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ETHIOPIAN HUMAN
RIGHTS COMMISSION

**Panel on the 10th Anniversary of the Kampala Convention's
Entry into Force: The role of NGOs and NHRIs in promoting
the adoption of the Kampala Declaration in the past 10 years**

*Remarks by Deputy Chief Commissioner Rakeb Messele,
Ethiopian Human Rights Commission*

**73rd Session of the African Commission on Human and
Peoples' Rights**

**Banjul, The Gambia
Tuesday, 25 October, 14h30-15h30**

Honourable Commissioner Rémy Ngoy Lumbu, Chairperson of the African Commission on Human and Peoples' Rights,

Honourable Commissioner Maya Sahli Fadel, Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa

Honourable Commissioners,

Distinguished Members of the Panel and invited guests,

All protocols duly observed.

The African Union Convention for the Protection and Assistance to Internally Displaced Persons (Kampala Convention) which entered into force in 2012, is a landmark instrument, which established a common regulatory standard for internally displaced persons (IDPs). It is the first common regional framework to define the roles and responsibilities of a wide range of stakeholders operating in displacement settings, covering all phases of displacement. It takes an innovative approach, formulating responses tailored to specific contexts of displacement in Africa. It obliges State Parties to domesticate provisions of the Convention by adopting laws and policies on internal displacement.

Distinguished ladies and gentlemen

NHRIs interventions at the national level

Although the Kampala Convention does not explicitly refer to the role of national human rights institutions (NHRIs) and civil society organizations (CSOs), especially NHRIs play an important bridging role between continental and national human rights and humanitarian protection systems, as well as between national authorities, civil society and population affected by internal displacement.

It is important to note that by the end of 2021, Sub-Saharan Africa is home for more than 80 percent of the 53.1 million IDPs triggered by conflict and violence worldwide.¹

¹ Ibid, p.26.

Accordingly, in recent years, an increasing number of African NHRIs and CSOs have increased their attention to internal displacement and carry out advocacy work for the ratification, domestication, and implementation of the Kampala Convention. NHRIs and CSOs have been sensitising relevant stakeholders, raising awareness among displaced persons or those at risk about their rights as guaranteed in the Kampala Convention, and mobilising support for the ratification of the Kampala Convention, its domestication, and implementation.

However, implementation of the Convention remains poor. To address this gap, some African NHRIs are carrying out advocacy efforts, including through their regional and sub-regional networks. This includes advocating for an effective Conference of State Parties to the Convention as a mechanism to monitor and support compliance, including a reporting function for national-level information.

In the particular case of the Ethiopian Human Rights Commission, its engagement in the promotion and protection of IDP's human rights was intensified about 3 years ago. By that time, Ethiopia had already ratified the Kampala Convention. The experience of the Ethiopian Human Rights Commission that I am going to share with you today, thus relates more with advocating and ensuring the effective implementation of the Kampala Convention at the national level.

Distinguished ladies and gentlemen

The Experience of the Ethiopian Human Rights Commission (EHRC)

At this juncture, I would like to point out that Ethiopia is currently hosting over 5.1 million IDPs mainly due to conflict and natural disaster. With 70 per cent of 5.1 million persons displaced due to conflict, Ethiopia is on the top of the global conflict-induced displacement list of 2021.

However, even though Ethiopia has ratified the Kampala Convention, it does not yet have a comprehensive law or policy, as per the requirement of the Kampala Convention, providing a basis for planning, budgeting and action among various government and non-governmental institutions, to address the concerns of IDPs. Ethiopia also lacks a government structure specifically mandated to address internal displacement.

In response to these gaps, EHRC has intervened in the following areas and has use the standards and values of the Kampala Convention as a basis for all the activities it conducts:

- i. **Legal review:** EHRC has reviewed the existing applicable legal and institutional frameworks to identify gaps for the effective promotion and protection of IDPs and the gaps that are obstructing durable solutions.
- ii. **Advising the Government:** Based on the findings of the legal review and consultations with stakeholders, EHRC advises relevant government institutions, explaining the factors that should be considered to develop an institutional framework on internal displacement. It reiterates the need for an institutional arrangement that adopts a holistic government approach placed at the highest level of leadership. EHRC is currently closely working with the Working Group established for the development of a draft law for the effective protection of IDPs and durable solutions, and they have just produced a draft law 2 weeks ago through a consultative process.
- iii. **Stakeholders' consultation and bilateral discussions:** EHRC has organized a series of consultations to provide space for dialogue between a wide range of stakeholders, and provided technical advice for the development, application and implementation of international and national laws; and the establishment of a government structure responsible to coordinate and facilitate response to internal displacement. It had previously invited international experts, such as Prof Chaloka to one of these consultations.

Distinguished ladies and gentlemen

On the issues of **ensuring voluntary, safe, and dignified durable solutions**, EHRC conducts regular human rights monitoring of IDP sites. Last year alone, EHRC conducted human rights monitoring of over 52 IDP sites. As a result of these monitoring visits, it has observed that the State has failed to recognize that durable solution is a gradual and long-term process. In this regard, EHRC is working to ensure that returning IDPs to their places of origin is not considered as inherently the only option, especially in displacement induced by conflicts.

EHRC also engages with humanitarian partners, such as the International Organisation for Migration (IOM) to facilitate intention surveys prior to the execution of relocation plans, in order to ensure IDPs and host communities express their views on the durable

solution. It further advocates for accountability for forced displacement and peace building efforts to resolve the root causes of crises.

EHRC works to ensure the specific service needs and vulnerabilities of all types of IDP populations, including women, children, persons with disabilities and older persons, are taken into account in durable solutions.

Distinguished ladies and gentlemen

In relation to the **investigation of human rights violations of IDPs**, EHRC has expanded its complaint handling services to IDPs and engages in receiving and investigating individual and group complaints on human rights violations of IDPs.

EHRC has conducted two major investigations on international human rights law and international humanitarian law violations in Afar, Amhara and Tigray regions providing a detailed account of widespread human rights violations against civilians, including IDPs, committed by all parties to the conflict in Northern Ethiopia. The investigation reports and recommendations are made public, and EHRC continues to engage with different stakeholders to advocate for the implementation of the recommendations.

Distinguished ladies and gentlemen

In relation to **awareness raising and human rights education on the rights of IDPs**, EHRC plays a valuable role in disseminating information on the human rights of IDPs and launched a series of training to service providers to ensure that they adopt a human rights based approach and improve their interventions at all phases of displacement.

Recognizing that electoral participation of IDPs paves a way for durable solutions, EHRC played a key role in promoting and protecting the electoral participation of IDPs during the national election last year, through raising awareness among IDPs and CSOs. It also inspired CSOs to actively engage in IDP voters' education.

In July 2022, EHRC launched its first annual human rights situation report which also details the situation of IDPs, and just yesterday, on 24 October 2022, EHRC released its first annual report on the human rights situation of IDPs in Ethiopia, now available on our website. Though the English version is yet to be published.

In conclusion, the role of NHRIs and CSOs not only in promoting the ratification of the Kampala Convention, but also in its implementation at the national level, cannot be overlooked. NHRIs and CSOs should intensify their efforts to ensure that the Kampala Convention attains universal ratification by African States and gets fully implemented to enhance protection of IDPs who are vulnerable to various human rights violations in our countries.

I thank you all for your attention.