to the Guiding Principles, Ethiopia is legally bound by several international human rights treaties that provide substantive protections to IDPs. The International Covenant on Civil and Political Rights (ICCPR), ratified by Ethiopia, guarantees in Article 6 the right to life and in Article 9 the right to liberty and security of person.[48] The International Covenant on Economic, Social and Cultural Rights (ICESCR), also ratified, affirms in Article 11 the right to an adequate standard of living, including adequate housing and food, and in Article 12 the right to the highest attainable standard of health.[49] The Convention on the Rights of the Child (CRC) requires in Article 27 that children enjoy a standard of living adequate for their physical, mental, spiritual, moral, and social development, a provision of particular significance given that displaced children represent one of the most vulnerable groups.[50] Ethiopia, by its ratifications, has thus undertaken binding commitments to protect IDPs, but practice reveals a wide gap between obligation and enforcement.

International humanitarian law also applies during Ethiopia's recurring internal armed conflicts. The Geneva Conventions (1949) and their Additional Protocols (1977) are particularly relevant. Article 17 of Additional Protocol II explicitly prohibits the forced movement of civilians unless required for their security or for imperative military reasons.[51] Even then, all possible measures

[47] Council of Europe, Council of Europe Project "Facilitating Access to Human Rights and Essential Services for Internally Displaced Persons and Returnees at the Community Level": Human Rights Protection of Returnees: Standards and Policies by Ms Gina Kalach, November 2024, available at: https://rm.coe.int/human-rights-protection-of-returnees-standards-and-policies-november-2/1680b4d19d, last accessed 21 November 2024.

[48] Human Rights Committee, General Comment No. 36 on Article 6 of the International Covenant on Civil and Political Rights, on the Right to Life, CCPR/C/GC/36, para 1, 30 October 2018, available at: https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1_Global/CCPR_C_GC_36_8785_E.pdf.

[49] Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12), E/C.12/2000/4, para. 1, adopted 11 August 2000.

[50] Committee on the Rights of the Child (CRC), General Comment No. 11 (2009): Indigenous Children and Their Rights under the Convention, Fiftieth Session, Geneva, 12–30 January 2009, para. 1, available at: https://www.ohchr.org/en/documents/general-comments-and-recommendations/crc-general-comment-no-11-indigenous-children-and-their-rights, last accessed 04 October 2025.

[51] International Committee of the Red Cross (ICRC), Protocols Additional to the Geneva Conventions of 12

must be taken to ensure satisfactory conditions of shelter, hygiene, health, safety, and nutrition, Common Article 3 of the Geneva Conventions provides minimum protections for civilians during non-international armed conflicts, prohibiting violence to life and person, cruel treatment, and humiliating or degrading practices. [52] Displacement in Ethiopia, particularly in the Oromia, Amhara, and Tigray regions, has frequently occurred in ways that contravene these provisions, where displacement was neither temporary nor militarily justified, and often without adequate humanitarian support.[53]

II. Regional Legal Protection of IDPs

Ethiopia ratified the Kampala Convention in 2020, thereby assuming binding obligations to prevent and address internal displacement. [54] Article 3(1) of the Convention obliges states to refrain from and prevent arbitrary displacement, while Article 5(1) affirms that states bear the primary duty to provide protection and humanitarian assistance to IDPs. Importantly, Article 9(2)(b) mandates states to seek durable solutions, including safe return, local integration, or relocation, while Article 10 requires states to hold non-state actors accountable for acts of displacement. [55] Despite ratifying this landmark treaty, Ethiopia has yet to domesticate it into national law. [56] This omission undermines enforcement, leaving IDPs reliant on ad hoc humanitarian interventions rather than enjoying rights backed by national legal guarantees.

The African Charter on Human and Peoples' Rights (1981) also reinforces protections for IDPs.[57] Article 4 recognizes the right to life and integrity of person, while Article 12 guarantees the right to freedom of movement and residence within the borders of a state.

August 1949, 8 June 1977, para. 1, available at: https://www.icrc.org/en/doc/assets/files/other/icrc_002_0321.pdf, last accessed 01 November 2025. (hereinafter cited as ICRC, Additional Protocols, 1977)

[52] M. Gandhi, Notes and Comments: Common Article 3 of the Geneva Conventions, 1949 in the Era of International Criminal Tribunals, 2005, p. 1.

[53] Internal Displacement Monitoring Centre (IDMC), Ethiopia: Conflict-Related Movements in 2024, para. 2, last updated 14 May 2025, (hereinafter cited as IDMC, Ethiopia Conflict Movements, 2024)

[54] Proclamation No. 1187/2020, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation, Federal Negarit Gazeta, Page 12274, 2020, para. 11. (hereinafter cited as Proclamation No. 1187/2020, 2020)

[55] Ibid

[56] International Refugee Rights Initiative (IRRI), From Ratification to Reality: Assessing Ethiopia's Compliance with the Kampala Convention, 27 March 2025, para. 8, available at: https://www.refugeerights.org.

[57] Organization of African Unity (OAU), African Charter on Human and Peoples' Rights, 27 June 1981, entered into force 21 October 1986, Art. 29. (hereinafter cited as African Charter, 1981/1986)

Article 14 protects the right to property, which displacement directly undermines.[58] The African Commission on Human and Peoples' Rights has consistently interpreted these provisions to extend to IDPs, confirming that forced displacement violates the Charter.[59] Although Ethiopia is bound by the Charter, repeated large-scale displacements without adequate safeguards indicate consistent breaches of these obligations. Additionally, while Ethiopia is not a party to the Great Lakes Protocol on the Protection and Assistance of Internally Displaced Persons (2006), the Protocol remains a useful comparative standard. It highlights the importance of ensuring IDPs' participation in decisions affecting their lives and codifies obligations similar to the Kampala Convention. Ethiopia could draw inspiration from this instrument when designing its domestic framework.[60]

III. National Legal Framework in Ethiopia

Domestically, the Constitution of the Federal Democratic Republic of Ethiopia (1995) provides the foundation for IDP protection.[61] Article 14 guarantees every individual the right to life, security of person, and liberty. Article 18 prohibits inhuman or degrading treatment, while Article 25 ensures equality before the law and protection against discrimination. Article 32 enshrines freedom of movement and residence within the country, directly relevant to the rights of displaced persons. Article 41(5) recognizes the right of all Ethiopians to improved living standards and sustainable development. These provisions, if effectively enforced, would provide a solid constitutional basis for the protection of IDPs. Nevertheless, Ethiopia lacks a comprehensive IDP-specific law or policy.[62] While the National Disaster Risk Management Commission plays a role in coordinating emergency responses, it does not have a clear mandate to provide long-term solutions for IDPs.[63] Consequently, IDP

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[58] Ibid

[59] African Commission on Human and Peoples' Rights (ACHPR), Resolution on the Need to Take Measures to Reduce Forced Internal Displacement in Africa, ACHPR Res. 582 (LXXVIII), 20 March 2024, para. 5. (hereinafter cited as ACHPR, Res. 582, 2024)

[60] Zewude, B. & Siraw, G., Sustainable Integration of Internally Displaced Persons (IDPs) in Ethiopia: Exploring Intentions about Post-Conflict Resettlement Choices, Cogent Social Sciences, vol. 10, no. 1, 2024,para. 1,availableat:https://doi.org/10.1080/23311886.2024.2350116

[61] Tsegay, B. & Gezahegne, K., Internal Displacement in Ethiopia: Towards a New Policy and Legal Framework for Durable Solutions, Heinrich Böll Foundation, July 2023, p. 11.

[62]Tamire, W., An Inquiry into the State's Obligation towards Internally Displaced Persons: The Case of Ethiopia, 2019, para. 1, available at: http://10.140.5.162//handle/123456789/4510, last accessed 01 November 2025.

[63] Ethiopian Disaster Risk Management Commission (EDRMC), "About Us" page, available at: https://edrmc.gov.

protection has been ad hoc, inconsistent, and heavily reliant on international humanitarian actors. [64] Moreover, development-induced displacement presents a critical challenge.[65] Reports of forced evictions in connection with infrastructure projects, industrial parks, and urban expansion have revealed systemic violations of the prohibition against arbitrary displacement found in both international and regional instruments. [66] In many cases, communities were displaced without adequate consultation, compensation, or resettlement, demonstrating a failure to uphold the constitutional and international legal standards binding upon Ethiopia.[67]

IV. State Responsibility and Accountability: The principle of primary state responsibility for IDPs is central across international and regional frameworks. [68] Principle 3 of the UN Guiding Principles makes clear that national authorities bear the primary duty to provide protection and humanitarian assistance to IDPs. Similarly, Article 5 of the Kampala Convention reiterates this obligation, underscoring that states cannot shift responsibility onto international organizations or humanitarian agencies. [69] In Ethiopia, however, state practice has too often fallen short. Arbitrary displacement caused by ethnic conflict and development projects demonstrates repeated violations of international and regional prohibitions. [70] Humanitarian access has frequently been restricted in conflict-affected areas, in contravention of Article 18 of the Kampala Convention, which obliges states to grant and facilitate humanitarian access. [71] Ethiopia also has failed to provide durable

[64] United Nations, Shining a Light on Internal Displacement: A Vision for the Future, Report of the UN Secretary-General's High-Level Panel on Internal Displacement, 2021, para. 3.

[65] Vanclay, F., Project-Induced Displacement and Resettlement: From Impoverishment Risks to an Opportunity for Development? Impact Assessment and Project Appraisal, vol. 35, no. 1, 2017, pp. 3–21, available at: https://doi.org/10.1080/14615517.2017.1278671

[66] Office of the United Nations High Commissioner for Human Rights (OHCHR), Fact Sheet No. 25: Forced Evictions and Human Rights, Part 1, para. 30, Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, Vienna, 23 June 1993, A/CONF.157/24 (Part 1), chap. III, p. 1, available at: https://www.ohchr.org/en/publications/fact-sheet-no-25-forced-evictions-and-human-rights, last accessed 07 December 2025.

[67] Talema, A. H. & Nigusie, W. B., Assessment of the Dichotomy between Public Ownership of Land, Expropriation Laws and Practices in Ethiopia: The Case of Burayu Town, Property Management, 2023, ISSN 0263-7472, para. 5

[68] Kälin, W., The Primary Responsibility of the State, in Internal Displacement and the Law, Oxford, 2023; online edn, Oxford Academic, 22 June 2023, para. 10

[69] https://africanlii.org/akn/aa-au/act/convention/2009/protection-and-assistance-of-internally-displaced-persons-in-africa/eng@2009-10-23

[70] Internal Displacement in Ethiopia: Towards a New Policy and Legal Framework for Durable Solutions, Bereket Tsegay and Kiya Gezahegne published by Heinrich Böll Foundation, July 2023

[71] Ibid

solutions, leaving millions of IDPs in protracted displacement, thereby breaching Principle 28 of the Guiding Principles.[72] Comparative lessons from other African states underscore the importance of domestic legal frameworks. Uganda, for instance, domesticated the Kampala Convention through its 2010 National Policy on IDPs, thereby providing a clear legal foundation for state action.[73] Nigeria has adopted a National Policy on IDPs, revised in 2021, that incorporates international standards.[74] Ethiopia can draw upon these experiences to craft a comprehensive national law that reflects its federal structure while upholding international obligations.

VI. Recommendations

1. Develop and implement comprehensive, durable solutions frameworks: Drawing from Mechal Tamrat's study on UNHCR's role in Debre Berhan camps-which calls for national action through "comprehensive implementation strategies" and "prioritizing durable solutions"-this recommendation urges the government to embed long-term pathways into national policy and planning.

2. Strengthen and institutionalize partnerships across sectors: Tamrat also emphasizes the importance of robust "stakeholder engagement and coordination," reflecting the need for multi-sector collaboration between government, humanitarian agencies, and local actors.

3. Secure and expand sustainable funding mechanisms: Again based on Tamrat's findings, there is a scholarly call to "advocate for increased and flexible funding" to tackle systemic drivers of displacement and invest in recovery.

4. Design culturally sensitive, trauma-informed mental health programming: A community-based study in Gondar reveals profound psychosocial distress among IDPs and highlights healing through ancestral practices. It recommends integrating culturally responsive mental health

[72] Ferris, E., Durable Solutions for IDPs, Research Briefing Paper, Georgetown University, August 2020, UN Secretary-General's High-Level Panel on Internal Displacement, para. 3.

[73] African Union (AU), Domesticating and Implementing the Kampala Convention: A Dialogue for Action, Pilot Workshop, Uganda, 12–13 November 2012, para. 20. (hereinafter cited as AU, Kampala Convention Workshop, 2012)

[74] Nigeria's IDPs and Refugee Settlement Policies: A Critical Analysis of Effectiveness and Sustainability, May 2025 Social Science and Humanities Journal 9(05):7930-7950
DOI:10.18535/sshj.v9i05.1831 License CC BY 4.0
Authors: Olusola Akanni University of San Francisco, Enobong Ogunde University of San Francisco Olisa Obienyi

interventions that build on collective resilience.

5. Integrate mental health within primary healthcare services: A 2024 study using the PHQ-9 tool in northwest IDP camps found a 62.2% prevalence of depressive symptoms, pressuring policymakers to embed trauma-informed mental health services into basic health infrastructure.

6. Ensure sexual and reproductive health services for displaced women and girls: A meta-analysis shows that nearly 45.8% of IDP women experience reproductive health risks, highlighting the need to scale up comprehensive reproductive health services including GBV prevention and pregnancy care.

7. Support livelihood development and local integration instead of forced returns: A sociology study across conflict zones revealed that IDPs often prefer integration into host communities, driven by fear and loss in their homelands. It recommends creating job opportunities, housing, and social cohesion initiatives to enable meaningful local integration.

8. Address food insecurity through education, livelihood support, and resource access: Research in the Hachalu settlement identified extreme food insecurity 84.1% of IDPs lacked adequate food. With 56.5% unemployed and 75.4% lacking formal education, authors underline the urgency of job training, livelihood assistance, and better access to land and markets.

9. Strengthen housing access and rights through institutional enforcement: A study focused on IDPs in Oromia highlights gaps in their access to housing, work, and social services. It recommends strong institutional frameworks combining state and non-state actors to enforce housing rights and related protections.

10. Craft an inclusive legal and policy framework focused on human security and reconciliation: The Heinrich Böll Foundation analysis argues for a proactive legal framework that centers peacebuilding, reconciliation, and human security-rather than only reactive humanitarian interventions to establish lasting solutions borne from local realities

VII. Conclusion

Ethiopia's displacement crisis is both a humanitarian emergency and a legal test of the state's commitment to human rights. The international community has provided Ethiopia with robust legal frameworks through the UN Guiding Principles, international human rights treaties, and

international humanitarian law. The African Union has advanced protection further through the Kampala Convention, while the Ethiopian Constitution itself provides important guarantees. Yet the gap between these commitments and state practice remains wide. Arbitrary displacement continues, humanitarian access is often restricted, and durable solutions remain elusive. Ethiopia must therefore move beyond reactive, ad hoc measures to embrace a rights-based, law-driven approach. Domestication of the Kampala Convention, establishment of an IDP-specific legal framework, and enforcement of accountability are critical steps forward. Protecting IDPs is not merely a humanitarian gesture; it is a binding legal obligation derived from Ethiopia's international, regional, and constitutional commitments. By fulfilling these obligations, Ethiopia can not only alleviate the suffering of millions of displaced persons but also strengthen its democratic order, reaffirm its commitment to human dignity, and set an example for the continent.

The cost of inaction is rising, and displaced people are paying the price. The data is clear, it's now time to use it to prevent displacement, support recovery, and build resilience.

- Alexandra Bilak, IDMC director

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