

ADDIS ABABA UNIVERSITY
SCHOOL OF GRADUATE STUDIES



**FOREIGN DIRECT INVESTMENT AND HUMAN RIGHTS
CONDITION IN ETHIOPIA: A CASE STUDY OF ADDIS ABABA**

By

HAILEMARIAM TEKLEGIORGIES BIZUNEH

JULY, 2019

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**A THESIS SUBMITTED TO SCHOOL OF GRADUATE STUDIES
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**DEPARTMENT OF POLITICAL SCIENCE AND
INTERNATIONAL RELATIONS**

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Declaration

I, the undersigned, declare that this thesis is my original work and has not been presented for a degree in any other University and that sources of materials used for the thesis have been duly acknowledged.

Hailemariam Teklegiorgies

June 2019

This thesis has been submitted for examination with my approval as the thesis advisor.

Solomon Mebrie (PhD.)

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ABSTRACT

This study examines the relationship between foreign direct investment and human rights condition of the local people in Ethiopia. It mainly examines the right to housing and livelihood from the human rights perspective in relation to manufacturing sectors of FDI. The research studies the housing and livelihood conditions of the local people when their land expropriated due to the FDI. The research takes Addis Ababa, Bole Lemi and Kilinto industrial zones as a case study. Addis Ababa is selected as a case study because it hosts the largest foreign direct investment (manufacturing sector) in Ethiopia. Qualitative research method is employed and semi structured interview is conducted with the victims of land expropriation, and key informant interview with government officials and officers in Ethiopian Human Rights Commission and Ethiopian Human Rights Council conducted. In addition, FGD is conducted with the victims of land expropriation and eviction. The establishment of FDI in Addis Ababa impacted the livelihood and housing conditions of the local people. The study reveals that the land expropriation of the farmers due to FDI resulted in livelihood and housing problems. The small amount of compensation, lack of adequate resettlement, and livelihood and income restoration affected the community. The land expropriation without appropriate mitigating measures exposed the community for livelihood crisis and vulnerability and also resulted in housing problems. It violates the human rights of the community, the right to housing and livelihood, prescribed in the ICESCR and ICCPR.

Key Words: Land expropriation, Eviction, Compensation, Resettlement, Rehabilitation

ACRONYMS AND ABBREVIATION

CESCR ---- Committee on Economic, Social and Cultural Rights

CJCP----- Competitiveness and Job Creation Project

E.C. -----Ethiopian Calendar

EIC ----- Ethiopian Investment Commission

ESIA -----Environmental and Social Impact Assessments

FDI ----- Foreign Direct Investment

FDRE ----- Federal Democratic Republic of Ethiopia

FGD ----- Focus Group Discussion

GTP----- Growth and Transformation Plan

ICCPR --- International Covenant on Civil and Political Rights

ICESCR ---International Covenant on Economic, Social and Cultural Rights

IPDC ----- Industrial Parks Development Corporation

MDG ----- Millennium Development Goals

MNC ----- Multi National Companies

NGO ----- Non-Governmental Organization

OECD --- Organization for Economic Cooperation and Development

UDHR --- Universal Declaration of Human Rights

UNCTAD ----United Nations Conference on Trade and Development

CHAPTER ONE

INTRODUCTION

1.1. Background of the Study

Foreign Direct Investment (FDI) is an economic activity whereby an investor from abroad controls the management, process of production, distribution and other activities by a firm in another country. FDI is defined by the United Nations 1999 world Investment Report as follows “an investment involving a long term relationship and reflecting a lasting interest and control of a resident entity in one economy (foreign direct investor or parent enterprise) in an enterprise resident in an economy other than that of the foreign direct investor.” (UNCTAD: 1999).¹

FDI is one of the most important form of international capital transfer to developing countries. It has strong importance for developing countries in the modernization and industrialization process of countries. It is not a recent phenomenon to the world. But, the twentieth century showed significant increase and development of FDI all over the world. (Moosa: 2002). Especially after the second world war, FDI has increased because of the development of infrastructure and communication which enables investors to control their businesses from long distance, and because many countries needed reparations after the destructions made by the war. (Moosa: 2002).

Immediate after their independence, in the 1970s, African countries were able to attract large amount of investment than other developing countries in Asia, Latin America and the Caribbean. (UNCTAD: 1999). But, by the 1990s African lagged behind the above mentioned regions in attracting FDI. This is due to the perception of foreign investors was negative to Africa. Although there were parts of Africa with peaceful and comfortable environment for FDI, it was generally considered as conflict ridden and civil war prone continent. (UNCTAD: 1999). In the last two decades, the flows of FDI to the developing countries especially to Africa are increasing from time to time. Many African countries spend maximum efforts in creating investment friendly environments to promote FDI. African governments offered different types of incentives

¹ United Nations conference on trade and development (UNCTAD). FDI in Africa: Performance and potential, New York and Geneva, 1999.

for Foreign Direct Investors. They changed the regulatory frameworks of FDI. Governments in Africa are trying to attract foreign investors by preparing conducive environment for businesses in order to boost their development goals through job creation, resource mobilization, efficient management system, technological transfer and innovation. (UNCTAD: 1999) and (Sabagabo: 2014).

The Ethiopian government is following developmental state model which mainly focuses on economic growth by attracting more investment into the country. Unutilized natural resources and the large population size help Ethiopia to attract more investors. The Ethiopian government is working hard to attract foreign direct investors by creating different incentive packages such as 100 percent exemption from payments of import duties and import tax levied on capital equipments such as plant machinery and equipments, and construction materials, exemption from payment of export tax, tax holidays ranging from one to five years etc. (Getinet and Hirut: 2006) and (the Council of Ministers Regulation number 270/2012).

Recently, according to the FDRE Ministry of Finance and Economic Cooperation (2017), Ethiopia is one of the African countries with high inflow of FDI. To meet the Millennium Development Goal (MDG), the Ethiopian government launched series of growth and transformation plan. The government claimed that one of the developmental areas which are emphasized by the second phase of growth and transformation plan (GTP II) is the development of FDI. The government gave a lot of protections and incentives for Foreign direct investors. Besides, to attract foreign investors, the Ethiopian government builds industry zones which laid a foundation for the investment. (Ministry of Finance and Economic Cooperation: 2017).

There are different sectors of FDI coming to Ethiopia Such as manufacturing, real estate, service sectors and agricultural sectors of FDI. These investments need large plots of land which increase massive eviction of people from their ancestral land. It also detaches the people, especially the evicted, from their traditional economic system. There is little attention given to human security and development in the development plan of the country. This in turn affects the economic, social and cultural rights of citizens as part of human rights.

The relationship between FDI and human rights such as labour abuse, environmental pollution, and the right to adequate housing and livelihood of the local community remains controversial.

Economic development processes in the country needs to assure the respect of human rights for its citizens. However, as the government is trying to bring economic development by attracting more foreign investors, there are a number of complains to the court, to the Ethiopian Human Rights Commission. and to the local government (such as kebeles, weredas, and city administrations, regional and federal government) concerning the violation of human rights in relation to FDI. The complaints have several dimensions such as forced eviction from their land, labour abuse by the investors, environmental degradation and the general livelihood impact that the FDI has brought following the eviction. (Mohammed: 2015). Such facts exist in many African and other developing countries. Most of the time governments are reluctant to stop or to intervene against the violation of the rights of their citizens by foreign investors. This is due to fear of losing the investment and the payment the government is obliged to pay in the breach of contracts based on the contractual agreement. (Sabagabo: 2014).

This paper assesses the human rights conditions of the local community with the planting of FDI. Specifically it assess the level of impact of the eviction on the wellbeing of the community and their livelihood. It examined the respect of the right to adequate housing and livelihood for the victims of eviction, and it also evaluated how the local government handles these problems or the response of the government concerning the complaints. It also assesses the roles of foreign direct investors in the rehabilitation process of the evicted people. This paper takes Addis Ababa as a case study.

1.2. Problem Statement

Human rights is an integral part of development. One major challenge of developing countries in attracting FDI is the respect for human rights. (Moosa: 2002). The Ethiopian government is working to attract FDI to boost economic growth. But, the economic growth must not affect human rights. FDI in Ethiopia complained by many people as a cause for the violation of human right, such as, eviction of citizens from their land forcefully, environmental degradation and pollution, and labour abuse.

Addis Ababa is the largest destination of FDI to Ethiopia. It accounts for about half of the FDIs projects of Ethiopia. FDIs in Addis Ababa involves in different sectors such as manufacturing, real estate, hotel and tourism etc. (Ethiopian Investment Commission (EIC): 2018). As far as

these investments need vast land, it has become the cause for displacement of local people from their land.

Forced eviction of individuals and communities from their homes and habitats destroy lives and livelihoods of the community. Forced eviction can be defined as “the removal of individuals, families and communities from their home which they occupy or from their land which they depend on against their will, without the provision of, and access to appropriate forms of legal or other protection.”² According to Blake and Degnan (2006), eviction means “any forced removal of form property he or she has been occupying for a period of time or with respect to which he or she has some cognizable property interest.” In many cases, there are claims by the Ethiopian government officials stating that, there is no community evicted forcefully from their land for the purpose of FDI, but, researches indicated that there is a massive eviction in different parts of Ethiopia to give land for foreign investors. (Getinet and Hirut: 2006). Forced eviction becomes a cause for gross violation of human right, and particularly the right to adequate housing and livelihood.

In different international covenants and declarations, such as the Universal Declaration of Human Rights (UDHR: 1948), International Covenant on Economic, Social and Cultural Rights (ICESCR), and International Covenant on Civil and Political Rights (ICCPR), the right to adequate housing and livelihood is described as integral part of human rights. So, as Ethiopia is the state party of these international declarations and covenants, the government of Ethiopia needs to give priority for these rights when lands allocated for foreign direct investors and when people displaced from their ancestral land.

However, literatures show that there is little attention given by the government for citizen’s welfare and protection of human rights when their lands are expropriated for FDI. Even in most cases, the government did not consult the people when it took their land for investment. (Getinet and Hirut: 2006). Forced eviction from the lands has serious livelihood impact on the community, especially on farmers. Communal lands like grazing fields, and forests which are areas of firewood collection for the community, have no compensation when they are given to

² Handbook on UN basic principles and guidelines on development based evictions and displacement, 2011. See also Committee on Economic, Social and Cultural Rights General comment No. 7, the right to adequate housing, article 11/1 of ICESCR: forced eviction.

foreign investors. Besides, the investments have also another impact on the surrounding societies by disrupting their economic system and by degrading the quality of the environment in their surroundings. The eviction will also affect the long established social schemes like Equb and Idir. Other constructed social and cultural values will be also destroyed. (Mohammed: 2015)

There are also serious problems following the eviction like the cases of compensation, resettlement and rehabilitation. Most of the time compensations are too small to continue life as the previous. (Sefanit: 2011). Foreign direct investors also did not make any effort to integrate the displaced society with new economic system. A farmer who specializes on farming and did not know well about how to live without farming will face serious challenge as his/her land is taken to the investment. So the eviction disrupted the established economic systems which have an impact on the wellbeing of the society. (Sefanit: 2011) and (Desalegn: 2011).

Another problem is related to case handling by the local and federal governments. Many times the government is blamed by the victims for not giving appropriate response to the appeal of the evicted people concerning the compensation, violation of their rights, resettlement and rehabilitation. All these are against the principles of international covenants concerning human rights. Based on the United Nations Basic Principles and Guidelines on Development-Based Evictions and Displacement (A/HCR/4/18),

States must ensure that protection against forced evictions, and the human rights to adequate housing and when eviction is unavoidable All persons, groups and communities have the right to resettlement, which includes the right to alternative land of better or equal quality and housing that must satisfy the following criteria for adequacy: accessibility, affordability, habitability, security of tenure, cultural adequacy, suitability of location, and access to essential services such as health and education.

The review of literature in the human rights condition of the local society in relation to FDI in Ethiopia is scanty. Even the little existed literature deals with the relationship between human rights conditions and FDI are mainly focused on labour abuse cases, while human rights have different dimensions like eviction and environmental degradation. So this research will try to evaluate the human rights conditions in relation to FDI, the housing and livelihood impacts that the FDI brought against the local community following the eviction, the levels and types of compensation given for the evicted households and the roles of government and the FDI companies in the resettlement and rehabilitation processes. This paper examined the government

responses in comparison with international human rights standards, such as ICESCR and ICCPR, and domestic laws. It also analyzed the human rights conditions of citizens from the view points of the United Nations Basic Principles and Guidelines on Development Based Eviction and Displacement.

1.3. Objective of the Study

The major objective of this study is to examine the human rights conditions of the people affected by the land expropriation in Addis Ababa, Bole Lemi and Kilinto industrial park sites, in relation to eviction and livelihood impacts caused by FDI, specifically by manufacturing sector. It has also the following specific objectives.

1.3.1. Specific Objectives of the Study

- To explore the livelihood and housing impact of the FDI, the manufacturing sector, on the local society following the eviction.
- To examine the activities of the local government and the Foreign Direct Investors, the manufacturing sector, in resettlement and in integrating the local people with the new economy or rehabilitation.
- To assess the human rights conditions, the right to housing and livelihood, of the local community in Addis Ababa when they are evicted from their land, in relation to compensation, resettlement and rehabilitation.

1.4. Research Question

The main question of this study is: are the human rights of the local people protected when FDIs made in Addis Ababa in relation to eviction and livelihood impact?

1.4.1. Specific Questions

- How and to what extent the FDI does affect the livelihood and housing conditions of the local society in relation to eviction?

- What was the role of the local government and Foreign Direct Investors in the resettlement and rehabilitation process of the evictee?
- How far are the evicted societies, because of FDI, compensated and rehabilitated?

1.5. Research Methodology

There are three methodologies of conducting research. They are Qualitative, Quantitative and Mixed research methods. The decision for methods of the research arises from the nature of issues. This research is conducted on qualitative method as it mainly focused on personal experiences of the evicted people and the responses of the concerned body in respecting their human rights. Besides, it studies the case in its natural setting. Qualitative research is defined by Creswell (2007) as follows: it consists of interpretive and naturalistic approach which studies the case in its natural setting. Thus, the personal experiences of the evicted society from their land, the livelihood and housing impact the eviction brought, and the responses off the government can be studied in its natural setting by qualitative method. Creswell (2014) also stated that qualitative researchers collect data from multiple sources by examining documents, by observing behaviors and by interviewing participants and key informants. It is very important to have a detail understanding to the issues investigated as it focused on specific cases. Qualitative research method is a form of research in which the researcher makes interpretation about what he/she observes, hears or understands. (Creswell: 2014). Qualitative research has also a holistic nature as it involves several perspectives in identifying the factors involved in the situation and to understand the context of situations. (Creswell: 2007).

1.5.1. Method of Data Collection and Analysis

This research is conducted by a qualitative research method since it mainly assesses the social experience between FDI and the local households and communities who are influenced by the investment from human rights point of view, basically focused on the right to housing and livelihoods. This research used both primary and secondary sources to gather data. The most common sources of data in the case study are interview, focus group discussion, observation, written documents and archival records. Accordingly, primary sources collected from interviewing selected households about the effect of FDI in their livelihood, key informant

interview with the local government officials and managers of the investment projects also conducted to get an information concerning the human rights conditions of the displaced society at the time of eviction and their roles in rehabilitation process of the evicted society. The most common form of interview in qualitative researches are unstructured and semi structure interviews. This research used semi structured interview as it gives the freedom to the interviewees to express their perception freely in relation to the case and fairly directed forward to the issue discussed. (Bryman: 2012) and (Mason: 2002). This research made nine key informant interviews with government officials and officials of civic societies such as Ethiopian Human Rights Commission. and Ethiopian Human Rights Council. In addition nine in-depth interviews with victims of the eviction in both sites.

According to Bryman (2012), Focus Group Discussion is important in examining cases in which people in conjunction with one another in areas which the research is interested. It can also validate the individual interviews given to selected individuals as it gives to the participants to challenge and argue each other. Since it is important to examine the human rights condition of the society as a group experience during eviction, this research conducted two Focus Group Discussions with selected individuals from the evicted people.

As qualitative research needs deep information concerning the topic, the research focused on two FDI sites i.e. Bole Lemi and Kilinto industrial parks. Secondary sources also used to substantiate the primary sources from both published and unpublished sources, such as books, journal articles, international covenants concerning human right, newspapers, archival sources and reports of the government and non-governmental organizations.

As the study employed a qualitative research method, the gathered information is analyzed based on the qualitative method. Qualitative data analysis is undertaken simultaneously with the process of data collection. (Creswell: 2014). So, analysis of this research conducted in the process of data collection to identify the information gaps and information needed in adequately dealing with the research questions. In addition to this, the qualitative data analysis procedures that are stated by Creswell (2014) employed. Such as, firstly organize and prepare the data for analysis, then read and look all the data, then coding the data, fourthly categorize the data based on themes and descriptions, then interrelating themes and description of the data and finally interpreting the meanings of themes and descriptions. As this research will be relied on multiple

sources, the information collected need to be organized and categorized based on their type and the question they responded such as, the human rights conditions of victims during eviction, the actions taken by the state before, during and after eviction, and issues related to compensation, resettlement and rehabilitation. Then interrelating these concepts to measure the human rights condition of communities who faced eviction for the purpose of FDI.

1.5.2. Research Design

Research method is associated with different types of research design. It can guide the execution of the research method and analysis of the data gathered. (Bryman: 2012). This research employed a case study research design as it is associated with the relationship between FDI and human rights condition of the local society in Ethiopia with specific setting of Addis Ababa. Case study research design is one of the approaches from Qualitative research method. It involves the study of an issue through one or more cases within a bounded setting and context. (Creswell: 2014). This research designed to conduct a case study of human rights conditions of evicted people in Addis Ababa in relation to FDI, specifically the right to adequate housing and livelihood. Case study research design has close connection with the field of political science as it presents a case report. (Creswell: 2014). It involves a detail exploration of specific cases which could be a community, an organization or a person. (Bryman: 2012). This research investigated deeply about the respect of the right to adequate housing and livelihood for evicted communities due to FDI in Addis Ababa. Case study researches are relied on multiple sources of information in a triangulating fashion such as in-depth interview, key informant interview, focus group discussion, and hard materials like archives, documents and reports. (Yin: 2003). This study used multiple sources from both primary and secondary sources to triangulate the information.

1.6. Scope of the Study

Recently, Ethiopia has become one of the major destinations of FDI from the developing countries. The government is setting conducive environment and policies which favor foreign direct investors. From the parts of Ethiopia, areas around Addis Ababa are one of the major destinations of the FDI. So for territorial scope, the study is limited to Addis Ababa as there are a number of FDI in the region. The research focused on the two industrial park sites in Addis Ababa constructed for FDI, such as the Bole Lemi and Kilinto industrial parks. Thematically, the

major concern of the study is the Impact of FDI in the human rights conditions of the local people. It concerns specifically on the human rights conditions of the local people at the time of eviction, such as the impacts of the FDI on the livelihood and housing conditions of the local people following the eviction. From the FDI sectors, this research focused on manufacturing sectors.

1.7. Significance of the Study

This study provides valuable knowledge about the relationship between FDI and human rights conditions in Ethiopia by analyzing the nature of relationship between FDI and human rights in Addis Ababa. In the context of Ethiopia, the relationship between FDI and human rights is not well studied. Researches in this topic are scanty in this area. The little research existed are mainly focused on cases like labour abuse by foreign direct investors. This study focused on the human rights condition of the local societies when they are evicted for the purpose of FDI. So this research can fill the gap and may initiate others for additional research in the area. It can also serve as an input for policy makers in setting standards for protecting the human rights of citizens. And it is also relevant for different organizations which are working on human right, such as Ethiopian Human Rights Commission., Ethiopian Human Rights Council, other civic societies and Non-Governmental Organizations (NGOs) as it give insight about the human rights conditions of the people in relation to FDI in the region.

1.8. Core Argument

There is a negative relationship between FDI and Human rights conditions in Ethiopia. People are evicted from their ancestral lands forcefully for FDI which violates the right to adequate standard of living and housing, and the right to livelihood as part of human rights and also violates civil and political rights of citizens.

1.9. Organization of the Study

This study has four chapters including the introductory part, chapter one. The first chapter consists of the background of the study, problem statement, general and specific objectives of the study, general and specific questions of the study, method and research design of the research, scope of the study, significance of the study and the organization of the study. The second

chapter contains the conceptual framework of the research, study area description and literature review. The literature review part presents the literature about the relationship between FDI and human rights condition, concerning eviction, in continental (African) level in general and in Ethiopia in particular.

The third chapter presents data, the findings of the research and discusses the data from human rights perspectives. It presents the data obtained from different sources by employing the proposed method of research and data collection and discusses the findings of the research from the human rights perspective, the right to housing and livelihood. Chapter four discusses the implication of the land expropriation on the security of tenure and housing rights, and suggested some policy and administrative solution for the problems. The last part of the research concludes the research.

CHAPTER TWO

CONCEPTUAL FRAMEWORK and LITURATURE REVIEW

2. Introduction

This chapter has two major sections. The first section deals with the conceptual framework on the issues of FDI, the essence of FDI, the relationship between FDI and human right, eviction from human rights perspective, international covenants such as ICESCR and ICCPR and eviction, the UN basic principles and guidelines on development based eviction and displacement, and remedies to be taken when eviction occurred. The second section provides information review of literatures about the government rhetoric of development, and relationship between FDI and human rights conditions in the developing countries. From different human rights issues related with FDI, it specifically focuses on human rights condition of communities caused by eviction due to FDI.

2.1. The Notion of FDI

FDI is not a new phenomenon in the world. It has shown a significant increase in the post second world war period. This was due to the destruction caused by the war needing reparation. In this period, different US firms and multi-national companies made their investment outside the USA. For developing countries, FDI is the major source of external financing and provide important means of implementation for development goals and also leads to development of private sectors. It is also important for technology transfer, and improvement of labour and management skills. (Sebagabo: 2014).

FDI first appeared in Africa with the coming of European colonial companies to Africa. They came into Africa to exploit the natural resources and as a potential market place for their manufactured goods. (Sebagabo: 2014). So most of the companies were engaged in mining and commercial agricultural sectors which can produce an input for their industries. These investments caused the forced eviction of native Africans from their ancestral lands, killings and led them to work forcefully with very little payment in the firms of colonizers. (UNCTAD: 1999). In the post-colonial Africa, FDI grew as a major source of foreign investment. There was a decline of FDI inflows to Africa in comparison to other developing countries in Latin America,

Asia and Caribbean countries in the 1980s and 90s. (UNCTAD: 1999). This was due to the negative perception developed by the major FDI source countries about Africa. The last two decades showed considerable increase of FDI to Africa. This was due to a policy shift from inward looking import substitution development to outward looking market determined development strategy. (Lall and Narula: 2004). According to the World Bank (2014), the FDI flows to Sub – Saharan Africa increase by six fold within a decade. The investment climate improved since FDI recognized by Africans as a major source of international financing. This was made through several multilateral and bilateral investment agreements. Efforts are made by African governments to attract foreign direct investors. African governments liberalized the investment regulation, improved the FDI framework and offered several incentives for the foreign direct investors. (UNCTAD: 1999).

FDI is accepted by developing countries as a means of incorporating new knowledge, ideas and technologies from abroad. It is important to intensify growth and productivity, and to support sustainable development of the developing countries. (Busse and Groizard: 2006). Recently, there is a search for large tracts of land by foreign direct investors in manufacturing and agricultural sectors. (Desalegn: 2011). It became the cause for the eviction of small holding farmers from their agricultural land. The search for extensive land by foreign investors in developing countries is described as land grabbing. Desalegn (2011: p.2) defined land grabbing as “the rush for commercial land in Africa and elsewhere by private and sovereign investors for the production and export of food crops as well as biofuels, in which the land deals involved stand to benefit the investors at the expense of host countries and their populations.”

“FDI is an extension of corporate control across international boundaries.” (Razin: 2002, p.1). The concept of FDI is defined as “a category of cross border investment made by a resident entity in one economy with the objective of establishing a lasting interest.” It implies the transfer of tangible and intangible assets from one country into another country with the objective of creating benefits with using partial or total control of the newly opened company. (OECD: 2008). Accordingly, the Foreign Direct Investor has a significant degree of influence on the management of the enterprise and owns at least 10 percent of the voting power of the foreign direct enterprise. (OECD: 2008). FDI is the ownership of assets by a foreign resident for the purpose of controlling the use of these assets.

Government policies and political institutions, and non-government fiscal policies like taxation are the most important determinants of FDI flows. (Jensen: 2006). Morisset (2001) argued that countries which shows proactive policies and reform oriented governments can generate interests of foreign direct investors. Access to natural resources and the market size are also described as determinants of FDI inflows to Africa. Morisset (2001) and (Amnesty International: 2006). The ease of communication between the source country and the host country can determine the FDI inflows. The liberalization of FDI regulation and business facilitation with local capacity building can determine the inflows of FDI, basically, to developing countries. (Peter: 2001). An improved business climate with privatization, infrastructural and human capital development can attract foreign investors. The political climate has also strong influence in the FDI inflows. Countries with peaceful political environment can attract large number of FDI.

In the 1990s, Ethiopia was one of the least attractive nations of foreign direct investors. This was due to less privatization of businesses and economic liberalization. Ethiopia showed development through time by improving the investment conditions for foreign investors. The government of Ethiopia improved the regulatory framework of FDI and created investment friendly environment which allowed foreign investors to invest in any areas except the investment areas limited to domestic and state investment. The government also identified for joint investment with the Ethiopian government. (UNCTAD: 2004).³

The Ethiopian government established the Ethiopian Investment Commission (EIC) to administer, promote, coordinate and facilitate FDI in the country. The government established this institution to provide all the necessary information for foreign investors, to approve foreign investment application and issuing investment permits. Besides EIC there are institutions which had tasks of managing FDI such as Ministry of Trade and Industry, Ministry of Finance and Economic Cooperation and regional investment offices. (Investment Proclamation No. 769/2012). According to the Ministry of Finance and Economic Cooperation report (2017), recently Ethiopia is marching to become one of the prime destination of FDI in Africa.

According to the reports of Ethiopian Investment Commission (EIC) (2018), the FDI to Ethiopia is coming from different parts of the world. Basically Asian and European countries are

³ UNCTAD, an investment guide to Ethiopia: opportunities and conditions, New York and Geneva, 2004.

investing in Ethiopia in a large scale. China is the major source of FDI to Ethiopia. It is followed by India, Sudan and USA. European countries like Turkey, Germany, Italy, Britain and Netherlands have also significant contribution in the FDIs in Ethiopia. From North America Canada has also considerable investment in Ethiopia. Foreign direct investors from these and other countries are investing in different sectors of the economy. About 48 percent of the FDI in Ethiopia are made in manufacturing sector. It is followed by real estate, machinery and equipment rental and consultancy, agricultural investment, construction contracting including water well drilling, hotels and restaurant, tour operation, transport and communication, education, health sectors and others. Most of the FDI in Ethiopia are foreign and a joint venture with domestic investors. About half of the FDI coming to Ethiopia are invested in Addis Ababa as it is accessible for transportation and other facilities. It is followed by Oromia and Amhara regional states. (EIC: 2018). Addis Ababa is the major destination of FDI to Ethiopia because of better infrastructure, stable political environment, provision of trained manpower etc. (Meskerem: 2014).

The Ethiopian Ministry of Finance and Economic Cooperation (2017) described factors why foreign direct investors preferred to invest in Ethiopia. The factors include the good climatic condition and soil fertility, strong guarantees and protections given for foreign investors, availability of abundant and affordable labour force, regional advantage of Ethiopia with a wide access to market, competitive incentive package given for investors etc. The Ministry maintains that it is important for the development of the country and to meet the transformation plan. It helped the transformation of the country into industrialization by transferring knowledge, skill and technology from the developed world. FDIs needs extensive land and this caused displacement of people from their lands which can disrupt the preexisted economic and social structures and systems of the local society. It will be a threat for human rights and human security of citizens. It will also aggravate environmental problem by overutilization of land and pollution of water resource.

2.2. The Concept of Human Right

Human right is the right given to all human kind because one is human being. (Donnelly: 2013). It is inalienable right and universal right which is given to all human kind. Article five of the Vienna Declaration and Programme of Action of the UN (1993) described human rights as

universal, indivisible and interdependent. It stated that “the international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis.” It also stressed on the state’s duty in protecting human rights and fundamental freedoms regardless of their political, economic and cultural systems. The concept of universality refers to that human rights are given to all human kind equally. The indivisibility and interdependence of human rights meant that violating one form of human right results in the violation of another form of human right. So it stressed on the respect of every aspect of human rights by the states and the international community. (Vandenhole: 2003).

Human rights are categorized into generations. The first generation rights includes civil and political rights, the second generation rights are composed of economic, social and cultural rights, and the third generation rights are the right to development, the right to peace, the right to healthy environment and the right to humanitarian assistance. (Vandenhole: 2003). The first generation rights, civil and political rights, are to be considered as the most basic rights. Then economic, social and cultural rights are also given special attention. (Vandenhole: 2003).

The human rights related to eviction and land expropriation from small holder farmers are found mainly in the first and second generation rights which are prescribed in ICCPR and ICESCR. The right to development has also relationship with eviction of small holder farmers due to developmental projects as it integrate the economic, social and cultural rights with civil and political rights. (Sengupta: 2001). Arbitrary eviction of smallholding farmers from their land is so violation of human rights. Protection against arbitrary execution is an internationally recognized human right. In addition when farmers faced land expropriation, they have the right to adequate compensation and appropriate resettlement and rehabilitation. The state must respect the human rights of citizens when it conduct any developmental project. (UN Basic Principles and Guidelines in Development Based Eviction and Displacement: 2007).

2.3. FDI and Human rights Issues

FDI has a direct relationship with human rights. The relationship between FDI and human rights condition of citizens is contentious. Socio – political factors are the major determinants of FDI inflow. Human rights such as the right to housing and livelihood, as part of socio – political factor played significant role in determining the FDI inflows to the developing countries. In

addition to the financial and economic risks, foreign direct investors consider the political and social risks associated with their investment. Traditionally, it is understood that human rights repression may attract more foreign investment as it provides favourable and inexpensive work force, gives vast lands on the cost of the local people and protect the foreign direct investor from complaints of the local people. (Blanton and Blanton: 2009). But, FDI's operating within abusive societies run the risk of becoming target of violence and destruction. Corporations which have a negative human rights track record may face naming and shaming by human rights institutions. (Blanton and Blanton: 2009). On the other hand, FDI's which operated in a better human rights respecting environment can have good interaction and smooth relationship with the local people.

Human rights can be understood as the basic universal or moral protections or guarantees belongs for all human kinds in the world without discrimination and protects individuals and/or groups from actions that affect the fundamental human rights. There are different dimensions of human rights which have relationship with FDI like labour abuse by foreign direct investors, forced eviction from their lands of the local society as FDI needs extensive land which violates the right to adequate housing and livelihood as part of human right, and pollution of the environment and water bodies which violates the right to live in clean environment as part of human rights. (Sebagabo: 2014).

2.3.1. FDI and Eviction

Investment requires extensive lands which can cause displacement of people from their land. It may adversely affect their lives and livelihoods. Land is the most important resource in developing countries which many people rely on for their livelihood. It is both the living habitat of human societies and means of a living, especially for the rural community. It is often argued, by the government, that lands which are allocated for foreign direct investors, especially for agricultural investments are marginal, underutilized and abandoned lands which did not bring serious harm on the local people. (Gorgen et al: 2009) and (Sefanit: 2009). Marginal lands are lands with very low productivity and difficult to cultivate due to natural and economic conditions. It is often used for pasture, firewood collection and for some food crops. Underutilized lands are lands which are under production but not fully exploited. Abandoned lands are lands which were used before and abandoned now. However, these marginal, underutilized and abandoned lands are important for the poor rural societies. They are used for

grazing and fuel wood collections. According to Gorgen et al (2009), these lands supported a quarter of the income of the poor rural communities.

Reducing access to land and marginalization of small size land owners has negative effect on the development of poor farmers and lead to displacement of farmers to urban areas which may cause social tension in urban centers. Job opportunities for farmers in the urban centers are less as most of them are uneducated and unskilled in different sectors other than farming. Evicted farmers have no option rather than engaging in selling their labour force for low wage which exposed them for exploitation. (Sefanit: 2009). It can also become the cause for the deprivation of many more traditional means of livelihoods of the local farmers. (Sefanit: 2009). Committee on Economic, Social and Cultural Rights (CESCR) in General Comment 7 (1977) described forced eviction as “the permanent or temporary removal against the 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.” Compensation is not applicable for communal lands such as grazing lands and forests which are source of food and firewood collection, when they are given for foreign investors.

FDI in developing countries is criticized by many as a cause of land grabbing. Most of the FDIs need extensive lands which caused displacement of the local people from their ancestral land and from the land where their livelihood established. In most cases the farmers denied from getting access to another land in exchange for the land taken from them for foreign investment. (Sefanit: 2009). This in turn violates human right, the right to livelihood. Forced eviction caused for gross violation of human rights including the right to adequate housing, food, water, health, education, work, security of a person, security of home, and freedom from inhuman and degrading treatments. Women and children are the most vulnerable section of society for these violation of human rights.

2.4. International Human rights Instruments and Eviction

International human rights conventions such as International Covenant on Economic, Social and Cultural Rights (ICESCR) and International Covenant on Civil and Political Right (ICCPR), the United Nations Basic principles and Guidelines on Development Based Eviction and Displacement are the major of international human rights instruments to protect the human rights

of people who faced forced eviction because of expropriation of their land for FDIs. The right to adequate housing and livelihood was recognized by the Universal Declaration of Human rights(1948) and other international covenants such as ICESCR as human rights.

The ICESCR stated about the respect to the right to housing as part of human rights. Article 11/1 stated that

The state parties to the present covenant recognize the right to everyone to an adequate standard of living for himself and his family including adequate food, clothing and housing, and to the continuous improvement of living conditions. The state parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent.

In this sense the state must respect, fulfill and protect this right. The state must not forcibly evict indigenous people from their home and lands where their livelihood relied on, the state must ensure that private institutes do not evict indigenous people from their land, and the state must ensure equal access to adequate housing for all indigenous people.

Forced eviction can violate basic human rights including civil and political rights such as the right to respect for the home, the right to life, the right to privacy, the right to property and the right to freedom of movement. (Langford and Plessis: 2006) and (General Comment 7: 1997). Forced eviction may also violate the right to ownership of agricultural land and the right to choose a residential area within the territory of the state. (United Nation fact sheet No. 25/Rev.1: 2014). Article 17 of the International Covenant on Civil and Political Rights (ICCPR) stated for the protection of people from arbitrary eviction and interference with home. Article 17/1 of ICCPR (1966), stated that “no one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.” Everyone has the right to protection of the law against such interference or attack. International human rights standards recognized the relationship that people have with their lands and try to protect them from displacement. So, people cannot be forcibly removed from their ancestral land without their free and informed consent and or without fair compensation and resettlement.

2.4.1. The UN Basic principles and Guidelines on Development Based Eviction and Displacement⁴

Displacement is inevitable in the transformation of the economic system and development of the state. Not all displacement are prohibited in international laws and human rights instruments. But, displacement of the local people, when it is important for development, it must be conducted in accordance with relevant principles and guidelines, and must be compatible with human rights standards. The obligation of state and other concerned parties to refrain from evicting people forcefully and protect people from forced eviction arises from different international legal instruments that protect human rights to adequate housing and livelihood, and other related human rights. This guideline developed by the United Nations based on international human rights laws. According to paragraph 4 of this guideline, forced eviction refers to

acts and/or omissions involving the coerced or involuntary displacement of individuals, groups and communities from homes and/or lands and common property resources that were occupied or depended upon, thus eliminating or limiting the ability of an individual, group of community to reside or work in a particular dwelling, residence or location, without the provision of, and access to, appropriate forms of legal and other protection.

Based on this guideline, when the land is important for development, the displacement must be carried out in accordance with relevant provisions of international human rights standards. In this context development based evictions includes evictions conducted under the pretext of serving the public good such as development and infrastructure projects including large scale industrial projects. Thus, development based eviction are not undertaken in contradiction with international human rights standards and do not evict people forcefully. Paragraph 16 of this UN basic principles and guidelines on development eviction and displacement stated that, “all persons, groups or communities have the right to resettlement including the right to alternative land with a better quality and accessibility, affordability, habitability, security of tenure, cultural adequacy, suitability of location, and access to essential services including health and education.” The guideline also outlined the tasks that must be done before, during and after eviction. It outlined

⁴ United Nations, basic principles and guidelines on development based eviction and displacement, Annex 1 (A/HRC/4/18), 2007.

the responsibilities of the state in displacing the people for development or purposes or to the public interest.

2.5. Obligation of State and Private Sectors in Protecting Human Rights

Lands are allocated to the foreign direct investors mainly by displacing the local people which disrupt the preexisted economic, social and cultural life of the local society. When displacement of the local people is inevitable for development purposes, the government, the foreign direct investors and other private sectors have responsibilities in resettling and rehabilitating the displaced people. Land is scarce resource in countries like Ethiopia with a large population size and dominantly agrarian economy. Most of the lands in Ethiopia are utilized by the local people for different purposes such as agricultural, grazing, housing and the like. (Desalegn: 2011). So, as the FDI need extensive land, displacing people from their farmland or living area is inevitable. So the government and private sectors have the responsibility working for the betterment of the society through compensating and rehabilitating the displaced people.

2.5.1. Responsibility of the State

While there are a number of actors which are responsible for the respect of human right, states have the principal obligation in respecting human rights and applying human rights norms in order to ensure respect for the international human rights covenants and local laws concerning the eviction. The obligation of state to protect its citizens from eviction arises from international human rights laws that protect the human rights to adequate housing, livelihood and other related human rights. States should maximize its resources to ensure the equal enjoyment of the right to adequate housing by all citizens and should ensure the security of tenure. (General Comment 4: 1991)⁵ and (General Comment 7: 1997). The state parties to the above international covenants should develop transparent policies and procedures for dealing with eviction and must ensure that displacement do not occur unless the local societies consulted and appropriate resettlement

⁵ Committee on Economic, Social and Cultural Rights (CESCR); General comment 4: The Right to Adequate Housing, Article 11/1 of the Covenant.

and rehabilitation arrangement have been made for the them. (United Nation: 2007)⁶ and (General Comment 7: 1997). States must ensure that effective and adequate legal and other appropriate remedies are available for the person claiming his or her right against forced eviction or the threat of forced eviction, and must protect its citizens from arbitrary eviction. (ICCPR: 1966). State also must not involve in any action that makes the life of the evicted people worse. (Fact Sheet No. 25/Rev. 1: 2014).⁷ According to the UN basic principles and guidelines on development based eviction and displacement (2007), eviction must only occur in exceptional circumstances and the eviction must be authorized by law, carried out in accordance with international human rights law, for the purpose of promoting general welfare of the community, must be reasonable and proportional, and need to ensure full and fair compensation and rehabilitation. The obligation of states to protect its citizens from forced eviction also requires the protection against eviction by third parties such as business enterprises and investors. (General Comment 7: 1997).

States must adopt legislative and policy measures to protect individuals, groups and communities from forced eviction and to conduct development based eviction in accordance with international human rights standards. State should also refrain from confiscating houses or land of the people which are the basis of a living for them. (United Nation: 2007). In every aspects of their international relation such as through trade and investment, development assistance and participation in any forms of multilateral organization, states should ensure the application of international human rights standards. States must also ensure international organization which they represented acts in accordance with the international human rights standards. States must ensure that the international organization that they represented refrained from sponsoring or implementing projects, programmes or policies that caused forced eviction. In examining the compatibility of the state policies and strategies with international human rights norms and standards, states should carryout comprehensive review of policies and strategies concerning landholding system and eviction. Such reviews are important to avoid any actions that contribute for the inequality and improper treatments by the concerned bodies. (United Nation: 2007).

⁶ United Nations, basic principles and guidelines on development based eviction and displacement, Annex 1 (A/HRC/4/18), 2007.

⁷ United Nations human rights office of the high commissioner, Forced evictions, Fact sheet No. 25/Rev. 1, New York and Geneva.

Generally state should take actions compatible with international human rights norms and standards before eviction, during eviction and after eviction.

2.5.1.1. Responsibility of State Before, During and After Eviction

When developmental projects are planned which can cause eviction, the government need to conduct comprehensive and holistic impact assessment on the results of the development based eviction and displacement with the view of securing the human rights of the targeted people for eviction. The impact assessment must take into account the human rights conditions of different potentially affected groups because of the eviction such as, women, children, the elderly, and marginalized sections of the society. (Fact Sheet No. 25/Rev. 1: 2014). In addition to this, adequate training about international human rights standards and norms must be given for concerned bodies who involved in the design, management and implementation of the development and displacement project. Timely and appropriate dissemination of information should also be conducted for those who are vulnerable for forced eviction. (Fact Sheet No. 25/Rev. 1: 2014). The UN basic principles and guidelines on development based eviction and displacement, paragraph 37 (2007: p.9) outlined five major elements which must be involved in the planning and development processes which can cause eviction. They are:-

- A. Appropriate notice to all potentially affected persons that eviction is being considered and that there will be public hearings on the proposed plans and alternatives;*
- B. Effective dissemination by the authorities of relevant information in advance, including land records and proposed comprehensive resettlement plans specifically addressing efforts to protect vulnerable groups;*
- C. A reasonable time period for public review of, comment on, and/or objection to the proposed plan;*
- D. Opportunities and efforts to facilitate the provision of legal, technical and other advice to affected persons about their rights and options; and*
- E. Holding of public hearing(s) that provide(s) affected persons and their advocates with opportunities to challenge the eviction decision and/or to present alternative proposals and to articulate their demands and development priorities.*

Besides, all potentially affected individuals or groups have the right to relevant information, full consultation and participation throughout the entire process of compensation, resettlement and rehabilitation for securing the respect of their right or minimizing the risks of eviction. According to the FDRE Proclamation of Expropriation of Landholdings for Public Purposes and Payment of Compensation proc. No. 455/2005, the notification for the time of expropriation of the land and the amount of compensation shall be addressed in writing in the local language to the landholder in a period for not less than ninety days. The land holder should also handover the land within ninety days after the compensation payment issued or if a person refused to receive the compensation, from the date of the compensation deposited in a blocked account. The eviction notice should allow and enable the subjects of eviction to take an inventory in order to assess the value of properties that will be damaged due to the eviction, and to document non-monetary losses to be compensated. In providing alternative housing and agricultural land for the evicted, it must be accessible for different social services and infrastructure. All the resettlement measures must be completed before the movement of the evicted from their original settlement. (Fact Sheet No. 25/Rev. 1: 2014).

During eviction, the procedural requirements for the protection of human rights must be fulfilled. The procedural requirement includes the presence of government officials or their representatives on the site. The government officials and their representatives must identify themselves for the victims of eviction and present formal authorization. Besides, the government should allow access to neutral observers such as civic societies of regional and international observers to ensure transparency and respect of human rights during eviction. (The United Nations: 2007) and (Fact Sheet No. 25/Rev. 1: 2014). The government should also ensure the respect of human rights and freedom from discrimination of women and children. Eviction should not take place during bad weather, at night, prior to examination, during holidays and prior to election. (The United Nations: 2007). During eviction the government must ensure that no one subjected to violence and arbitrary deprivation of property or possession as a result of demolition. (ICCPR: 1966). Evictees should not be forced to destroy their belongings and dwellings and should have the chance to take as many belongings as possible. When there is no other alternatives to displace the people from the original settlement, the government use of force must respect the principles of necessity and proportionality, and it must be consistent with international law enforcement and human rights standards. (Sefanit: 2009).

Basic needs of the evictees and facilities like healthcare and education must be fulfilled immediate after the eviction. In addition, the state is responsible for preparing an access to sources of livelihood, and fodder for their livestock and access to common property resources in which the life of the evictees previously depended upon. (The United Nation: 2007). The government should also secure that members of the same family or community are not separated due to eviction. In the process of resettlement the government needs to consider the equal participation of women in the distribution of basic services and supplies. Social, psychological and healthcare services need to be given for the evictees indiscriminately and there must be a government follows up on the conditions of the evicted communities in their new settlement. (Fact Sheet No. 25/Rev. 1: 2014) (United Nations: 2007). The new relocating site must fulfill basic facilities and infrastructures such as adequate housing, electricity, water supply, roads, sanitation, accessibility for disadvantaged group etc. (Fact Sheet No. 25/Rev. 1: 2014).

2.5.2. Responsibility of Private Sectors and Civic Societies

Although the primary responsibility of ensuring the private sectors' respect for human rights is relied on the government, private sectors have a responsibility to respect the human rights of the local societies including the prohibition on forced eviction with their respective spheres, activities and influence, and must work for the wellbeing of the society. (Fact Sheet No. 25/Rev. 1: 2014) and (Langford and Plessis: 2006). The guideline principle of the United Nations Ethiopian Human Rights Council set global standards of conduct that expect all businesses with regard to preventing and addressing the human rights impact of their activities. (Fact Sheet No. 25/Rev. 1: 2014). Besides, the foreign direct investors must consider the environmental protection in their activities. So in this process the foreign direct investors are expected to conduct Environmental Impact Assessment (EIA) and social impact assessment to ensure that their investment did not affect the environment and largely the society. The Ethiopian Human Rights Commission. and other human rights related Non-Governmental Organization (NGO) are responsible to protect the human rights and to make the government to respect human rights of its citizens. (Mohammed: 2015).

2.6. Remedies for Forced Eviction

All section of the society who are victims of forced eviction need to have the right of access to timely remedy and intervention of the state. According to article 2.3 of the International Covenant on Civil and Political Rights, every person whose right is violated has the right to have an effective remedy by the concerned body. The remedies include fair hearings, the right to counsel, legal aid, compensation, return, restitution, resettlement and rehabilitation.

When eviction is inevitable, the victims of eviction have the right to fair and just compensation for any loses such as employment, education and social benefits, material damages and loss of earnings, moral damages, costs required for legal or expert assistance, medical, psychological and social services. The compensation must include transport and resettlement cost with the process of relocation. (Blake and Degnan: 2006). Cash compensation cannot replace compensation in the form of land and common property resource. So compensation should not be restricted by cash compensation rather, as much as it can, the government need to compensate the evicted in the form of land with at least similar value and size with the previous settlement. (Langford and Plessis: 2006) and (United Nations: 2007).

According to the FDRE proc. No. 455/2005, the amount of the compensation for property situated in the original setting shall be determined by the cost of replacement of the property. Based on this proclamation, displacement compensation shall be paid with amount of ten times the average annual income he secured during five years before the eviction. For urban dwellers the compensation shall be provided by plot of land, the size which shall be determined by the urban administration, and displacement compensation estimated annual rent of the demolished house.

In the development based eviction, state shall ensure the right of all individuals, groups and communities for suitable resettlement which includes the right of alternative land or housing which is safe, secure, accessible, affordable and habitable. (Langford and Plessis: 2006). The resettlement need to be consistent with international human rights norms and standards. The resettlement should ensure the equal right of women, children and other vulnerable groups including the equal right to property and ownership. According to Ethiopian proc. No. 455/2005, all individual, group or community shall be paid for any cost in the resettlement process. The

victims of eviction have the right to have information about the relocation site, and planning and implementation processes of resettlement. The state shall also provide all the amenities and economic opportunity for the new settlers. The resettlement should be conducted in full consultation and participation with the victims of eviction. Local government officials and neutral observers must be there during the process of resettlement. The resettlement must be conducted based on chapter 5 of the United Nations Basic Principles and Guidelines on the Development Based Eviction (2007), which deals about the responsibility of the state after the eviction. Following the resettlement the government and private sector need to support the relocated people to integrate with their previous economic system or to create new economic opportunity in their new settlement.

2.7. Ethiopian Laws Concerning Displacement and Compensation

According to the Federal Democratic Republic of Ethiopian constitution (1995), land is owned exclusively by the state. It also prohibits land sales and only allowed land use right for citizens and non-citizens. Article 40 of the FDRE constitution stated that “Every citizen has the right to ownership of private property unless prescribed otherwise by law on account of public interest, this right shall include the right to acquire, to use, in manner compatible with the rights of other citizen...” Article 40/4 and 40/5 of FDRE constitution stated about the rights of peasants and pastoralists in obtaining land for their livelihood and gives protection from displacement. Article 40/4 stated that, Ethiopian peasants have the right to obtain land without payment and guaranteed protection of the government against eviction from their possession.

With the process of industrialization, investment is increasing from time to time. Investments need large tracts of land which become the cause of eviction for the local people. The government of Ethiopia laid a foundation for the development of investment by the local and foreign investors. The government is working hard in creating investment friendly environment to attract foreign investors. These days, acquisition of extensive land for foreign investors is less difficult. Article 40/1 stated that if the land is needed by the government for public interest, the land would be taken from the settlers or the framers. The phrase ‘public purpose’⁸ is broadly

⁸ Public Purpose is defined by a proclamation No. 455/2005 as means of use of land as such by the decision of the appropriate body in conformity with urban structure plan or development plan in order to ensure the interest of the

defined by the Ethiopian government which includes the involvement of foreign investors in the national economy. Based on this position, Ethiopian farmers and households faced eviction when their land needed for investment. (Sefanit: 2009).

The Ethiopian government formulated laws, expropriation of landholdings for public purposes and payment of compensation proc. No. 455/2005, which deals about eviction of the local people. This proclamation outlined the measures that should be taken in the process of displacement. This proclamation gives the mandate for weredas or urban administration, in advance with compensation, to expropriate rural and urban land holdings for public purposes. According to Sefanit (2009), Ethiopian laws does not provide farmers, who are evicted from their private lands, adequate compensation for all harms as it basically prescribed by the proc. No. 455/2005. Article 7/1 of this proclamation stated that a landholder whose land has been expropriated is entitled to compensation for his property situated in the land and for permanent improvement he made in the land. On this basis article 8 of this proclamation stated that a rural landholder whose land is permanently expropriated shall be paid displacement compensation equivalent to ten times the average annual income he secured during the five years preceding the expropriation of the land. The government can also give substitute lands which can easily ploughed and generated comparable income with the expropriated land. The problem is that the type of land is not specified by law. So farmers may receive a substitute land in remote areas which is not accessible for transportation and other social services like schooling and health care services. For urban landholder whose land is expropriated, substitute land shall be provided the size which shall be determined by urban administration and to be paid displacement compensation equivalent to the estimated annual rent of the demolished dwelling house. Article 4/5 allowed concerned bodies with the displacement of the farmers to use police force during evicting the people. Besides Ethiopian laws did not say anything about compensation for communal lands such as grazing lands and forests in which the life of many relied on. (Sefanit: 2009).

people to acquire direct or indirect benefits from the use of the land and to consolidate sustainable socio economic development.

2.8. Review of Related Literature

2.8.1. Human rights Effects of Eviction for FDI

According to Arkebe Equbay (2018), the EPRDF government initially followed Agricultural Led Development Industrialization (ADLI) in its industrial policy. Since Ethiopia is an agrarian country, the government realized that the industrial development can be effective with the implementation of agricultural centered economic activity and industrialization. The government also believed that manufacturing industry is the prime driver of the sustained economic growth and economic transformation. In 2003, in its industrial development strategy, the government emphasized on export oriented industrialization and labour intensive industries as there are enough labour force in the country. Most of the industries are focused on leather and leather products industry, textile, food and beverages, meat processing, cement, steel etc. the EPRDF government considers the private sector, both indigenous and foreign, as an engine of the industrial development strategy. So, the government tried to create conducive environment that encourage the private sectors to play an active role in the development of industrialization. (Altenburg: 2010).

The government planned to boost the economic growth and transformation by attracting foreign investors, especially export oriented foreign investment. The coming of foreign investment means a lot for the country's transformation plan towards development. It will bring new knowledge, skill and technology from which the country will benefit much. The government also believed that private industrial sectors are important to penetrate the global market. The government tried to expand the infrastructure to create an enabling environment for the expanding industries. (UNDP: 2017).⁹ The government used the existence of abundant and cheap labour force as a means of promotion of to attract FDI which exposed the people for exploitation. On the other hand the government claimed that the introduction of labour intensive technologies will help the country to deal with unemployment problems. (Ministry of Finance and Economic Cooperation: 2017).

For the expanding investment, the government is allocating extensive land which is expropriated from the local people. Most of the land that is expropriated is the farmers' land, as the

⁹ The study presented in Abidjan, cote d'ivoire, on the conference jointly prepared by the UNDP and the cote d'ivoire government under the theme of "implementation of plans for emergence in Africa" in March 2017.

investments are found in suburban areas and needs extensive land. This expropriation of lands from the local farmers and allocation to foreign direct investors becomes the cause for the eviction of farmers from their land. It created serious livelihood impact as the tenancy of farmers forced them to resort to sell their labour force for their living. (Sefanit: 2009). The government also setup growth and transformation plans which promote the coming of FDI to Ethiopia as a source of capital inflows and new technology. The government claimed that, it builds industry parks to attract more FDI to Ethiopia. The industry park will increase the efficiency of the manufacturing industries, reduce the costs and increase productivity and competitiveness. (Ministry of Finance and Economic Cooperation: 2017).

In most cases of eviction, it has been reported by the governments that they made this eviction for the good of the country and all the appropriate steps of compensation and resettlement are implemented in cases of the eviction. But, as Oakland Institute (2011) studied the conditions of the displaced communities in Zambia, the compensation that is given to the displaced communities is not adequate to reestablish their life as the previous. Development projects are implemented on the cost of the local community. Based on this study farmers who are without legal title for land or who are dependent on communal lands has no compensation when the land is taken by the state for FDI. Farmers who were evicted from their land for the tobacco farm (a Zimbabwean and British joint venture) in 2002 had two choices as offered by the government, that were, stay in the area and be offered with job in the farm or leave. The compensation was given only for the structures of the land which was only between 100 – 200 US dollars. Sometimes people are evicted without any resettlement plan, for example: in Zambia by June 2011, about 9000 people are evicted from their original settlement without any resettlement plan. (Oakland Institute: 2011). In this case there was even no notice from the government to the victims about the expropriation of their land for investment. It resulted the violation of human rights of the evicted community, especially the right to adequate housing and livelihood. Women and children are seriously affected by this eviction. Because of the displacement, the communities in Zambia faced serious challenge to access social services like schooling and healthcare service.

Eviction in Zambia created food insecurity as it leads interruption of food production. Those who get replacement land needed years to produce the annual yield similar with the previous one.

Those who did not receive any land would produce nothing. So it has an effect on food security. Most of Zambian evictees are given marginal land adjacent with the desert areas. In addition, the eviction resulted in the loss of different historical and sacred places, and creates serious social problems like homelessness in Zambia.

According to Gorgen et al. (2009), in Madagascar investments over 1000 hectare are required to conduct environmental and social impact assessment, but because of weak governance this obligation is not always fulfilled. This can bring serious impact on the local community including the right to housing. In Mali there is a land category called state private land. In this case the community has the right to use only and is secured until the common public interest called for different use like investment. Thus, compensation for displacement is given only for the value added like construction in case of eviction. (Gorgen et al: 2009). According to the national regulation, foreign direct investors are required to conduct environmental and social impact assessment, but practically these are often not done or only after the major construction have already started. In Mali, the Malibya agriculture project and Markala sugar project started their implementation before the environmental and social impact assessment plan as well as compensation for the evicted people does not meet the legal obligation. (Gorgen et al: 2009).

Ethiopia is one of the countries where land grabbing is taken place using investment as a pretext. (Kachika: 2010). According to Oakland Institute (2011), in Ethiopia in the regions of Gambella and Benishangul large number of people lost their livelihoods because of eviction and relocation for investment. It resulted food insecurity and forced the evicted communities to expect food supply from the government, increase the reliance of the community on wage employment and aid, loss of traditional lands etc. According to Oakland Institute (2011), in Gambella, the displacement was made forcefully, although they were told by the local government as the relocation was voluntary. Large tracts of lands where local farmers made shifting cultivation (for three to seven years) and forests which had a lot of economic uses to the local societies such as, for food, medicine, building material, fuel wood and spiritual purposes, were given for foreign investors such as the Indian company Karuturi. Based on the sources of Oakland Institute (2011), in many cases, sectors like horticulture are not requested Environmental Impact Assessment by any office.

In Gambella and Beni shangul there has been widespread loss of agricultural and communal lands. Some agricultural lands in Gambella were even cleared while they were under cultivation. Compensation was issued only for those who have a legal title. No legislation existed in Ethiopia that deals about the compensation of landholding without title. So with this process communal lands were expropriated without any compensation or replacement land which puts pressure on the local people as they lost the land where their economic activities relied on for several purposes. Even, for communities with a legal title for land, the compensation is not sufficient to restore livelihoods and increase farmer landlessness, when there is no land for replacement.

In Gambella, the Karuturi Company claimed that no local people have been displaced. The government also claimed that no one has been evicted from agricultural lands. On the other hand the local people indicated that when the lands were cleared, they lost their communal land where they produced sorghum, maize and nuts. The local people even revealed that their farm lands were taken without proper consultation and notification. They expressed that, “the village was not aware of what was happening until the bulldozer arrived”. According to Mohammed (2015) the Ethiopian Human Rights Commission. received a complaint related to arbitrary displacement from house and land without prior notice and consultation or without prior arrangement for relocating and compensation. Besides the Ethiopian Human Rights Commission., they submitted the complaint to the president and ombudsman to intervene against the eviction. The complaint was that they were not consulted before the land was allocated for investment and the forests were cleared where the life of many relied on. But, the commission failed to investigate the case and to give solution for the victims, which can protect the human rights of the evicted community.

According to Desalegn (2011), the clearance of land by investors which destroy the resources such as woods, grass and other vegetation created hardship to the local community. The people in Gambella were dependent on the forest to survive in the time of drought, however, the clearance of forests after the allocation of this land to foreign investors created fear on the community that they may face food insecurity. In Gambella, the local community were evicted in the form of resettlement. The victims had complains that the new sites were unsuitable for habituation and cultivation. Not only the victims of eviction, but also the local wereda officials were not informed. They were simply instructed to inform to the people after the land was

allocated by higher officials. (Desalegn: 2011). The same problem was happened in Bako when communal lands were allocated for foreign direct investor which destroyed the source of firewood and food for humans and livestock. It also destroyed plants which have religio – cultural value for the local community. (Desalegn: 2011).

CHAPTER THREE

DATA PRESENTATION AND DISCUSSION

3. Introduction

FDI has an important role for the development and transformation of the country. Ethiopia is now working hard to attract FDI. For this purpose industrial parks are constructed in different parts of the country. Two industrial parks are found in Addis Ababa, i.e. Bole Lemi and Kilinto Industrial parks. These two industrial park sites, as they are built mainly for FDI, are the focus of the research. The installation of such projects and FDI must be conducted with respect to the human rights of citizens. So the research will examine the conditions of human rights when the lands were allocated for these industrial projects.

This chapter has two sections. the first section presents the data obtained from different participants by employing the basic data collection method and instruments which were proposed to address the research question, such as in-depth interview, key informant interview, focus group discussion and document review from different sources. In order to find comprehensive data about the human rights conditions of the locally evicted people due to FDI (manufacturing sector), this data is collected from multiple sources: victims of eviction, government officials, and those who are involved in the rehabilitation process in city, sub city and weredas and other civic societies.

The second section mainly discusses the findings of the research from the human rights perspective with a focus on the right to housing and livelihood when people are forced to relocate or evicted due to such investment projects, specifically in the two industrial park sites of Bole Lemi and Kilinto. The discussion is made based on international human rights instruments: ICESCR, ICCPR, and the United Nations Basic Principles and Guidelines for Development Based Eviction and Displacement.

This chapter presents the data about the human rights conditions namely the compensation, resettlement and rehabilitation of the local evicted community due to the land expropriation in the two large sites of FDI i.e. Bole Lemi Industrial Parks and Kilinto Industrial Park.

3.1. The Process of Eviction at Bole Lemi and Kilinto Industrial Parks Due to FDI

Addis Ababa is the largest destination of FDI. The peripheral parts of Addis Ababa are widely used to conduct different development projects. The lands in this region largely served the society as farm land, grazing field as well as living quarters. The livelihoods of the communities in this region have largely been dependent on agricultural economy. The expansion of urbanization to these peripheral areas as well as different development projects, such as opening of industries including FDI, became a cause for expropriation of extensive land from the local farmers with small compensation as per the information from both the victims of expropriation and government officials at different levels. According to informants, the expropriation disturbed the preexisted economic and social systems. (Desalgn: 2011).

The government of Ethiopia built industrial parks in different parts of the country to attract FDI and to increase their efficiency. Almost all of the shades of the industrial parks are leased by foreign direct investors. The two industrial parks are found in Addis Ababa, they are Bole Lemi I and II, and Kilinto industrial parks. These industrial parks cover extensive lands which were taken from the farmers. This study was undertaken in these two industrial parks. The Bole Lemi I and II, and Kilinto industrial parks previously hosted about 346 and 221 households respectively. Bole Lemi industrial parks are located in Bole sub city weredas 11 and Kilinto industrial park is located in Akaki Kality sub city weredas 9 (kilinto Village) and 10 (Gelan Gura village). (Industrial Parks Development Project Report: 2015).¹⁰ The residents and farmers in this region were directly affected by the establishment of industrial parks. Their lands, which were the basis of their livelihood and residence, expropriated due to the industrial parks which brought economic insecurity and housing problem. When their farmlands were expropriated, the farmers, who have no skill other than farming lost their traditional means of livelihood and it brought livelihood insecurity for them. Because the lands of the local dwellers were needed by the government for construction of the industrial parks, the local communities in Bole Lemi and Kilinto sites forcefully relocated to other area in 2003 and 2007 Ethiopian Calendar respectively,

¹⁰ Industrial Parks Development Corporation: Competitiveness and Job Creation Project Report (IPDC: CJCP), Comprehensive need assessment and income restoration and community development strategy for persons affected by Bole Lemi and Kilinto industrial parks, 2015.

where basic facilities were not fulfilled, without proper compensation and resettlement. It created a serious housing problem for the relocated community.

The expropriation of the land from the local society and actions taken by the government have been subject to controversy and debate. The farmers claim that they were forced to leave their land with small payment of compensation which could not enable them to live their life as they did before. The farmers in the industrial sites were compensated about 11 birr per meter square of farmland and later some individuals whose lands were expropriated for the revised plan of Kilinto industrial park compensated about 21 birr per one meter square of farmland. (IPDC:CJCP, 2015). It was not equivalent with what they had before from the products of their farmland. They have also questions and objections against the relocation sites and rehabilitations promised by the government. The region is characterized dominantly by weina dega climate and the major economic activity practiced in the region is small holder farming. It is the most fertile region with higher productivity. Important food crops grown in the region are teff, wheat, beans etc. (IPDC:CJCP, 2015). They also raise livestock as there was enough grazing field. Even before they left their land, when they were informed about the cases of the development project, they had curiosity about their future life. Their fear was that they may face food shortage in the future as their agricultural land expropriated for the development project and as they did not have any skill that enables them to begin a new way of life. They feared that their traditional way of life would be threatened. After the expropriation of their land they faced what they feared, mainly livelihood insecurity and housing problems.

According to informants¹¹ in both FGD and individual interview, before their evictions, the farmers were not appropriately consulted about the investment projects that have been built on their lands. They were simply told that the lands were needed by the government for developmental project, and told to accept this and leave their land. They said that the government officials in the weredas and sub city level gathered them and told that their farmlands and residential areas were needed for the development project: to open industrial expansion and requested to accept the order. On the other hand, the community members in the meeting argued strongly about the effect of the project on their livelihood and social systems. They were promised by the government to rehabilitate them by facilitating secured job opportunity which

¹¹ Demis Beyene et al (FGD), and Eshetu Tullu and Assefa Dabe.

can solve their fear of income insecurity and also promised well developed resettlement area which can alleviate the problem of housing. But, after leaving their lands, they found that the promises were false; the compensations were unable to continue their life as it was before and the resettlement sites were inaccessible and lack even some basic infrastructures. According to informants in both Bole Lemi and Kilinto industrial park the resettlement did not have interior village roads and open ditches, and it resulted in flooding and material damages of the resettled community.

The local societies should be included and need to have their consent in deciding the value of their lands and properties for compensation, in the selection of resettlement sites and in the process of rehabilitation. But they were not involved in determining the value of their land and properties for compensation, the infrastructural and other aspects of the relocating sites, and the forms of rehabilitation after the expropriation of their land. However, the local society, whose lands expropriated for the industry parks, were not involved in determining the level of compensation, resettlement and rehabilitation process. Generally speaking, they were not convinced by the idea that the development project will bring positive development for their living. They simply left the lands as they feared the actions from the government for their opposition of the government order will be harsh and there was also forceful eviction in the Bole Lemi site. According to Ato Eshetu, he and some other community members who represented the community to deal with the government officials about compensation, resettlement and rehabilitation, faced a short time arrest because of the disagreement and told to accept the order of the government to leave the land for the development projects. In fear of such retaliation measures the people leaved their land forcefully.

3.2. Land Expropriation, Compensation and Resettlement

Land expropriation in both Bole Lemi and Kilinto Industrial parks sites were done after the government informed to the community that their land was demanded for development project. The discussions with the community were made in 2002, 2005 and 2006 in Ethiopian Calendar in Bole Lemi I, Bole Lemi II and Kilinto industrial parks respectively. But, the discussion was understood by the community as an order to leave the land. The government completed all the measures that was taken in the process of the land expropriation, about the compensation and resettlement before starting discussion with the community. Victims of expropriation in both

FGD and interviews¹² informed that, although they raised their concerns and tried to make suggestion about the level of compensation, resettlement and rehabilitation, their comments did not included in the compensation, resettlement and rehabilitation plan. The government did not reserve anything to the community to decide or make suggestion when it came to the community for discussion.

All the measures like level of compensation, sites of relocation and the future livelihood of the community was decided by the government alone. The compensation was very small and the process of relocation was not appropriate. The victims of eviction in Bole Lemi industrial parks region were forced to leave their land in the middle of the rainy season and it was made by using the police force. The victims of eviction described that, they were surrounded by the police force suddenly in August 2003 Ethiopian Calendar and forced to remove their belongings from their house and their houses were demolished. As a result many belongings of the community were destroyed by the rainfall and flooding. They also faced destruction of their farmlands under cultivation. One of the respondents, known as Ato Demis told me that “our lands were under cultivation, but before we get the fruits of our labour, the tractors came and ploughed the land, all the effort we spent to prepare the land for cultivation and seeding the land was gone within that single day.” Farmers in Bole Lemi Industrial parks lost about 1.27 hectare of land per each household on average and for Kilinto Industrial park 1.3 hectare of land per household on average. (IPDC: 2015). There was no neutral body like civic society or NGOs, even Ethiopian Human Rights Commission and Ethiopian Human Rights Council, attended the process of expropriating and evicting farmers from their land. The Ethiopian Human Rights Council investigator, Ato Biniyam told me that because of resource limitation the institution did not followed up such cases. In the interview, Ato Adham, the Human rights Study and Supervision Director of Ethiopian Human Rights Commission. told me that, the commission has never follow up such cases and added that the commission usually examines such cases after the appeal come from the victims.

The compensation was also delayed and there were mal practices by the government officials in effecting the compensation, even though the compensation rate is low. The compensation was not enough to continue life as it was before. The evicted in both the Bole Lemi and Kilinto

¹² FGD in both sites, and in-depth interview with Debebe Yami and Eshetu Tullu.

industrial park sites were compensated, for agricultural land, about 11 birr per 1 square meter in 2002 and 2005 E.C. respectively, and later in 2007 E.C. following the boundary revision of the Kilinto industrial park additional lands were expropriated and some of the people in region were compensated about 21 birr per meter square land. They were compensated around six birr one meter square for grazing land. This compensation is an estimation production of the land for ten years. The respondents told me that it is not fair and unjust to pay such amount of money for the land which permanently produce important and valuable crops like teff, wheat and beans. Respondents from the community in the Focus Group Discussion (FGD) from both sites bitterly complained that the central government did not understand and appreciate the sacrifice they made to realize the development project on the one hand and the kind of income insecurity and livelihood vulnerability they are currently faced as a result of this project. According to respondents in the regions, the little compensation that they had was used up immediately for daily consumption or wasted on poorly studied businesses in a blind effort to get new source of livelihood. This wasting was occurred because the compensation was not followed by proper orientation and implementation of income restoration and community development strategy.

There was a delay and bureaucratic red tape in getting land titles (Carta) for the land and houses built in the resettlement site. The major resettlement was made in the Bole Lemi industrial park sites. The subject of eviction resettled in areas called Addis Sefer which is located 5 kilometers away from their original settlement. However, according to all informants in FGD and individual interview, the place was unsuitable for settlement. It is muddy and is found in the lowland areas of the region. So, as they were evicted from their land in the middle of summer, they were exposed for flooding down to the lower land and they exposed for losing many properties because of the resettlement. The resettlement site is situated in lowland area and water drained to this region from the higher grounds became a cause for flooding and destruction of their belongings. The muddy nature of the region also became obstacle for their mobility and communications at that time. Lately, seeing their problem the government cooperated with The World Bank and built cobble stone roads and open ditches for drainage. Besides, they get an access for better public services like piped water, electricity and the like which they did not had before. It is only about 15 households resettled to new sites due to the Kilinto industrial park project. 10 of these 15 households were resettled in the place called Addis sefer in wereda 9. The site is undeveloped; it did not even has basic social services and infrastructures such as roads,

drainage and electricity. In addition, the place is exposed for flooding because it had no drainage system, water from the surrounding areas drain to this region which made the life of the settlers hard. The remaining five households were resettled in well-developed infrastructural areas called Yeshe Debele, Total; found along the Addis Ababa – Debrezeit main highway. The remaining dwellers around the Kilinto region are also left in uncertainty of their fate in the future. They have the fear that they may also face eviction due to such investment projects in the future.

3.3. FDI Impact on the Livelihood of People Affected by Land Expropriation

Land had been the most important asset and the base of livelihood of the community before their displacement by the project. Of all the impacts of the displacement due to the project, losing land is the most critical one. They lost their land permanently and it brought fundamental problems in their livelihood. Many farmers in the region lost the whole agricultural land and became jobless. Since the livelihood of the people who were affected by the project was dependent on agriculture before the displacement, the loss of land of this magnitude can be a major risk of impoverishment and food insecurity unless adequate and timely livelihood and income restoration measures taken. Because most of the family heads have no formal education or only have some elementary education, they faced a challenge in finding new jobs after losing their lands.¹³

Before the displacement, the livelihood of the people was dependent on mixed crop and livestock agriculture. Their main productions were teff and wheat. The average productivity yield estimated for this regions are 14 quintal per hectare for teff and 20 quintal per hectare for wheat. (IPDC:CJCP: 2015). According to respondents, they never faced drought and crop failure until their lands were expropriated by the government for these projects. Besides agriculture, they had no other economic basis for their livelihood. So, for the community who almost was exclusively dependent on agriculture and who did not have any additional skill and education, losing the lands means everything for them. Ato Assefa informed that they faced problems of livelihood after the expropriation of their land, especially the eldest and women who could not engage in at least in labour works faced serious problem of livelihood as they were totally dependent on their

¹³ Debebe Yami and Degefa Beyene: in-depth interview.

land before the land expropriation. According to the assessment conducted by IPDC:CJCP (2015), the large sections of heads of the households, whose farmland is expropriated for these investment projects, have no skill other than farming. It raises serious concern about their capacity and preparedness to make a transition from agricultural led economic system to urban industrial/commercial way of life.

Because of a limited employment opportunity in the country, people who are affected by the investment project feared about the future of their family and children. Ato Assefa, from the Kilinto region, told me that “Previously we had a tradition to give some plot of land as a livelihood basis and as residential area for the family members when they reach the age of establishing family, but now our land is expropriated, the compensation money is exhausted and we have nothing to share for our sons and daughters.” The community raised this concern for the government officials and the government promised to give residential areas for sons and daughters of the community, whose land is expropriated, above the age of 18 and promised to create a job for them. But later the residential land was given only for married and it brought opposition by those who were single. They exhausts this question to different government offices step by step but failed to get response until now.

3.4. Investment, Job Creation and Rehabilitation

One of the main benefits of expanding industries in Ethiopia is to create job opportunity for the unemployed section of the society. This will play important role for the rehabilitation of the farmers who lost their land due to the investment project, if it is managed effectively and properly by the concerned body. It will help in restoring the livelihoods of the local community who detached from their traditional economic means, and to transfer new knowledge and skills for Ethiopians. The construction of industry parks and attracting FDI was planned in the beginning to create temporary and permanent job opportunity in construction and employment in the industrial enterprises located in the industrial zones. The Bole Lemi industrial parks created job opportunities, although it is limited, for the evicted section of society to work in the gardens of the industrial park and as permanent employees in the textile and leather industries in the park. The manufacturing industries operating in this industry park are FDIs such as, New Wide Garment (India), George Shoe Ethiopia (China), Arvind Lifestyle Apparel Manufacturing (India), Vestis Garment Production (India), Jay Jay Garment (India), Lyu Shuotato Factory

(China), Evertop Sports Wear (China), C & H Garment (China), Shints ETP Garments (South Korea), KEI Industrial Engineering Consultancy (South Korea) and Ashton Apparel Manufacturing (India).

Especially women in the young age are employed in these garment and leather industries. However, the employees strongly complained that the payment is very small and they claimed that they faced labour exploitation. In the attraction of FDI, the Ethiopian government frequently heard to say that the existence of cheap labour as a good opportunity for the foreign investors to invest in Ethiopia. So it is the government system and policy which exposed them for labour exploitation. Ato Gizachew, a Social Development Expert of IPDC:CJCP commented that the opposition raised against the wage/salary is because of the Ethiopian government did not develop wage standards for the jobs in the industries. Others who did not get an access to job in the factories of the industry park complained because it created job opportunities for few sections of the society and it did not create any job access for the uneducated sections of the local community. Respondents told me that even they can't get an access to jobs like guarding, because this job required some educational background and the employment in this sector are made via security agencies. The security agencies required educational background in hiring employees and did not prioritize those who faced livelihood insecurity because of the expropriation of the land for the industry park. These factors brought job insecurity for those who lost their farmland for the construction of the industrial project.

Ato Solomon, Customer Service Expert of Bole Lemi industrial park, said that from the displaced community, those who have an access to job in the industry park also questioned the knowledge and skill transition of the investments to the local people. This is due to the factories having different sections and workers in these industries are given specific tasks, so they can't develop full-fledged skill and knowledge about the entire process. The foreign direct companies operated in Bole Lemi industrial park are garment and leather industries. Suits and different types of shoes are producing in the factories by the foreign direct companies. These productions have different specific tasks and employees are given specific tasks to accomplish. This means the employees cannot generate full-fledged skills about the entire process of production.

The Kilinto and Bole Lemi II industrial parks are under construction and created limited and temporary job opportunity for those who lost their land due to the industrial park to work as a

labourer. However, there are potential foreign direct investors registered to operate in these industrial parks. Such investments in Kilinto are Domina Pharma from Syria, Africure Pharmaceuticals from Mauritius, Zee laboratories from India, Eva Pharma from Egypt, Intrade Company from United Kingdom, Long Life Pharmaceuticals from the joint investors of Syria, Yemen and China, Glocare Labs from India, and Unival and Zaf Pharmaceuticals from a joint investors of China and Ethiopia. There are also foreign direct investors registered to operate in Bole Lemi II industrial park, such as Australian Suida International Group from Australia, Souflet Malt Ethiopia from France, Tomonius Japanese Zone from Japan, and Dongguan ZhiMei Shoes from china. The above data showed that the industrial parks are almost totally leasing by the FDIs.

Besides the limited job opportunity created by the investments made in Bole Lemi industrial park, the foreign direct investors are not taking part in the rehabilitation process of the farmers. Ato Legese, a supervisor in Addis Ababa farmers' rehabilitation project office informed that the government did not approach the foreign direct investors to participate in the livelihood and income restoration process of the displaced farmers.

The transition of the livelihood of the community affected by the project needs special attention by the government, the investors and other NGOs. Before giving the compensation the government should give special trainings about saving and other means of livelihood besides agriculture, and should support the community's livelihood transition. But they were not given adequate training about saving and livelihood transformation, and there was no follow up of the community's livelihood transition. In giving the compensation, the government should regulate the compensation for a better livelihood transition of the people and must follow up and support the livelihood transition process of the people. But they did not get any supervision and support in their transition to new form of life and livelihood. Some respondents told me that they spent the compensation on ill studied business in finding alternatives livelihoods to survive. Some others tried to get income generating activities like house renting, wage labour, trade etc. but they can't generate an income which is equivalent with their income before the expropriation of the land. In this process of livelihood transition, they did not get timely support and follow up from the government and other concerned bodies. According to IPDC:CJCP assessments conducted in 2015, there were also many households who remained with no alternative

livelihood after the expropriation of their land which brought income and livelihood insecurity. Because the community did not get any training and follow up about saving, even some of the evicted people exhausted their compensation money for feast and in other social affairs extravagantly and now found in a serious economic crisis.

Lately, in 2009 E.C., the Addis Ababa city government administration established a rehabilitation project office for farmers displaced due to developmental projects. This project office was established to restore the livelihood and income of the displaced community, to give psychological support and to sustainably follow up of the rehabilitation process. It was established to create smooth transition, although it is late, to new form of livelihoods and new ways of life. In collaboration with weredas and sub city administrations, the project office tried to identify the sectors that will rehabilitate them and asked the interests of the community who lost their former livelihood because of the investment project. Based on the interest of the community the institution tried to create cooperative business for them. Most of them were interested in urban agriculture like dairy livestock raising and fattening cattle.

Accordingly, in collaboration with the World Bank, three urban agricultural shades were constructed in Bole Lemi region to accommodate 35 individuals in dairy farming activities. 30 milk cows were bought and distributed to the three sheds. To keep the health of the cows, veterinarians were also hired by the government. But according to Ato Gizachew, the number of individuals participating in this business declined from 35 to 12 within two years. This was due to the less interest that the individuals have working in cooperatives. Ato Gizachew commented that special training must be given to the displaced people about cooperatives, hardworking and productivity. In livelihood restoration schemes in Kilinto region, five urban agricultural sheds were constructed two years ago, but were not handed over to the community for use. Generally, many of the people affected by the investment project, especially the elderly and women family heads did not get alternative livelihood and the rehabilitation project office was not effective in restoring the income and livelihood of the people who lost the land for the investment projects. Ato Sraw and Ato Regassa, researcher and core process head of the farmers' rehabilitation project office respectively, commented that the failure was because different concerned offices of the government lacked coordination in applying the rehabilitation plans and procedures. In

addition Ato Girma¹⁴, a rehabilitation project office head in Bole sub city wereda 11, stated that among other factors, the workers in the rehabilitation project lacked commitment to follow up and implement better rehabilitation strategies for the community.

With the expropriation of their land, the farmers were promised by the government for a better job opportunity, better life style and secured income. But, according to informants in FGD, none of the promises are materialized. With the establishment of the Addis Ababa Rehabilitation Project Office for Displaced Farmers Due to Development, they were again promised to get a better life but since then nothing has been done by the project office. Victims of eviction commented that this is a false promise. According to Ato Siraw, a researcher in the rehabilitation project office, recently their office is developing a revised proposal to study the situations of the relocated farmers due to the investment projects to help the community in their livelihood transition. The office is also planning to involve foreign direct investors in the rehabilitation process of the farmers.

Due to the limited alternative employment opportunities with inadequate and unsecured income flow, in both FGDs and individual interviews, the farmers key concerns is livelihood insecurity in their transition from agriculture to new form of livelihood. Before they were displaced they were dependent on their land for their consumption and even they had some products to supply for the market. But now after their land expropriated, they are dependent on the market with the high inflation for their consumption and for every basic needs and wants. According to the assessment made by the Competitiveness and Job Creation Project (CJCP) under IPDC (2015), the life of about 70% of the relocated households in Bole Lemi industrial zone is worsened when it compared with their life before the land expropriation. Only 6% of the relocated households showed improvement in their standard of living. This indicates that the farmers' livelihood transition is not properly supervised by the concerned government and non-governmental bodies.

3.5. Social Problems caused by the Expropriation of Land

Displacing the people from their ancestral land created disruption of their social systems like Edir, Mahber and the like. Although the resettlement was made to similar places, according to informants in the Bole Lemi industry zone area, it lacks a follow up and support by the

¹⁴ Head of Labour and Community Affairs Office of Bole sub city, wereda 11.

concerned bodies and there are some individuals who exhausted the compensation payment in inappropriate area and finally lack the capacity to build their houses and to reestablish their life. So, they left to other region which detached them from their previous social and cultural ties. In Kilinto industrial park there are 15 families resettled to new area. The resettlement was made in two different sites. Ten families resettled in one area called Addis Sefer and the remaining five families in another area called Yeshe Debele Total. Now, they are totally detached from their previous social and cultural ties. (IPDC:CJCP: 2015)

Evicted farmers due to the investment projects in Bole Lemi and Kilinto region are affected by psychological and physical problems¹⁵, especially those who are aged and those who did not engage in any works after their land was expropriated. They are now spending their days either by sleeping or by drinking local drinks like tej which has brought serious physical and social problems. According to Ato Girma the farmers now spend their days by talking about their expropriated land and even after many years of loss they still show anger and despair. In addition, because they are jobless, they faced physical and other problems. Because they are idle they faced problems on the general wellbeing of individuals.

In addition to this, in the Gelan Gura (wereda 10 of Akaki Kality sub city) region the construction of the Kilinto industrial park became the cause for blocking their ways to the nearby church. The road was built by the community effort and now blocked by the industry park. It became a challenge for them to go to the church. Now they have to make a route which took hours to go to the church. Ato Eshetu Tullu told me that “we faced problems as the road which was built by the community to the church was blocked by the investment project of Kilinto industrial park. We are now forced to make a long route to go to the church. Especially when we go to cemeteries (grave yards) for burial, it is challenging to make a route which can take more than an hour.” This shows that, the Kilinto industrial project became the cause for the disruption of the social settings of the society.

¹⁵ Girma Gonfa, Head of Labour and Community Affairs and Rehabilitation Project of the farmers displaced due to developmental projects of Bole sub city, wereda 11.

3.6. The Land Expropriation from Human rights Perspective: the Right to Housing and Livelihood

Before the expropriation of the land, the government was expected to conduct impact assessment of the project on the target section of the society, to check the accessibility and infrastructural development of the relocating site, and need to secure the human rights of the people who are affected by the land expropriation. But practically there was no comprehensive study conducted on the impact of the project in Bole Lemi I and the subjects of land expropriation were faced human rights violation in different aspects. They, farmers of the Bole Lemi I site, were forced to leave their agricultural land and habitats by means of force in the middle of summer. Their belongings were damaged by the rainfall as the season was rainy. In addition their farm fields which already seeded and growing were destroyed by the government when their land was expropriated. Later the government made an Environmental and Social Impact Assessment (ESIA) in Bole Lemi II and Kilinto industrial park sites. (Ministry of Industry: 2014). But, it did not materialize and the government did not implement mitigating measures to minimize or to avoid the negative impacts of the industrial project on the community. The data generated from both industrial sites informed that the resettlement was made in places which exposed the resettled community for flooding which made their life challenging. The above data showed that the government did not conduct an inclusive and comprehensive assessment on the impact of the industrial project on the people and did not apply any strategy to protect the housing and livelihood right of the farmers.

Before expropriating the land, the government was also expected to fulfill human rights standards outlined by the international human rights conventions and the UN guideline. Such as delivering appropriate notice to all potentially affected people and conduct public hearings about the proposed plans and alternatives for them, effective dissemination of information about the land records and on the proposed comprehensive plan to protect vulnerable groups, to facilitate the meeting for public review, comments and opposition on the proposed plan, to facilitate the provision of technical and legal advices for affected societies about their rights and options, and to prepare public hearings with the affected people to challenge the eviction decision or to propose other alternatives and too deal with their demands and development priorities. (UN Basic Principles and Guidelines on Development Based Eviction and Displacement: 2007).

However, the government did not fulfill almost all of these elements. Although the government notified and gathered the people to inform about the developmental project, but it was subject of opposition. The victims of land expropriation informed that the government did not fulfill what the officials told when they had a meeting with the people and said that it was a false promise. With holding a meeting with the affected people, the government did not take into consideration any of the comment made by the community about the compensation, the sites of relocation and their future livelihood. They said that it was already decided by the government and it was a simple order to leave the land, and in fear of the government action they left the land. It means they were forcibly removed from their ancestral land without informed consent. The government also did not facilitate technical and legal assistances for the affected people before the land expropriation was made to know about their rights and options. These showed that the government violated the human rights of citizens, the right to housing and livelihood, when the land allocated for the investment project which mainly prepared for FDI.

The land expropriation for the investment projects in both industrial park sites, Bole Lemi and Kilinto, was made after discussion was conducted with the local community about the industrial park project. According to informants in both FGD and individual interviews, the victims claimed that the discussion was one directional. It was just an order to ensure the community to leave the land. They added that, although they tried to raise some opposition concerning compensation, resettlement and rehabilitation, the government response was not appropriate for their questions. Based on this data, the action of the government followed in the process of land expropriation was not compatible with international human rights standards. When the land expropriation was made, the government use the police forces and many belongings of the community were destroyed. There was no any neutral observer, even the Ethiopian Human Rights Commission. which is financed by the government, found in the sites when the people forced to leave their ancestral land. ICCPR (1966) stated that the government must ensure that no one is subjected to violence or arbitrary deprivation of property or possession as a result of demolition. Victims should have also to take as many belongings as possible during eviction. But what happened in the study sites, especially in Bole Lemi industrial park, was different from this. They were forced to leave their land in the rainy season suddenly and they were not ready to relocate. There was a use of force and destruction of belongings by the government force in addition to destruction caused by the rainfall. The UN Basic Principles and Guidelines on

Development Based Eviction and Displacement (2007) outlined that eviction should not take place during bad weather, but they were evicted in the rainy season which destroyed many belongings and their seeded farm fields were also destroyed. After their eviction in both resettlement sites, Bole Lemi and Kilinto, the victims faced flooding. These actions are against the human rights principles for the people who are displaced or evicted due to development project.

3.7. Remedies from human rights perspective: Compensation, Resettlement and Rehabilitation

The farmers were not participated in the valuation of their lost land and dwelling houses for the compensation.¹⁶ The compensation amount was brought by the government with no flexibility and it was not also equivalent with what the victims lost due to the land expropriation for the investment project. For the most fertile and productive land which can produce different types of food crops like teff, beans and the like, evicted communities in Bole Lemi and Kilinto sites were payed about 11 birr and 21 birr respectively per square meter for ten years production. And the expropriation was made in 2003 and 2007 E.C. respectively. According to the FDRE proclamation No. 455/2005 the compensation shall be paid for farmers with amount of ten times the average annual income he/she secured during five years before the eviction. With this procedure the government payed about 1.1 birr for Bole Lemi farmers and 2.1 birr for Kilinto farmers per square meter for annual production. This is too little for the community who lost their permanent means of livelihood. Because of this most of the victim's life were deteriorated after the land expropriation. Some of them even failed to build their houses. This is the violation of the livelihood rights of citizens which is part of the human rights.

In addition to this, the compensation was not regulated by the government. The community did not get any special training to use the compensation payment effectively in transforming to new forms of livelihood other than farming. The government simply gave them the money and they exhausted the money in different areas without proper management. This is against Article 11//1 of ICESCR as it outlined the right of human societies for adequate standard of living and continuous improvement on living condition. The government should facilitate business plan

¹⁶ The data gathered from both FGD and in-depth interviews with Eshetu Tullu and Debebe Yami.

with basic trainings to rehabilitate them in their transition to new form of livelihood. But because the compensation was small and the government did not assist them in properly managing the compensation, their life deteriorated in place of improvement. The government did not also ensure the security of tenure. They were not supported by the government to secure the sustainable development of their life.

The resettlement locations were chosen by the government in both sites. Although the community had the right to alternative land with better quality, accessibility, affordability, habitability and suitability of the location, farmers were not consulted to choose better alternative place for the resettlement. The resettlement places that prepared by the government were not suitable, accessible and habitable. The sites were not developed by at least basic infrastructures and municipal supplies. The resettlement sites were exposed the community for flooding because it lacked open ditches. The resettlement in Bole Lemi was made during the Keremt (rainy season) in a place characterized by a lowland area, so water drain from the upland to this settlement became the major problem of the community as it caused flooding. It deteriorated the life of the resettled people. All the resettlement measures should be completed by the government before the movement of the evicted community from their original settlement. (Fact Sheet No. 25/Rev. 1: 2014). However, the resettlement sites were not prepared for settlement and were not accessible and it had not even most important basic services and infrastructures. The resettlement should not affect the established social systems and should not separate the community and families. But the resettlement from Kilinto industrial park site were made in two different places and it separated 15 households from the community and their established social systems. It affected their socio – economic system and detached them from their social and cultural setting.

Following the resettlement there should be social, psychological and health care services that must be delivered by the government for the resettled community, and there must be a government follows up on the conditions of the community's livelihood and other aspects in their new setting. After resettling them in the new sites, the government should provide an alternative means of livelihood as their traditional means of livelihood was gone with the expropriation of their land by the investment project. But the government did not provided any significant opportunity to form a new form of livelihood after the resettlement. Although the

government promised much to transform their life to a better form when they were told about the development project, it did not materialized with action except some efforts made for the rehabilitation of the farmers with the involvement of the World Bank. Especially uneducated individuals and vulnerable groups such as elderly and women were not even considered in the little rehabilitation action made by World Bank project. Generally there was no as such income restoration strategies implemented for entire communities. Because of this the farmers affected by the industrial park projects faced income insecurity and livelihood vulnerability.

Because of lack of proper and timely rehabilitation measures, many of the victims of land expropriation exhausted the compensation payment in ill studied businesses or in other expenditure. So their life deteriorated and they faced challenges to survive with the existed economic system. They lost their permanent income earning resource and faced challenges to survive. The jobs created by the factories in the industrial park are not enough to restore the income of the affected community as it provides jobs for small number of individuals from the community and even it was complained by the workers as labour exploitation because they are working by small amount of salary. And it is only some of the relocated family members who are working in the garden of the industrial park. Those who do not have some educational background failed to access job in the industrial park. Investing in the lands of the farmers, the foreign direct investors are not participating in the rehabilitation process of the farmers except creating the job opportunity to few members of the community with low payment.

In 2009 E.C. Ethiopian government established a rehabilitation project for displaced farmers due to eviction. But this project did not bring significant change and development for the relocated communities. Different offices of the government failed to coordinate their activities to restore the income and livelihood of the peoples affected by the industrial park projects. The concerned government offices lack commitment to make a sustainable follow up in the transition of their life and livelihood and to give timely measure in protecting them from livelihood insecurity and vulnerability. Some of those who are affected by the land expropriation, especially the elders faced health and physical problems because of their detachment from their former means of livelihood and they become idle. They failed to get timely healthcare and psychological support from the government. According to Ato Girma, the rehabilitation project officer in Bole Sub city weredas 11, the number of individuals who are crippled and lay on bed, and who are dying

increased after the land expropriation. And they are not getting health and other supports from the government.

Generally speaking the land expropriation of the farmers in Addis Ababa for industrial parks, mainly for FDI, became a cause for human rights violation such as the right to housing and livelihood of the local people whose land is expropriated. The local people faced involuntary relocation from their original settlement to a place where basic facilities were not fulfilled and in some cases which detached them from their social and cultural settings. They leave their productive and fertile agricultural land with small compensation and inadequate preparation for new form of livelihood which brought income and livelihood insecurity for them. The government and the foreign direct investors did not made significant intervention to solve these problems of the farmers.

CHAPTER FOUR

IMPLICATION OF THE LAND EXPROPRIATION PROCESS ON THE SECURITY OF TENURE AND HOUSING

4. Introduction

The previous chapter presented the data gathered from different sources and discussed it in connection with the international human rights standards. The chapter discussed mainly the government actions in the expropriation of land due for FDI and the challenges faced and reaction of the victims of land expropriation. It discussed about the right to housing and livelihood as human rights and examined the government's practices to protect these rights in regards to compensation, resettlement and rehabilitation. The data showed that the land expropriation process exposed the victims to livelihood and housing crisis. It means the land expropriation for the purpose of constructing industrial parks, mainly for FDI, became a cause for the human rights violation of citizens.

The practices of the government in protecting the livelihood and housing rights of citizens are questioned by the victims and even by some of the government officials. As the country is still working hard to attract FDI and trying to satisfy the demands of foreign direct investors for extensive land use, there will be similar incidents of land expropriation and eviction that will happen in the future Ethiopia. If it happens, more social and human insecurity will occur and it will bring serious problem on the livelihood and general wellbeing of citizens. Based on the previous chapter data and discussion, this chapter presented the implication of the land expropriation on the security of land tenure and food security, and the security of housing and social security of citizens in Ethiopia. It also presented some mitigating measures that should be taken by the government to protect citizens from human rights violations and human insecurity.

4.1. Implication of Land Expropriation on Security of Tenure

Ethiopia is largely resided by agrarian community. Most of the farmers have practiced a subsistence form of mixed farming with predominant crop production and livestock husbandry. For these communities, land is the most important resource. Land is the main asset and source of livelihood for the farmers. It is an essential element which is important to realize the human rights, such as civil and political rights, and economic, social and cultural rights. Land is a vital source of income and securing access to land provides a valuable safety net as source of food, livelihood and shelter. For small holder farmers land is a prerequisite for the realization of human rights. Farmers' lives are mostly tied exclusively with their land for both livelihood and shelter. In the rural parts of Ethiopia, land is a source of livelihood and means of enjoying many of social and economic rights, Such as the right to housing, adequate standard of living, food, work etc. For farmers, access to land is an essential element for socio – economic development and food security. (Demelash: 2016).

Ethiopian small holder farmers mainly practice a rain fed agriculture and mostly produce once in a year. It is these farmers who supply surplus production, mainly food crops, for the urban dwellers. These farmers are the backbone of food supply for the nation. So, expropriating the lands of the farmers for investment without proper mitigating measures, such as livelihood and income restoration, will result in livelihood vulnerability of the farmers and will also cause food insecurity and inflation in the country. As it allocated productive agricultural land for the investment projects, the government should develop alternative options for the food supplies of the market in addition to preparing livelihood and income restoration of the farmers to protect the people from shortage of food or generally termed as food insecurity which could be a challenge for the country to attain food self-sufficiency. In recent period, we are witnessing the large scale starvation of Ethiopians and the call of the government for the international community to deliver immediate food aid for millions of Ethiopians. In the last decades, Ethiopia is facing recurrent drought and famine which became a cause for the starvation, disease and death of many people. In most cases, when Ethiopia face such drought and famine, it is dependent on international food aid to coup up the problems. This showed that Ethiopia has a problem of food self-sufficiency and shortage of food reserve to alleviate the food crisis. Allocating most productive lands for investment will further aggravate the food insecurity and it

will retard development and worsen the life of citizens. (Desalegn: 2011). So the government need to first ensure food security or to develop alternative means for the food supply before expropriating farmlands for investment, which is essential to create smooth and mutual development of the community.

In promoting development, the government of Ethiopia is allocating extensive lands for both local and foreign direct investors. Especially these days, foreign direct investors are coming to Ethiopia in a large scale and investing in different sectors. To meet the demands of the investment, the government of Ethiopia is largely allocating rural and semi-rural lands for the investment projects which often results in the displacement of farmers. It brought serious socio – economic challenges on the farmers who are dependent on their land for producing different types of crops and also for grazing their livestock. The right to food and livelihood of farmers are strongly tied up with access to land. As the data presented in chapter three showed, it is the most fertile agricultural land which can produce important crops expropriated from the farmers and allocated for the investment project without prior and informed consent of the landholders. It erodes the constitutional guarantee of protection of farmers form arbitrary eviction, and violated the security of tenure of the farmers. It brought livelihood insecurity for the victims of expropriation because the government did not provide the farmers with the necessary livelihood and community support for rehabilitation. It is evident that the government of Ethiopia has become the main actor in dispossessing the small holder farmer in the form of ‘public purpose’ to lease the land for local and foreign direct investor.

The level of compensation for the lost land, the relocation sites facilities and livelihood restoration process are at the center of opposition by the victims. The given compensation is not enough exchange for the person who lost the permanent means of livelihood and it doesn’t mean livelihood restoration for the victims of expropriation. Simply giving compensation cannot solve the livelihood crisis of the farmers as they lost their permanent economic basis. So, to protect citizens from such insecurity the government should give another agricultural land in exchange, if there are available land, or should help and supervise the community in the livelihood and income restoration process. The government must prepare alternative means of livelihood and enough job opportunity for the victims of land expropriation. Unless the government conduct

these mitigating measures, it will lead to social and economic crisis on the community and would result in social crisis and overcrowding of urban centers.

The failures of the community to live their life at least as they did before created insecurity and led them to resentment. Recently we are experiencing public opposition by the victims claiming proper compensation, better facilities in relocation sites and enough job opportunity. And even in some cases we witnessed destruction of investment projects by the local communities as they develop grievances in the process of land expropriation and the lack of mitigating measures. So primarily, the government must ensure that the investment projects will not affect the life and livelihoods of the farmers, and if it happens, the government must prepare attainable and appropriate mitigating measures that will alleviate the problems of the farmers who are affected by land appropriation for investment.

Government's decision relating to large scale land deals and expropriations need to take into consideration the life of small holder farmers who are exclusively dependent on the land for their living and who do not have any skill or educational background besides farming. The government should also devise a mitigation measure to protect the vulnerable groups like women, children and the elderly in the process of compensation, resettlement and livelihood restoration process. The data in chapter three showed that the government did not engage in genuinely consulting the farmers and failed to address the concerns of the community that emerged from the consultation process. The farmers were concerned about the loss of the land, fear of livelihood crisis in the future, the accessibility and infrastructural development of the relocation sites and in some cases their detachment from their social and cultural settings. The failure of government to meet the demands of the victims of land expropriation will be a challenge to get the cooperation of the community for developmental projects. For instance the recent opposition against the Koye Feche condominium and other developmental projects of the Addis Ababa region is caused by, among other factors, the resentment that the community developed due to inappropriate compensation, resettlement and rehabilitation. So, the government should take the comments and suggestions of the community into consideration in its actions and decisions to get cooperation of the community in conducting the developmental project, and in order to create smooth relationship between investors and the local community.

The local farmers, victims of land expropriation, must be requested for free and be prior informed consent before the government allocate the land for the investment project. Both the government and investors should also genuinely consult the local community and must practically ensure that the investment could create enough job opportunities with appropriate salary which will help the rehabilitation process for the people who lost their land due to the investment. The consultation is important to identify the socio – economic adverse impact that may result from implementing the developmental project in terms of making an overall assessment on the settlement, livelihood and infrastructure of the community, and in order to devise an attainable resettlement and rehabilitation plan to minimize the negative impacts of the investment project on the community. The investors have to give priority for those who have lost their means of livelihood due to the investment in accessing jobs in their industries with appropriate salary which can help them restore their livelihood and need to involve in infrastructural and social investments for the community. The investors should also involve in the rehabilitation process of the community who are affected by the investment project by facilitating trainings of managerial and technical skills which could enable them to engage in different income earning economic activities other than farming which can help them in restoring their livelihood.

Consultation of the local society, ensuring mutual development and helping them to rehabilitate including the job creation are important means of creating smooth relationship with the local community. It will enable the government to get the cooperation of the local community for the development project. (Kachika: 2010). But, the consultation should be genuine. As presented in chapter three, the major factors that exposed the victims of expropriation, small holder farmers, for livelihood vulnerability and other problems are the lack of enough job, poor quality of job with small amount of wage and false promise made by the government and the foreign direct investors. In both sites of the study, the government promised to create a better job opportunity, a better livelihood and resettlement place. The failure of government bodies to materialize their promise became a cause for the communities' livelihood problem and they faced expectation crisis. So the government has to be emphasized on mitigation measures promised and proposed for assets and income restoration that should be implemented with higher degree of accountability and transparency.

In addition to this, the government should protect the local farmers from land grabbing. The government must prioritize the security of its citizens over the interest of the foreign direct investors. According to Kachika (2010), foreign land grabbing is more critical than local land grabbing, because of the legal commitment that the government engaged to protect the FDIs and incentives facilitated by the government to attract more foreign direct investors. According to Desalegn (2011), Ethiopia has an investment program which favours the foreign direct investors. Huge tracts of lands are allocated for foreign investors without adequate preparation and consultation of the local people, who are directly affected by it, in different parts of Ethiopia. So the government must be critical about the life of citizens in its actions and decisions concerning land allocation for the foreign direct investors and need to revise its policy of favouring foreign direct investors on the cost of citizens.

Generally, the allocation of farmlands for developmental project will cause problem on the security of land tenure. The most adverse socio – economic impact is dispossession and displacement of farmers from their agricultural land. Expropriating the most productive land for the purpose of investment will cause livelihood insecurity and it should be managed well in protecting the community from deterioration of their life and vulnerability. Allocating farmlands for FDI without the consent of the farmers which will pose a threat on the sustainability of rural economy, livelihoods of peasants and food security, means favouring foreign direct investor on the cost of the local community. Article 40/4 stated that Ethiopian peasants have the right to ownership of agricultural land without payment and has the right to protection from eviction. The expropriation of farmlands and allocation for developmental project without prior consultation and informed consent of the farmers is unconstitutional and is the violation of livelihood rights of the farmers which is part of the human rights. So the government should give priority to its citizen's security of tenure when it planned to expand investment and to allocate the lands for investment.

Ensuring tenure security is important to protect the community from arbitrary eviction and secure their right to use over the land. Tenure security ensured the landholder to physically possess the land, to cultivate the land and to use the fruits of the land permanently. Without security of tenure, the landholdings of the community will be threatened or it can be lost due to eviction. Under insecure tenure, households and families are considerably failed to secure

sufficient food and enjoy sustainable livelihood. It will intensify the food insecurity and will become the cause for marginalizing the smallholding farmers and will create sense of insecurity. So the government should protect citizens from insecurity by ensuring the right to access land and protection from arbitrary eviction.

4.2. Implication of Land expropriation to the Right to Housing

The right to housing and protection from forced eviction are the basis of the human rights. It is outlined in the international human rights covenants and declarations such as the UDHR, ICESCR and ICCPR as a basic human rights. These covenants stress on the recognition of the right of everyone to adequate standard of living including food, housing and the continuous improvement of living conditions. Housing is the most important basic need of human beings. Any development project of the government must consider the housing rights of the people who live in the proposed land who will be the subjects of expropriation. The government's policy of attracting FDI and allocation of extensive lands for the investment should not violate the housing rights of citizens. The data presented in the previous chapter manifested that the land expropriation in Addis Ababa due to the investment project became the reason for the eviction of the local societies from their original settlement and resulted housing problem for the community.

The relocation should be compatible with the international human rights standards. Before expropriating the land, the government should consult the local people for their consent and by using the feedback of the community the government need to prepare relocation plan. The relocation plan must consider the infrastructural development, accessibility, habitability, and public and community institutions like schooling and health sectors of the site. The government must give enough time for the community to relocate to the new site with as many of their belongings as they can. In addition, the government need to monitor the resettlement process and the housing conditions of the community during and after the resettlement process and should give attention to vulnerable groups such as women, children and the elderly. The government should consider the right to adequate standard of living and the right to development of the living condition of its citizens.

The data presented in chapter three showed that the government did not consider the rights of the community when it forced them to leave their land. The concerns and comments of the community about the relocation site and compensation for their demolished houses and materials did not considered by the government. The government prepared the relocation plan before communicating with the community and did not leave any room for the comments and concerns of the community. The relocation sites had no enough infrastructure like roads and open ditches, and the relocated people have been exposed to flooding and other related problems. Early dislocation of people, who are affected by the investment project, by the local government bodies without sufficient preparation for compensation and resettlement created resulted in the loss of property, assets and income generation. There are cases of displacement which showed the relocation of people from their original setting in rainy season due to FDI. It became a cause for the destruction of different belongings of the community. These violation of the right to housing and other factors led to a widespread opposition against the government. As it noted in chapter three, the people in the study sites were not willing to leave their original settlement, but finally evicted by means of force.

In other parts of Ethiopia, like Gambella, the same process of involuntary relocation was made. The government conducted a resettlement program to other place due to FDI without prior and informed consent of the community. (Desalegn: 2011). The people called it a clearance program, what they were offered in exchange for their land were a resettlement site which they said was unsuitable for cultivation and habitation. Generally, the government is committing involuntary relocation and resettlement due to FDI and other developmental projects. It showed that the government is violating the human rights of citizens in its attempt to expand investment and industrialization. It resulted in human rights violations and social crisis. The recent opposition in Addis Ababa and its surrounding, among other factors, is caused by the expropriation of land for the expansion of urbanization and industrialization without proper mitigation measures. Because of this, they are not cooperative for any developmental project conducted in the region.

Relocating people from their ancestral land will also bring disruption of the social and cultural ties of the community. The relocation of people will detach them from the community with whom they had social and cultural affairs, and from their ancestral land where it will have spiritual and social values. This study in chapter three presented that the relocation from both

industrial park sites became a cause for the displacement of households to new location. It detached them from the remaining community and their cultural settings. There are cases of the Gambella region which showed that the government resettlement program and the land expropriation for FDI detached the community from the land which have an important value in different aspects such as a source of food and habitat, source of medicine and ritual values. They had a reliance on the forests when they faced drought and famine, but now they left the land to another area and the forests are cleared by the investors. After the resettlement, they were relied on government provisions for food security and claimed that it was not enough and sustainable. (Desalegn: 2011). These disruption of social and cultural settings of the local community due to investment and other developmental projects will create social crisis which will be an obstacle for development.

The negative human rights record of the country will lead to social crisis and retard social development. The government policy and strategy for development through industrialization and urbanization should be compatible with the development of the life and livelihood of the society. The industrial and urban development should bring real human and social developments. So the government need to engage in integrating the material development of the country with the social development. Retarding of the life and the livelihood and human security of citizens due to developmental project manifested the less concerns of the government for the development of its citizen. In most cases the government displaced the local communities from their ancestral land for the development project using the pretext 'public purpose'. However, its failure to integrate the material development with the social development showed that the term public purpose is manipulated and the expropriation of the land of the farmers due to investment became a cause for the deterioration of the life of citizens. If it is a genuine public purpose, the developmental project must have primarily brought positive change in the life and livelihoods of citizens. So, the government should redefine the term 'public purpose' and need to conduct genuine investment and developmental projects which will bring positive impact on the life and livelihoods of citizens.

Among other factors, the failure of government institutions to coordinate their activities in the process of land expropriation, resettlement and rehabilitation process contributed for the

deterioration of the well-being of the community which were subjects of land expropriation and eviction. The ignorance of government officials to hear their fears and problems became a reason for the deterioration of the life and livelihoods of the community whose lands are expropriated due to the investment projects. The government did not include the interests and comments of the community during consultation process concerning compensation, housing and livelihood problems, and did not fulfill what they promised. As a result the life and livelihoods of the community deteriorated in place of improvement. So, it needs coordinated efforts of different government authorities and other concerned parties to make a better transition of the farmers to establish new form of life and livelihood. The government need to act responsibly by giving priority to its citizens before both the foreign direct investors and local investors. The government should satisfy the farmers for access to rural land before allocating extensive farmlands to investors or need to develop a clear and attainable rehabilitation plan that can protect the community from food insecurity and other forms of livelihood problems.

CONCLUSION

The flows of FDI to Ethiopia are increasing from time to time. The Ethiopian government made several reforms and introduced incentives to create investment friendly environment for foreign direct investors. Ethiopia has now become one of the African countries with a high inflow of FDI. The increasing inflow of FDI to Ethiopia demanded extensive lands. This demand of land for the coming foreign industries resulted in the forced eviction and expropriation of lands. The lands in Ethiopia, both communal lands and private landholdings, are used by the local communities as a source of a living. The largest sections of Ethiopians are farmers who are largely tied up with the land. For these farmers, land is a source of livelihood and habitat. Expropriating this land created an adverse impact on the life and livelihood of the people. It will violate the human rights of citizens which described in ICESCR and ICCPR unless proper mitigating measure taken in the process of land expropriation and relocation.

The government of Ethiopia is working hard to attract FDI. For this purpose the government built industrial parks in different parts of Ethiopia to host FDI. The two industrial parks are found in Addis Ababa i.e. Bole Lemi and Kilinto industrial parks. Bole lemi industrial park leased by foreign direct investors, textile and leather processing industries from different parts of the world. The Kilinto industrial park built for pharmaceutical industries. Different foreign direct investors showed interest to lease the Kilinto industrial park and registered by the Ethiopian Investment Commission as a potential investors for this park.

The construction of industrial parks in Addis Ababa became the cause for the eviction of local communities from their land and expropriation of agricultural land which is the basis of their livelihood. The land in this region is one of the most productive land in Ethiopia. Farmers in this region produced important food crops such as teff, wheat, beans etc. This study showed that the farmland expropriation became a cause for disruption of the livelihood of the farmers and because of lack of proper mitigating measures in the process of land expropriation, adequate compensation, income and livelihood restoration, and resettlement, the life of the people deteriorated. It manifested that the human rights, the right to housing and livelihood, of the farmers violated as a result of land expropriation.

The study showed that the compensation payment is not equivalent with what the farmers lost as a result of the land expropriation. It became a challenge for the victims to continue their life as they did before. Most of the households' life from the victims deteriorated as a result of the land expropriation and eviction. The land expropriation for the industrial parks also resulted in the relocation of the community to new sites. The relocation created a housing crisis for the victims as it was made by means of force and in some cases it was made in the rainy season which is against the United Nations Basic Principles and Guidelines for the Development Based Eviction and Displacement. The relocation sites were also lacked some basic facilities and infrastructure such as open ditches and interior roads in the village. The sites are also situated in areas which exposed the people for flooding. So generally the relocation created inconvenience for the community and became a cause for the deterioration of the life and livelihoods of the community. It resulted in the violation of human right, the right to housing and livelihood of the farmers.

The low compensation rate combined with lack of appropriate follow up and supervision of the livelihood transition of the farmers resulted in the deterioration of their lives and created insecurity and vulnerability of the farmers. Most of the farmers were tied up with their land exclusively for their living. They had no additional skill or educational background which can help them to begin a new means of a living when their land expropriated due to the industrial expansion projects. Lack of appropriate income and livelihood restoration support from the government, the community faced serious problems of livelihood. Although the government promised to give them trainings and supports for their livelihood transition, it did not materialized and the people continued with livelihood crisis. The failure of different government institution to coordinate their efforts became one of the cause for the failure of the rehabilitation process and livelihood transition. The involvement of the foreign direct investors in the livelihood and income restoration process of the community who lost the land due to the investment project was also minimal. The different government institutions and foreign direct investors need to coordinate their activities in helping and supervising the community to transform into new form of livelihood, and they must ensure that the investments will benefit the local community.

The expropriation of fertile and permanently productive farmlands also contributed for the food insecurity. The food supplies of Ethiopia is dependent on the small holding farmers. They produced different types of food crops and supplied their surplus production for the market. Expropriating this lands can create a problem on food self-sufficiency of the country and will intensify the high prices of food. So the government need to search for alternatives for the food supplies and need to ensure the security of tenure before allocating the land for the industrial project or any other development projects.

Generally the recent expansion of industrialization resulted in the expropriation of lands of the local people and forced eviction from their ancestral lands. It is the violation of human rights of citizens, the economic, social and cultural right, and civil and political rights. So the government need to consider the life and security of its citizens when lands are allocated for FDI's and any other developmental projects. The government must also ensure the investments and developmental projects will bring positive developments on the life of the society.

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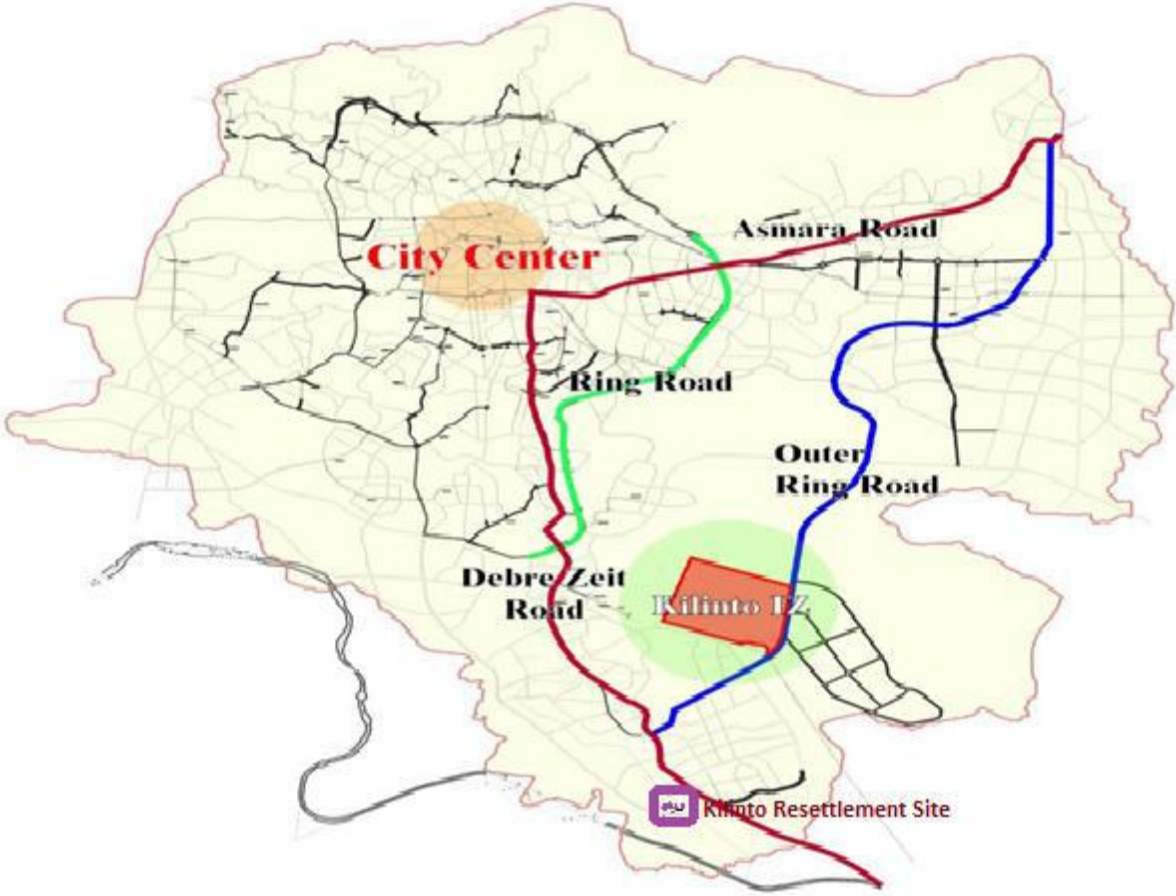
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Source: CJCP Report: IPDC: (2015)

Kilinto Industry Park Map



Source: CJCP report: IPDC, 2015.

Bole Lemi Industry park map



Source: CJCP report: IPDC, 2015

Appendices

Appendix 1. Overview of Key Informant Interviewees

No.	Name of the Interviewee	Place of Work	Position	Remark
1	Debebe Yami	Akaki Kality Sub city Wereda 10	Former Head of Wereda 10	
2	Girma Gonfa	Bole Sub City Wereda 11	Head of the Rehabilitation Project in Wereda 11	Also Head of Labour and Community Affairs
3	Regasa Bayisa	Addis Ababa Rehabilitation Project Office for Displaced Farmers Due to Development	Core Process Researcher	
4	Siraw Afu	Addis Ababa Rehabilitation Project Office for Displaced Farmers Due to Development	Researcher	
5	Legesse Worku	Addis Ababa Rehabilitation Project Office for Displaced Farmers Due to Development	Supervisor	
6	Gizachew Girma	Competitiveness and Job Creation Project	Social Development Expert	
7	Solomon Semunigus	Bole Lemi Industrial Park	Customer Service Higher Expert	

8	Adham Nuri	Ethiopian Human rights Commission	The Human rights Study and Supervision Director	
9	Binyam Abate	Ethiopian Human Rights Council	Researcher	

Appendix 2. List of individuals affected by land expropriation participated in Focus Group Discussion in Bole Lemi Industry Park Site

1. Demis Beyene
2. Tedros Lemma
3. Habtamu Dinku
4. Abera Tsegaye
5. Beshada Degefa

Appendix 3. List of individuals affected by land expropriation participated Focus Group Discussion in Kilinto Industry Park Site

1. Gemechu Seboka
2. Gizachew Yami
3. Ketema Ayano
4. Werku Tuffa
5. Tamiru Nigussie

Appendix 4. List of Interviewees, affected by land expropriation, from Bole Lemi Industrial Park Site

1. Degefa Beyene
2. Tolla Lemecha
3. Shumi Birmeji
4. Alemayehu Bacha

Appendix 5. List of Interviewees, affected by land expropriation, from Kilinto Industrial Park Site

1. Eshetu Tullu
2. Assefa Dabbe
3. Sisay Debele
4. Demse Seboka
5. Debebe Yami

Appendix 6. Interview Guidelines

Interview question for wereda or sub city government officers

1. What are the criteria to choose places for FDI?
2. What are the procedures that you conduct when lands are expropriated from the local community and when lands allocated for foreign direct investors?
3. Do you consult the local community about purpose of expropriation of the land and the significance it will bring?
4. Did the local community convinced to leave their land?
5. How many days before the displacement did you notify for the local community?
6. Did you prepare land as a replacement? If so what type of land and where?
7. Did the displaced community consulted to choose replacement land/places?
8. What was the amount of compensation?
9. Did you use any force in the process of displacement?
10. Was there any neutral parties who observed the displacement process?
11. How the rehabilitation process for the displaced was conducted? Was it effective?

Interview question for displaced community members

1. Were you consulted about the purpose of the land when you leave for foreign investment?
2. How many days were given for you to leave since the day you informed?
3. How did you leave the land? Was it by force?

4. Did you discussed about the compensation and replacement land with concerned bodies before you leave the land?
5. Did you receive land in place of the expropriated land? If so what type of land?
6. Was the compensation enough to continue your life as what you led before?
7. Was there any rehabilitation process/project made for you after the eviction?
8. How do you see the general treatments of the government and the private sectors?

Interview question for private sector (FDI)

1. What factors initiated you to choose this place for investment?
2. Did you made any effort to rehabilitate the life of the evicted community?
3. What is your policy in maintaining smooth relationship with the local community?
4. Did your company conducted a social impact assessment of your investment?

Interview question for civic societies (Human rights Commission)

1. What was your role in protecting the human rights of evicted community?
2. Did you receive a complaint concerning violation of human rights caused by eviction for FDI in Addis Ababa?
3. What is your general observation about the process of expropriation of lands from the local community for investment and the compensation?

Interview question for Focus Group Discussion

1. Was there any violation of right when you leave the land?
2. Was the compensation enough for what you lose?
3. Did you receive a replacement land for what you lose? If so what type of land?
4. Did you leave any communal land for the investment? If so did you receive compensation or replacement land for what you leave?
5. What was the response of the government concerning your questions about compensation and rehabilitation?