



ADDIS ABABA UNIVERSITY
COLLEGE OF LAW AND GOVERNANCE
SCHOOL OF LAW

**THE RIGHT TO POLITICAL PARTICIPATION OF INTERNALLY
DISPLACED PERSONS IN ETHIOPIA: THE RIGHTS TO VOTE
AND BE ELECTED**

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January 2025

DECLARATION

I hereby declare that the thesis entitled "*The Right to Political Participation of Internally Displaced Persons in Ethiopia: The Rights to Vote and Be Elected*" is my original work, prepared under the guidance and supervision of my advisor and co-advisor. It is submitted in partial fulfillment of the requirements for a Master's degree in Human Rights Law.

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This is to certify that the thesis entitled "*The Right to Political Participation of Internally Displaced Persons in Ethiopia: The Rights to Vote and Be Elected*", submitted in partial fulfillment of the requirements for the Master's degree in Human Rights Law, is a work that fulfills the regulations of the university and meets the accepted standards with respect to originality and quality.

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ABSTRACT

Internally Displaced Persons (IDPs) face significant challenges in exercising their political rights, particularly the right to vote and be elected. Ethiopia, a country experiencing recurrent internal displacement due to conflict, environmental factors, and social tensions, presents a critical case study on the electoral participation of IDPs. This research examines the legal, administrative, and socio-political barriers that prevent Ethiopian IDPs from fully engaging in the political process. Despite constitutional guarantees and Ethiopia's commitment to international and regional human rights instruments, including the Kampala Convention, IDPs continue to encounter restrictive residency requirements, documentation challenges, and institutional exclusion. The study analyzes Ethiopia's legal framework, focusing on the 2019 Electoral Proclamation and the 2021 Directive on Special Polling Stations, highlighting gaps in implementation. By ensuring the electoral rights of IDPs, Ethiopia can strengthen its democratic institutions, promote social cohesion, and uphold the fundamental principle of universal suffrage.

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ACRONYMS

AU - African Union

CIDP - Convention for the Protection and Assistance of Internally Displaced Persons

DRC - Democratic Republic of the Congo

EHRC - Ethiopian Human Rights Commission

FDRE - Federal Democratic Republic of Ethiopia

IDMC - Internal Displacement Monitoring Centre

IDP - Internally Displaced Person(s)

IOM - International Organization for Migration

NHRAP - National Human Rights Action Plan

NEBE - National Electoral Board of Ethiopia

UDHR - Universal Declaration of Human Rights

UN - United Nations

UNHCR - United Nations High Commissioner for Refugees

CHAPTER ONE: THESIS PROPOSAL

1.1 Background

The participation of internally displaced persons (IDPs) in elections has gained increasing relevance over the past two decades, as the global IDP population has doubled to over 40 million.¹ These individuals remain displaced within their own countries and often face significant obstacles in exercising their electoral rights. Ethiopia also faces significant internal displacement and a high number of IDPs. In 2018, Ethiopia recorded the third-highest number of new displacements worldwide, with 3,191,000 internally displaced persons (IDPs). The Constitution of the Federal Democratic Republic of Ethiopia (FDRE) on Article 38 recognizes the right of every Ethiopian citizen to participate in the conduct of public affairs, to vote, and to be elected at any level of government without discrimination of any kind. Ethiopia is also party to major international human rights treaties such as the International Covenant on Civil and Political Rights (ICCPR), which recognizes the electoral rights of every citizen, and the African Convention for the Protection and Assistance of Internally Displaced Persons (Kampala Convention).²

While comprehensive data remains scarce, available research highlights the considerable challenges IDPs encounter in exercising their electoral rights.³ These challenges may include legal, administrative, practical, and occasionally political barriers that hinder IDPs' electoral participation or entirely exclude them from participating in elections.⁴ As a consequence, government accountability is weakened, and IDPs experience heightened marginalization. Furthermore, the absence of engagement and reintegration of IDPs

¹ IDMC, 'Global Report on Internal Displacement' (2016); UNHCR, 'Global Trends: Forced Displacement in 2016' (2016).

² Ibid

³ Global Protection Cluster, *Public and Political Participation of IDPs* (January 2023) <https://globalprotectioncluster.org/sites/default/files/2023-01/public-and-political-participation-of-idps.pdf> accessed on January 15 2023

⁴ Elizabeth Ferris, Erin Mooney and Chareen Stark, 'From Responsibility to Response: Assessing National Approaches to Internal Displacement' Brookings Institution (2011)

hampers the reconciliation processes essential for achieving lasting conflict resolution in divided societies.⁵

Ethiopia has held its 6th national election, and several referendums on the basis of a request to establish new regional states despite the large number of IDPs, and is expecting to hold its 7th national election in the coming 2026.

The Ethiopian electoral framework does not guarantee IDPs' right to elect representatives for districts where they are residing while displaced unless six months of residency within the constituency thereof is established.⁶ In addition to this, the tensions in the camping areas of the IDPs did not allow them to exercise their rights properly.

1.4 Statement of the Problem

Internally displaced persons (IDPs) are entitled to the same full range of rights as other individuals within a country, including the right to participate in governmental and public affairs. The principle of universal and equal suffrage ensures that everyone with the right to vote can exercise this right without discrimination, explicitly encompassing individuals who are internally displaced.⁷ In reality, however, IDPs frequently encounter significant barriers that hinder their ability to exercise and enjoy their political participation rights. These challenges can result in their disenfranchisement and exclusion from political processes and public affairs. Addressing these obstacles is essential not only to uphold the rights of IDPs but also to ensure the legitimacy of a nation's electoral processes and governance structures.⁸

⁵ Jeremy Grace and Erin D Mooney, 'Peacebuilding through the Electoral Participation of Displaced Populations' (2009) 28 Refugee Survey Quarterly 95.

⁶ Ibid

⁷ Brookings Institution, "Voting Rights of Internally Displaced Persons," accessed August 9, 2024, <https://www.brookings.edu/articles/voting-rights-of-internally-displaced-persons/>.

⁸ Jeremy Grace and Erin Mooney, 'Democracy and the Displaced: Political Participation Rights, in Particular the Right to Vote and to Be Elected' (2007), Published on American Society of International Law, 1 (available at https://www.geneseo.edu/~iompress/grace_mooney_IDP_participation.pdf accessed on Nov 12, 2022)

Above all, it is essential to enable IDPs, who so often are already marginalized, to take part in the public affairs of their community and country and thereby have a say in the political, economic, and social decisions that affect their lives.⁹

1.3 Research Objectives

General Objective:

This study seeks to examine the challenges to the protection of the rights of political participation of IDPs, particularly the right to vote and be elected, and indicate solutions for the better protection of these rights.

Specific Objective:

1. To investigate the legal frameworks available to protect the rights of political participation, particularly the rights of IDPs to be elected and vote.
2. To find out the gaps in the legal frameworks to protect those rights.
3. To identify the challenges in implementing the existing legal frameworks.
4. To seek solutions to provide better protection of those rights.

1.4 Research Questions

1. What legal frameworks are available to protect the rights of political participation, particularly the rights of IDPs to be elected and vote?
2. What are the gaps in the legal frameworks to implement IDPs' rights to vote and be elected?
3. What are the challenges, if any, in implementing the existing legal frameworks governing the rights of internally displaced persons (IDPs) to vote and be elected?

⁹ Ibid

4. What can be done to ensure better implementation of IDPs' right to vote and be elected?

1.5 Research Methods

This research adopts a doctrinal legal research approach to analyze the legal and theoretical frameworks to protect the political rights of IDPs in Ethiopia. Combining descriptive and explanatory methods, this paper will try to understand and analyze the implementation of the existing legal and theoretical frameworks, the responses of different stakeholders to protect the rights of political participation of IDPs, and the challenges to the protection, implementation, and response towards rights of IDPs.

As primary resources national legislation, and international and regional multilateral agreements will be examined as primary resources. Secondary sources such as, Books, articles, academic journals, unpublished materials such as reports, findings of surveys, and previously written research theses, as well as other materials released by different organs, will be consulted. Electronic and print media will be used to get relevant information regarding the issue.

Furthermore, Key Informant Interviews with semi-structured questions will take place with key actors, particularly with persons within the National Election Board of Ethiopia (1), Ethiopian Human Rights Commission (1), National Disaster and Risk Management Commission (1), Political parties and the Council of Political Parties (up to 3 based on their participation during the 2020 election), Civil Society organizations (2-3 which participated in the election observation), regional governments and IDPs themselves. The interviewees in these organizations will be selected based on their working relevance to the specific subject matter.

1.5 Literature Review

The issue of implementation of the rights of IDPs to vote and be elected has been the subject of discussion and comments. Different writers elaborate on the importance of the rights of IDPs to vote and be elected, which are recognized in different international and

national laws. Shamsudeen Yusuf argues that ‘IDPs are legal citizens, and to guarantee their electoral rights means promoting their political voice needed for dialogue, engagement, reintegration, preventing marginalization, and making the government more accountable’¹⁰.

Similarly, Jeremy Grace and Erin Mooney argue that *‘The principle of universal and equal suffrage, by definition, encompasses IDPs, extending to all internally displaced citizens who are eligible to vote and to stand for election. In other words, for individuals meeting the eligibility requirements specified in national electoral legislation (for instance, having attained the age of majority), the right to vote and the right to be elected remain untrammelled by displacement. These rights extend to all citizens, without distinction of any kind, including on the grounds of being displaced.’*¹¹

Regarding the challenges that hinder IDPs from exercising their rights to vote and be elected, there are different reasons. Jeremy Grace and Erin Mooney argue that “whereas IDPs’ right to political participation is clear, in practice IDPs often face obstacles in exercising this right. These obstacles in many cases result in a denial of IDPs’ rights, their disenfranchisement, and their exclusion from the political life and public affairs of their community”¹². They raise the residency requirements, lack of documentation, discrimination, insecurity and acts of intimidation, problems of physical access to polling stations, lack of information, and issues of transparency.¹³

Erin Mooney and Balkees Jarrah found that “IDPs have experienced obstacles such as lack of documentation, discriminatory practices, obsolete and restrictive residence requirements, inadequate arrangements for absentee voting, lack of timely and adequate

¹⁰ Shamsudeen Yusuf, ‘How can we make sure that IDPs can participate in elections in West Africa?’ (DIA Democracy in Africa, February 2022) <https://democracyinafrica.org/how-can-we-make-sure-that-idps-can-participate-in-elections-in-west-africa/> > accessed on November 19, 2022

¹¹ Jeremy Grace and Erin Mooney (n 6)

¹² Ibid

¹³ Id

information about IDP voting arrangements being provided both to IDPs as well as to electoral officials, and insecurity and acts of intimidation'.¹⁴

Shamsudeen Yusuf also argues the challenges from the perspective of what happened in west Africa. According to him, those challenges were the lack of a record on the existence of displaced person camps, the tedious process of submitting an identity document, and electoral laws are too rigid to allow for flexibility in using voter's cards in a constituency other than where citizens resided and registered. He also added that electoral fraud by politicians was a challenge to the exercise of the rights of IDPs.¹⁵

In terms of better-integrating IDPs in Elections and protecting the rights of IDPs to vote and be elected, various writers had recommended solutions to challenges.

Jeremy Grace and Erin Mooney recommended that it is important to review the impact of national electoral legislation and procedures on the political participation of IDPs and introduce legislative and procedural reform as required to ensure IDPs' ability to exercise their rights to political participation. Special attention should be paid to residency and documentation requirements and their potential repercussions for internally displaced electors;¹⁶

Erin Mooney and Balkees Jarrah also recommended special polling arrangements such as absentee voting facilities and transportation will need to be put in place to enable IDPs to cast their ballot in the electoral constituencies of their original places of residence, should they so choose. Wherever they vote, IDPs, and indeed all electors, must be able to cast their ballots in a secure environment. Adequate measures must be in place to ensure safety at polling sites. IDPs should be given a say in the design of any special electoral procedures created to address their particular situation and should receive clear and accurate information about the procedures to enable them to exercise their right to vote. They must also have equal access to campaign information.¹⁷

¹⁴ Erin Mooney and Balkees Jarrah, 'The Voting Rights of Internally Displaced Persons: The OSCE Region' (2004) THE BROOKINGS INSTITUTION-SAIS PROJECT ON INTERNAL DISPLACEMENT, 86, also available at https://www.brookings.edu/wp-content/uploads/2016/06/20041105_osce.pdf

¹⁵ Shamsudeen Yusuf, (n 8).

¹⁶ Jeremy Grace and Erin Mooney (n 6)

¹⁷ Erin Mooney and Balkees Jarrah (n 14).

Enguday Meskele and Omotunde Enigbokan in their publication¹⁸ stated that internally displaced persons (IDPs) participated in the June 2021's national election by casting their votes at their place of displacement for their respective constituency of origin through absentee ballot procedure. In certain areas, the government of Ethiopia took special measures such as providing logistic and security safeguard in order to enable IDPs to cast their vote. They also argued that Ethiopia has made a major stride in recognising electoral rights of IDPs and the Ethiopian Human Rights Commission (EHRC) played a pivotal role in ensuring that IDPs participated in the national election, through engaging civic societies that advocated for voting rights of IDPs.

The existing literature on internal displacement in Ethiopia largely focuses on humanitarian assistance, protection concerns, and general human rights issues. However, none of these works specifically examine the rights of internally displaced persons (IDPs) to participate in elections—either as voters or as candidates—within the Ethiopian legal and institutional context. This study makes an original contribution by filling this gap. First, it provides the *first focused legal analysis* of Ethiopia's constitutional, legislative, and electoral frameworks as they relate to the political participation rights of IDPs. Second, it examines *whether* there are gaps between these legal guarantees and the actual practice during elections—a dimension that has not been systematically explored. Third, the study offers an *empirical assessment* of how key stakeholders (such as the National Election Board of Ethiopia, regional authorities, political parties, and displaced communities themselves) respond to the challenges of implementing these rights. Finally, it proposes *context-specific recommendations* to strengthen the protection and implementation of IDPs' political participation rights in Ethiopia, offering policy-oriented solutions that have not been addressed in prior research.

¹⁸ Enguday Meskele and Omotunde Enigbokan, 'Making the right to vote of IDPs a reality: Lessons from Ethiopia', (African law, 8 July, 2021) <https://africlaw.com/2021/07/08/making-the-right-to-vote-of-idps-a-reality-lessons-from-ethiopia/#more-2228> accessed on January 20,2023

1.6 Organization of the research

This thesis will be organized into four chapters:

1. **Chapter One:** is the introductory part of the thesis. It includes background to the problem, statement of the problem, research questions, the objective of the study, research methods, significance of the study, and limitations of the study.
2. **Chapter Two:** mainly elaborates on the legal and institutional framework for the protection of the electoral rights of IDPs at the international, level and regional, and National levels. The chapter provides a general and conceptual overview of IDP rights, beginning with the definition of IDPs, and progressing through the impact of internal displacement. The discussion includes the identification of the applicable laws to protect political rights, more specifically the rights to be elected and vote, in situations of internal displacement, and the essence of the Guiding Principles on Internal Displacement.
3. **Chapter Three:** is set to be principally devoted to the analysis of the country's responses toward the protection of the electoral rights of IDPs. Furthermore, the challenges, and gaps (if any) will be elaborated on in a detailed manner.
4. **Chapter Four:** will provide the concluding remarks along with significant findings and proposed recommendations.

1.7 Referencing and Citation Style

The preferred citation style for this thesis will be *The Oxford Standard for Citation of Legal Authorities* (OSCOLA) style for all references, including in-text citations and the bibliography.

1.8 Limitations of the Study

The study on the political participation of Internally Displaced Persons (IDPs) faced several limitations. Due to the sensitive nature of the topic, particularly in conflict areas,

site visits for direct observation were not possible. This absence of on-the-ground observation hindered the ability to gather firsthand information about IDPs' political participation. Furthermore, there is a lack of comprehensive literature on this subject, especially in Ethiopia, where the topic remains under-researched. Limited attention from stakeholders and the absence of observations by Civil Society Organizations (CSOs) in these conflict-affected areas further restricted the availability of relevant data. These challenges impacted the depth of analysis and the study's ability to fully capture the complexities of IDP political engagement.

CHAPTER TWO

CONCEPTUAL AND LEGAL FRAMEWORK

2.1 Introduction

Internal displacement is a global challenge affecting millions, disrupting lives, and creating significant socio-political and legal issues. According to the Internal Displacement Monitoring Centre (IDMC), millions are displaced within their own countries each year due to conflict, violence, disasters, and development projects.¹⁹ Internally displaced persons (IDPs) face unique vulnerabilities as they are forced to flee their homes, yet remain within the borders of their own country. Unlike refugees, who are protected by the 1951 Refugee Convention and its 1967 Protocol,²⁰ IDPs are not afforded the same comprehensive international legal framework, often leaving them marginalized and excluded from critical aspects of society, including political participation.²¹ This lack of specific international legal protection creates a protection gap, making IDPs reliant on domestic laws and policies, which may be inadequate or non-existent.

The issue of political participation for IDPs is vital in ensuring inclusivity, equality, and representation. As noted by the United Nations Guiding Principles on Internal Displacement, IDPs have the right to participate in public affairs.²² However, challenges such as lack of adequate legal frameworks, logistical barriers related to displacement (such as difficulties in registering to vote or accessing polling stations), and socio-economic marginalization often impede their ability to exercise this fundamental right.²³

¹⁹ Internal Displacement Monitoring Centre (IDMC), *Supra note 20*.

²⁰ Convention Relating to the Status of Refugees (adopted 28 July 1951, entered into force 22 April 1954); Protocol Relating to the Status of Refugees (adopted 31 January 1967, entered into force 4 October 1967)

²¹ Walter Kälin and Hansjörg Strohmeyer (eds), Responding to Internal Displacement: Challenges for Humanitarian Organizations (Routledge 2007)

²² UN Commission on Human Rights, Guiding Principles on Internal Displacement, UN Doc E/CN.4/1998/53/Add.2 (1998).

²³ Roberta Cohen and Francis M Deng, Masses in Flight: The Global Crisis of Internal Displacement (Brookings Institution Press 1998).

This paper explores the intersection of internal displacement and the right to political participation, with a focus on Ethiopia, a country facing recurrent displacement crises.

2.2 Conceptual Framework

Understanding the complexities surrounding internally displaced persons (IDPs) and their right to political participation requires a clear conceptual framework. This section defines key terms, distinguishes IDPs from other displaced groups such as refugees, examines the causes and impacts of displacement.

2.2.1 Defining Internally Displaced Persons (IDPs)

The definition of internally displaced people (IDPs) has not been included in legally enforceable documents that are pertinent to their protection. However, regionally binding instruments defined who qualify as IDPs are and there are several explanations to the concept of IDPs.

The concept of internally displaced persons (IDPs) was developed following UN Secretary-General Boutros Boutros-Ghali's Analytical Report in 1992, where IDPs were defined for the first time as:

“Persons or groups who have been forced to flee their homes suddenly or unexpectedly in large numbers, as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disaster, and who are within the territory of their own country.”²⁴

Even though this report acknowledged the need for protection for the first time, the definition provides vague terminology, such as “large numbers,” “systematic violations,” and “man-made disaster,” which can create challenges in practical application. For instance, it does not clarify what constitutes “large numbers,” potentially excluding smaller groups of displaced persons. Furthermore, it fails to

²⁴United Nations Commission on Human Rights: Analytical Report of the Secretary-General on IDPs, UN Doc. E/CN.4/1992/23 (14 Feb.1992), Para. 17.

specify what qualifies as “systematic violations of human rights” or “man-made disasters,” leaving these concepts open to interpretation and hindering consistent implementation.²⁵

The Guiding Principles on Internal Displacement, developed by the UN Special Rapporteur on the Human Rights of IDPs, define IDPs as:

“Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.”²⁶

Although the Guiding Principles play a crucial role in defining internally displaced persons (IDPs), they have faced criticism for offering “a descriptive definition rather than a strict legal definition”²⁷ and not including individuals forced to leave their homes due to violations of economic rights.²⁸ However, the Kampala Convention²⁹ which is a legally binding agreement to the signatories under its article 1(K) has defined IDPs identically as the Guiding Principles.

Nonetheless, these definitions give two defining characteristics of IDPs: they are coerced to leave in anticipation of or in response to particular risks and remain within the national borders of their homes.

²⁵ Admasu Alemayehu, ‘The African Internal Displacement Problem and the Responses of the African Union: An Examination of the Essential Features of the AU IDPs Convention’ (LLM thesis, Addis Ababa University 2010) p.15.

²⁶ UNHCR, Guiding Principles on Internal Displacement (n 5).

²⁷ Walter Kälin, Guiding Principles on Internal Displacement: Annotations (The American Society of International Law and The Brookings Institution 2000).

²⁸ Ketevan Mekhuzla, Basic Rights of Internally Displaced Persons: Observing the Case-Law of the European Court of Human Rights and the Inter-American Court of Human Rights (Warsaw University 2008) 7-13.

²⁹ African Union, African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), October 2009

2.2.2 Distinguishing IDPs from Refugees

Refugees and IDPs share the common characteristic of being forced to move involuntarily. Unlike immigrants who choose to leave their homes in pursuit of economic opportunities or other prospects, both refugees and IDPs are compelled to move against their will. This lack of voluntary relocation categorizes them under the broader concept of forced migration.³⁰

The primary distinction between IDPs and refugees is that the movement of IDPs occurs within the boundaries of their country of origin i.e. internationally recognized state borders, while refugees seek asylum by crossing borders into neighboring countries or even traveling across continents.³¹

Secondly, IDPs retain their status as citizens of their country, granting them access to every right typically afforded to citizens. In contrast refugees have more restrictions on rights as they are not citizens of the country they moved to. But, refugees might lose the protection that their State is obligated to provide but instead are entitled to specific legal protections under international refugee law such as the 1951 Refugee Convention³² while IDPs rely more on the laws and policies of their national government.³³

Thirdly, the primary responsibility for upholding the rights of IDPs lies with their State of origin, as they remain under its sovereign jurisdiction. This contrasts with the situation of refugees and asylum seekers, where host States and the international community play a more significant role in ensuring their protection and support.³⁴

³⁰ Sansculotte Greenidge K. (2014), Africa, refugees and internally displaced persons, Handbook of Africa's international relations, Routledge, Taylor & Francis Group, ed. by Tim Murithi.

³¹ UNHCR, 'Forced Displacement in 2019' (UNHCR Global Trends 2019).

³² Majinge C., Ache C. (2010), International Law as a Mechanism to Advance the Rights of the Displaced in Africa: Examining the Role of the African Union Convention for the Protection and Assistance of the Internally Displaced Persons in Africa, African Yearbook of International Law Online, vol. 18, No. 1, pp. 413-449. p

³³ Internal Displacement Monitoring Centre, 'Global Report on Internal Displacement 2020' (IDMC 2020).

³⁴ Koser K. (2011), Internally Displaced Persons in Global Migration Governance, Oxford University Press, ed. by Alexander Betts. p. 210

Therefore, IDPs do not automatically fall under the concern of the international community, unlike refugees who are afforded international protection. If the State of origin is both willing and capable of protecting its displaced population and does not seek external assistance, the international community typically refrains from intervening.³⁵

The need for treating IDPs as a Special category?

When the plight of internally displaced persons gained international attention in the 1990s, there was considerable back-and-forth among academics and humanitarian organizations regarding whether IDPs should be designated as a group deserving special concern from the international community.³⁶

However, scholars in the field of IDPs, like Francis M. Deng and Roberta Cohen, contend that the goal of identifying internally displaced persons is not to grant them a privileged status. Instead, it is to ensure that their unique needs are met in a particular context, alongside those of other affected groups.³⁷

2.2.3 Causes of Displacement

Displacement refers to the process of people leaving their homes, often driven by events like disasters, environmental challenges, conflicts, or persecution, in search of safety and stability in a different place.³⁸

Internal displacement arises from several factors making IDPs vulnerable to various threats. According to several scholars and organizations that work on these groups, the primary causes include conflict and violence, natural and human-made disasters,

³⁵ Mooney E. D. (2005), The Concept of Internal Displacement and the Case for Internally Displaced Persons as a Category of Concern, Refugee Survey Quarterly, vol. 24, issue 3, pp. 9-36. P. 14

³⁶ *Mooney 14*

³⁷ Admasu Alemayehu, 'The African Internal Displacement Problem and the Responses of the African Union: An Examination of the Essential Features of the AU IDPs Convention' (LLM thesis, Addis Ababa University 2010) p.21.

³⁸ UNOCHA. (2017). Conflict and Displacement: Voices of Displacement and Return in Central African Republic's Neglected Crisis. Concern World Wide.

development projects, and arbitrary displacement, and forced evictions.³⁹ Each of these causes are analyzed below.

A. Conflict and Violence

Conflict and violence are among the predominant causes of internal displacement, particularly in Africa, where such situations are often followed by severe human rights violations.⁴⁰ Armed conflicts between states, civil wars, genocides, political instability, and inter-communal tensions are common triggers.⁴¹ The former UN Representative on the Human Rights of IDPs, Walter Kälin, identified four primary factors contributing to conflict-related displacement: competition for resources, the presence of rebel groups, endemic poverty and inequality, and the proliferation of small arms.⁴²

According to UNOCHA, by the end of 2017, 41.3 million people were internally displaced due to conflict and violence globally, with the highest figures recorded in ten countries experiencing protracted crises and governance challenges. Sub-Saharan Africa, in particular, has seen displacement as a result of such violence, accounting for a significant proportion of the global total.⁴³

B. Natural and Man-Made Disasters

Natural disasters such as floods, droughts, storms, hurricanes, tsunamis, volcanic eruptions, and earthquakes frequently lead to internal displacement. Climate-related disasters are becoming increasingly common, with 19.2 million new displacements recorded in 2015 alone. The International Organization for Migration (IOM) predicts that climate change could displace between 25 million and one billion people by 2050, with

³⁹ M. Morel, The Right not to be displaced in International Law, Antwerpen, Intersentia (2014) 47-48 and 50-51.

⁴⁰ Wondu Tamre, An inquiry into the state's obligation towards internally displaced persons: the case of Ethiopia, Jimma uni LLm Thesis, 2019, p. 17

⁴¹ Ibid

⁴² S. Albuja, E. Arnaud, and Others, "Global Overview 2014: People internally displaced by conflict and violence" p 12-13

⁴³ Ibid

Africa being particularly vulnerable due to its susceptibility to environmental catastrophes and resource scarcity.⁴⁴

Human-made disasters, including industrial accidents, severe pollution, and technological failures, also displace communities. The adverse effects of such events disproportionately affect marginalized and vulnerable populations, intensifying competition for scarce resources and potentially leading to secondary displacement caused by tensions and conflicts.⁴⁵

C. Development Projects

Development-induced displacement results from large-scale public and private sector projects such as urban infrastructure development, natural resource extraction, and tourism initiatives. While these projects aim to enhance economic growth and create jobs, they disproportionately impact indigenous peoples and marginalized communities who often reside on valuable land or near natural resources.⁴⁶

Lack of prior consultation, adequate compensation, or relocation support causes displacement leading to long-term consequences such as homelessness, landlessness, and aggravated poverty.⁴⁷

D. Arbitrary Displacement and Forced Evictions

Arbitrary displacement involves forced relocations resulting from discriminatory policies, armed conflict, or collective punishment. It is often associated with war crimes or crimes against humanity under international legal instruments such as the Geneva Conventions and the Rome Statute of the International Criminal Court.⁴⁸ Displacement as a method of

⁴⁴ International Organization for Migration, “Migration, Environment and Climate Change: Assessing the Evidence” (IOM 2009), p. 9, 42.

⁴⁵ W. Courtland Robinson, “Risks and Rights: The Causes, Consequences, and Challenges of Development-Induced Displacement”, *Denv J Int'l L & Pol'y* (2014) p. 9-15.

⁴⁶ *Ibid*, p. 10-13

⁴⁷ IDMC, *Supra* note 1. p. 7.

⁴⁸ Geneva Convention IV 1949, Art. 49 and Art.147; Rome Statute of the International Criminal Court 1998, Art.7.1, Art.7.2, d and Art.8 (2) (e) (viii);

warfare or population control violates multiple international norms, leaving affected communities in dire circumstances.⁴⁹

Forced evictions, common in rural areas where residents lack formal property deeds, displace pastoralists and other marginalized groups. Governments and private companies frequently seize such lands, depriving communities of their livelihoods and exacerbating poverty. This practice, prevalent in Africa, often results in severe impoverishment and social marginalization for those affected.⁵⁰

These drivers, whether immediate or systemic, share common characteristics of vulnerability and inequity, disproportionately affecting marginalized populations. Addressing internal displacement requires comprehensive policies that consider these root causes while providing adequate protection and assistance to displaced persons.

2.3 IDPs and Their Right to Political Participation

This section explores IDPs political participation and their electoral rights by defining the notion of political participation and electoral rights and establishes the need to protect IDPs' political rights. It also explores the challenges IDPs face in their participation.

2.3.1 The Concept of Political Participation

Barnes and Kasse defines Political participation as broad range of activities, including voting, standing for election, engaging in public consultations, and participating in civic decision-making processes⁵¹. Engaging in political and public life is a vital component of socially inclusive development and essential for the fulfillment of human rights⁵². Political participation is a cornerstone of democracy, enabling individuals to express their will and shape public policy. International frameworks, such as Article 25 of the

⁴⁹ Ibid

⁵⁰ African Union Commission, "The Kampala Convention One Year On: Progress and Prospects" (IDMC 2013), p. 26-28.

⁵¹ H. Barnes, M. Kaase and others, Political Action: Mass Participation in Five Western Democracies (Sage Publications (1979) 59 in IHEJIRIKA: IDP PP in Nigeria p.78

⁵² TOOLKIT ON DISABILITY FOR AFRICA: <https://www.un.org/esa/socdev/documents/disability/Toolkit/Participationin-Political-Publiclife.pdf>

International Covenant on Civil and Political Rights (ICCPR), affirm the right of every citizen to participate in public affairs without discrimination.⁵³

In this paper, as political participation is a vast concept, discussions will be limited to the segment of electoral participation.

2.3.2 Why Do IDPs Need Political Participation

The theory of democracy considers universal suffrage and a representative electoral process as essential for any modern democratic system. This principle applies equally to the electoral participation of individuals displaced by natural or human-made disasters and those displaced by conflict and violence. Moreover, the involvement of forcibly displaced persons in elections during conflict and post-conflict periods is seen as vital for achieving lasting conflict resolution. Inclusive elections create an atmosphere conducive to meaningful reconciliation and sustainable peace while also laying the groundwork for democratic institutions in the long term. This highlights the inseparable link between democracy and peace, with the electoral participation of IDPs strengthening both processes.⁵⁴

Below are the key reasons why IDPs need political participation:

A. Empowerment and Agency: Political participation empowers IDPs by giving them a voice in decisions that affect their lives. Displacement often strips individuals of their agency, leaving them marginalized and dependent on external assistance. By participating in elections, advocacy, and public decision-making, IDPs can reclaim their agency and influence policies that impact their well-being.⁵⁵

B. Inclusion and Social Cohesion: IDPs are often excluded from the social and political fabric of their host communities, leading to feelings of alienation and marginalization.

⁵³ ICCPR Article 25

⁵⁴ Adam Drnovsky, Electoral Participation of Internally Displaced Persons (IDPs) A Case Study of Ukraine, University of Vienna European Master's Degree in Human Rights and Democratisation 2016/2017, p. 13

⁵⁵ Walter Kälin, Guiding Principles on Internal Displacement: Annotations (2nd edn, Brookings Institution 2008) 45.

Political participation fosters a sense of belonging and inclusion, helping to bridge the gap between IDPs and their host communities. This is essential for social cohesion and long-term integration.⁵⁶

C. Accountability and Representation: Political participation ensures that IDPs are represented in governance structures, holding governments accountable for addressing their needs. Without representation, IDPs risk being overlooked in policy-making processes, particularly in areas such as resettlement, access to services, and protection from violence.⁵⁷

D. Sustainable Solutions to Displacement: IDPs bring unique perspectives and experiences to the table, which are essential for developing sustainable solutions to displacement. Their participation in political processes ensures that policies and programs are aligned to their specific needs, promoting durable solutions such as return, local integration, or resettlement.⁵⁸

E. Prevention of Marginalization: Displacement often exacerbates existing inequalities, leaving IDPs vulnerable to further marginalization. Political participation is a tool for preventing this marginalization by ensuring that IDPs have a say in the political, economic, and social decisions that affect their lives.⁵⁹

F Legitimacy of Democratic Processes: The exclusion of IDPs from political processes undermines the legitimacy of democratic systems. Ensuring that IDPs can vote and participate in elections strengthens the credibility of democratic institutions and brings inclusive governance.⁶⁰

⁵⁶ UN Commission on Human Rights, **Guiding Principles on Internal Displacement** (11 February 1998) E/CN.4/1998/53/Add.2, Principle 22.

⁵⁷ Jeremy Grace and Erin Mooney, *'Democracy and the Displaced: Political Participation Rights, in Particular the Right to Vote and to Be Elected'* (2007) 1 **American Society of International Law** 12.

⁵⁸ 4. Internal Displacement Monitoring Centre (IDMC), *Supra* note 20, p 8.

⁵⁹ Shamsudeen Yusuf, *'How Can We Ensure IDPs Participate in Elections in West Africa?' (Democracy in Africa, February 2022)* <<https://democracyinafrica.org>> accessed 28 January 2025.

⁶⁰ Erin Mooney and Balkees Jarrah, *'The Voting Rights of Internally Displaced Persons: The OSCE Region' (2004)* **Brookings Institution-SAIS Project on Internal Displacement** 86.

To sum up, In political theory, elections are seen as a key part of democracy because they require equal participation and allow for the free exchange of ideas. Elections give people the power to govern themselves and ensure that leaders are chosen based on the will of the people. They are also the only legitimate way to transfer this power to elected representatives, who then have the authority to make decisions and enforce laws. Elections create a system where leaders are held accountable, preventing them from holding all the power and ensuring a balance between the people and their representatives. Fair competition and equal voting rights are essential for this system to work, making sure that everyone has a say in the decisions that affect them. For any government to be considered democratic, it must have laws that guarantee equal voting rights for all citizens and ensure those rights are actually upheld.⁶¹

2.3.3 Challenges IDPs Face in Their Participation

In reality, internally displaced persons frequently face significant barriers to exercising their electoral rights, both during displacement and after returning to their original communities or settling in new areas. As a result, they may be deprived of their right to vote and participate in public life, deepening their exclusion and reinforcing the discrimination and marginalization they often endure. Internally Displaced Persons (IDPs) confront intersecting legal, logistical, socio-economic, and systemic obstacles that undermine their political participation.

A. Legal and Administrative Barriers

a. Loss of Documentation: Identity documents such as national IDs, birth certificates, or voter cards, which are often essential for voter registration, are frequently lost, destroyed, or confiscated during displacement. Replacing them can be challenging, often requiring displaced individuals to return to their place of origin, which may not be feasible. Some people may have lacked official documentation even before being displaced, while others face legal and systemic barriers to obtaining it due to discriminatory policies.⁶² For

⁶¹ Ibid

⁶² <https://www.unhcr.org/sites/default/files/legacy-pdf/4794b5262.pdf> and UN Commission on Human Rights, *Guiding Principles on Internal Displacement* (1998) E/CN.4/1998/53/Add.2.

example, in South Sudan, 40% of IDPs lacked documentation after fleeing civil war, rendering them ineligible to vote in the 2021 elections.⁶³ Even when documents exist, bureaucratic delays in reissuing them disproportionately affect IDPs. In Iraq, Sunni IDPs displaced by ISIS faced suspicion of “dual loyalties” and were subjected to stringent re-verification processes, effectively disenfranchising thousands.⁶⁴

b. **Residency and Constituency Requirements:** Electoral regulations in many countries tie voting rights to a person’s place of residence. Since displacement often results in the temporary or permanent loss of a fixed residence, internally displaced persons (IDPs) face significant challenges in registering and voting. In some cases, they may be required to return to their areas of origin, even if those places remain unsafe. Registering to vote in their place of displacement can also be difficult due to strict residency or documentation requirements. In some instances, it may not even be a viable option, as doing so could lead to the loss of humanitarian assistance or automatic de-registration from their home communities, further complicating their ability to return.⁶⁵ For instance, Ukraine’s 2019 electoral code initially required IDPs from Crimea and Donbas to re-register in their new locations, a process complicated by administrative bottlenecks and under-resourced local offices.⁶⁶ Similarly, in Myanmar, Rohingya IDPs in Rakhine State cannot vote unless they return to their villages, which remain under military control.⁶⁷

c. **Discriminatory Legal Frameworks:** Discriminatory laws and practices, which may have played a role in causing displacement in the first place, can also undermine every stage of the electoral process. In some instances, displaced individuals—particularly those from marginalized groups, such as ethnic minorities—have been intentionally excluded from voting. They may face obstacles such as limited or distant polling stations with reduced voting hours, burdensome registration procedures, or a lack of electoral information in a language they understand, all of which further restrict their ability to participate in

⁶³ International Organization for Migration (IOM), *South Sudan Displacement Crisis** (2021) 17.

⁶⁴ Human Rights Watch, *Iraq: Sectarian Barriers to Voting** (2020) <<https://www.hrw.org>> accessed 10 May 2023.

⁶⁵ <https://www.unhcr.org/sites/default/files/legacy-pdf/4794b5262.pdf>

⁶⁶ OSCE, *Ukraine Election Observation Report** (2019) 45.

⁶⁷ ASEAN Parliamentarians for Human Rights, *Myanmar’s Disenfranchised Rohingya** (2020) 9.

elections.⁶⁸ Some states impose laws that indirectly target IDPs. In Ethiopia, the 2021 electoral law restricted voting to individuals with “fixed abodes,” excluding 2.1 million IDPs living in informal settlements.⁶⁹ Similarly, Syria’s Law No. 10 (2018) confiscated property of displaced populations, effectively stripping them of residency-based voting rights.⁷⁰

B. Logistical and Infrastructural Challenges

a. *Inaccessible Polling Stations*: In displacement settings, access to polling stations is often severely restricted due to security risks, long distances, lack of safe and affordable transportation, or inadequate voting arrangements, such as an insufficient number of polling stations. These challenges are even greater for women, older persons, and individuals with disabilities, who face additional barriers that further limit their ability to participate in elections.⁷¹ In Yemen, IDPs in Marib governorate must travel through frontlines to reach polling stations, risking violence.⁷² During Afghanistan’s 2019 elections, Taliban threats forced the closure of 30% of polling centers in IDP-dense regions.⁷³

b. *Voter Registration Complexities*: Re-registering in host regions can involve prohibitive costs or opaque procedures. In Colombia, IDPs must provide utility bills or rental contracts to re-register, which many lack due to informal housing.⁷⁴ In the Democratic Republic of Congo (DRC), biometric voter registration systems introduced in 2018 excluded IDPs without access to registration centers.⁷⁵

c. *Conflict, Security Risks and Intimidation*: IDPs in politically volatile areas are often targeted to suppress voter turnout. Elections often occur in environments of ongoing violence or communal tensions, where voters and candidates face threats, harassment,

⁶⁸ <https://www.unhcr.org/sites/default/files/legacy-pdf/4794b5262.pdf>

⁶⁹ Ethiopian Human Rights Commission, *2021 Election Report* (2021) 33.

⁷⁰ Syrian Legal Development Programme, *Law No. 10 and Displacement* (2019) 12.

⁷¹ <https://www.unhcr.org/sites/default/files/legacy-pdf/4794b5262.pdf>

⁷² Yemeni Election Commission, *2021 Electoral Challenges* (2021) 7.

⁷³ UN Assistance Mission in Afghanistan (UNAMA), *2019 Election Report* (2020) 21.

⁷⁴ Colombian Constitutional Court, *Judgment T-025/04* (2004).

⁷⁵ Carter Center, *DRC Election Observation* (2018) 14.

and even physical attacks at various stages of the electoral process. These risks can arise during voter registration, when obtaining replacement documents, while traveling to polling stations, during campaigning, or even after being elected to office. For elections to be truly free, fair, and legitimate, all individuals must be able to participate without fear, intimidation, or harm.⁷⁶ In Nigeria's 2023 elections, Boko Haram attacked IDP camps in Borno State to deter participation.⁷⁷ Electoral officials also face risks; in Somalia, al-Shabaab threatened poll workers in IDP camps ahead of the 2022 elections.⁷⁸

C. Political Marginalization and Exclusion

a. *Host Community Resistance*: Host populations may view IDP political engagement as a threat. In Lebanon, Syrian IDPs were barred from municipal elections in host communities, with local leaders citing "resource competition" and "cultural incompatibility."⁷⁹ Similarly, in Kenya's Kakuma camp, host communities protested IDP voter registration, fearing shifts in electoral demographics.⁸⁰

b. *Underrepresentation in Candidate Lists*: Political parties frequently exclude IDPs from candidate lists to appease established constituencies. In South Sudan's 2021 elections, only 2% of parliamentary candidates were IDPs, despite IDPs constituting 10% of the population.⁸¹ In Iraq, IDPs from Anbar Province reported being pressured to withdraw candidacies to avoid "stirring sectarian tensions."⁸²

c. *Institutional Suppression*: Governments may deliberately erase IDPs from electoral rolls. In Venezuela, the Maduro regime excluded 4 million IDPs from the 2020 parliamentary elections to weaken opposition strongholds.⁸³ Similarly, in Bangladesh, Rohingya IDPs are denied voting rights to avoid legitimizing their claims to citizenship.⁸⁴

⁷⁶ <https://www.unhcr.org/sites/default/files/legacy-pdf/4794b5262.pdf>

⁷⁷ Premium Times, 'Boko Haram Attacks IDP Camps Ahead of Elections' (Nigeria, 25 February 2023).

⁷⁸ UN Security Council, *Report on Somalia* (2022) S/2022/421.

⁷⁹ Lebanese Center for Human Rights, *Syrian IDPs in Local Elections* (2022) 8.

⁸⁰ Kenya Human Rights Commission, *Kakuma Camp Tensions* (2021) 6.

⁸¹ South Sudan National Elections Commission, *2021 Candidate Data* (2021).

⁸² International Crisis Group, *Iraq's Displacement Crisis* (2022) 19.

⁸³ Organization of American States (OAS), *Venezuela Electoral Report* (2020) 23.

⁸⁴ Amnesty International, *Rohingya Disenfranchisement* (2021) 11.

D. Socio-Economic and Cultural Obstacles

a. Poverty and Survival Priorities: IDPs living in extreme poverty prioritize food, shelter, and safety over political participation. When people are struggling to meet their most immediate needs, such as securing a safe place to live, accessing food, and ensuring their safety, the idea of voting or engaging in political processes can seem less urgent. Political participation may feel like a distant concern when the day-to-day struggle for survival dominates their lives. A 2022 survey of IDPs in Somalia found that 78% viewed voting as “irrelevant” to their immediate survival needs.⁸⁵ b. Gender-Specific Barriers: Women IDPs face compounded challenges. In Pakistan, female IDPs from Khyber Pakhtunkhwa reported being unable to vote due to restrictive cultural norms and lack of gender-segregated polling stations.⁸⁶ In Sudan, only 12% of displaced women participated in the 2021 elections, citing fears of sexual violence at polling sites.⁸⁷

c. Lack of Civic Education and access to information: Displacement disrupts access to information. Displaced persons, especially those living in camps or settlements, often have limited access to information about political processes, political parties, and voting procedures. Language barriers further compound this challenge, making it difficult for them to fully understand their rights and participate effectively in elections.⁸⁸ In the Central African Republic, 60% of IDPs were unaware of voter registration deadlines in 2020 due to limited outreach in camps.⁸⁹

d. Weak Constituency Ties and Limited Social Intimacy with Voters: Political participation, especially the right to be elected requires a degree of familiarity, trust, and rootedness between candidates and their constituencies. For IDPs, displacement disrupts these essential social bonds. Once uprooted from their ancestral lands or long-standing communities, they lose the networks, recognition, and communal legitimacy that typically support political candidacy. As newcomers in host areas, they are often perceived as outsiders, lacking the social capital needed to mobilize voters or gain

⁸⁵ Somali Stability Institute, *IDP Political Participation Survey* (2022) 4.

⁸⁶ UN Women, *Pakistan Gender and Displacement* (2019) 15.

⁸⁷ Sudanese Women’s Rights Group, *2021 Election Participation* (2021) 9.

⁸⁸ <https://www.unhcr.org/sites/default/files/legacy-pdf/4794b5262.pdf>

⁸⁹ International Rescue Committee (IRC), *CAR Electoral Outreach* (2020) 7.

endorsement. They cannot easily return to their areas of origin to campaign, while host communities may view them as temporary or unfamiliar. In political systems like Ethiopia's, where community relationships and local identity play a central role in political acceptance, this erosion of "intimacy" between IDPs and potential voters becomes a major socio-cultural barrier to both voting and being elected.

E. Challenges to Being Elected

The above mentioned challenges of IDPs to vote and participate in elections is also applicable to their rights to stand in Elections. Additionally;

IDPs often lack the necessary resources to fund electoral campaigns, which are typically costly endeavors. A candidate needs sufficient financial backing to run an effective campaign, which includes organizing rallies, printing materials, conducting outreach, and paying for transportation and staff. For many displaced individuals, these expenses are beyond reach, further hindering their ability to participate in the political process and secure representation. In Syria, IDP candidates in the 2020 elections reported being unable to afford campaigning, materials or security for public events.⁹⁰

b. Discrimination and Stigma: IDP candidates are often perceived as less credible or less legitimate due to their displacement status. This perception can stem from stereotypes or biases, such as viewing them as disconnected from their communities or lacking deep-rooted ties to their electoral constituencies. As a result, IDP candidates may face additional challenges in gaining the trust and support of voters, despite having a legitimate right to run for office and represent their communities. In Colombia's 2022 elections, IDP candidates in Bogotá faced smear campaigns accusing them of "exploiting displacement for political gain."⁹¹

c. Legal Restrictions on Candidacy: Residency laws often block IDPs from running in host regions. In Sri Lanka, Tamil IDPs displaced by the civil war cannot contest local

⁹⁰ Syrian Network for Human Rights, *2020 Election Report* (2020) 5.

⁹¹ Colombia Reports, *IDP Candidates Face Backlash* (12 March 2022).

elections in Sinhalese-majority areas unless they prove 12 months of residency, a near-impossible requirement for recent arrivals.⁹²

2.4 Legal Framework of IDP Participation

The human rights mechanisms that provide for the right of displaced persons to participate in elections are divided into international, regional and national. They also stipulate the basic rights of the displaced person related to elections and guarantee them electoral participation in nomination and candidacy.

A. International Legal Frameworks

1. Universal Declaration of Human Rights (UDHR)

The first international instrument with universal scope proclaiming universal and equal suffrage is the UDHR which in Article 21 declares that:

*“1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.” and “3) The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by the equivalent free voting procedures”*⁹³

The UDHR is applicable to everyone including IDPs.

2. The International Covenant on Civil and Political Rights (ICCPR)⁹⁴ codified the right to vote and be elected, affirming in Article 25,

‘Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 24 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which

⁹² Sri Lanka Election Commission, *Local Elections Act* (2021) s 5(2)(c).

⁹³ Universal Declaration of Human Rights (adopted 10 December 1948 UNGA Res 217 A(III) (UDHR).

⁹⁴ *International Covenant on Civil and Political Rights*, G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1967, entered into force Mar. 23, 1976).

shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country’.

This international Human Rights bill imposes a legally binding obligation on its signatories. The rights protected under Article 25 of the International Covenant on Civil and Political Rights (ICCPR) must be effectively guaranteed in practice, not merely recognized in law. The Human Rights Committee, in its General Comment No. 25, has emphasized that states must take positive measures to ensure that all citizens have an equal opportunity to participate in public affairs, vote, and stand for election without discrimination or undue restrictions.⁹⁵

2. United Nations guidelines on internal displacement⁹⁶ :The United Nations guidelines on internally displaced persons were developed in 1998 by Dr Francis Deng, then the Representative of the Secretary - General on Internally Displaced Persons, with the assistance of a team of legal experts.⁹⁷ A key point in the development of the guidelines was the team’s insistence on the inclusion of the right to vote as this right is subject to abuse, especially in situations of prolonged displacement. The Guiding Principles are based on the rules of law that have affirmed the right of internally displaced persons to vote. Displaced persons have the right to participate in political participation, including the right to vote and to be elected, in addition to participation in government and public affairs.⁹⁸ This right has been clearly emphasized in the United Nations Guiding Principles on Displaced Persons in:

1. Principle 1-1, which provides that: (Internally displaced persons in their country enjoy full equality, with the same rights and freedoms as other persons in the country under international and domestic law and should not discriminate against such persons in the enjoyment of any of these rights and freedoms on the grounds that they are internally displaced.)

⁹⁵ United Nations Human Rights Committee, General Comment No. 25 (1996) on Article 25 of the ICCPR

⁹⁶ Un guiding principles

⁹⁷ ?

⁹⁸ ?

2. Principle 15-1 provides (the right to seek safety in another part of the country)

- Principle 20-1 states that internally displaced persons, whether living in camps or not, may not be discriminated against, by virtue of their status as displaced persons, in the enjoyment of the following rights: (The right to vote and to participate in public affairs, including the right to the means necessary for the exercise of this right.)

- Principle 20-2 states that, (In the case of IDPs, the relevant authorities issue all necessary documents required for the enjoyment and exercise of their legal rights. These documents include passports, personal identity documents, birth certificates and marriage certificates; in particular, the authorities shall facilitate the issuance of new documents, or the replacement of documents lost due to displacement, without imposing unreasonable conditions such as requiring the return of the person to his or her usual place of residence to obtain these or other required documents.)

3. Principle 29-1 states that Internally displaced persons who have returned to their homes or habitual residence or resettled elsewhere in the country may not be discriminated against by virtue of their former status as displaced persons. (They shall have the right to participate fully, on an equal basis, in the conduct of public affairs at all levels and in equal access to public services.

B. Regional Legal Frameworks

1. **African Charter on Human and Peoples Rights:** Article 13 of the African charter states that All citizens have the right to participate freely in the conduct of their country's affairs; either directly or through representatives freely chosen; in accordance with the provisions of the law; All citizens are also entitled to the assumption of public functions in their country; and, Everyone has the right to benefit from public property and services, within the framework of the full equality of all before the law.⁹⁹

⁹⁹ African Charter on Human and Peoples Rights

2. The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)¹⁰⁰: The Kampala Convention for the Protection and Assistance of Internally Displaced Persons is one of the regional mechanisms that obliges governments on the African continent to protect the rights and well-being of peoples who have fled their homes as a result of conflict, violence, human rights violations, and natural disasters. Experts view the provisions of the convention as derived from or perceived by the United Nations Guiding Principles on Internally Displaced Persons and fundamentally as being complementary to each other.

Ethiopia is one of the countries that have signed and ratified the Kampala Convention for the Protection and Assistance of Internally Displaced Persons; on the 13th of February 2020. The instrument fused into national law through ‘ratification proclamation’ entitled African Union Convention (Kampala Convention) for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation No. 1187/2020. Thus, the convention is the best tool to address IDP issues due to the inclusion in this agreement of topics addressing the problems of permanent and prolonged displacement. The issue of IDPs’ participation is not an exception. In this direction, the Convention affirmed the right of internally displaced persons to participate in political participation.

Article 9, paragraph 1, clause 1, of the convention states that State parties shall protect the rights of internally displaced persons, regardless of the causes of such displacement, by refraining from Discrimination against these persons in the enjoyment of any rights or freedoms on the grounds that they are internally displaced. And, Article 9, paragraph 2, clause 2, provides for measures to ensure that internally displaced persons are received without discrimination of any kind and live in favorable conditions of safety, dignity, and security.

Article 11, paragraph 2, requires state parties to enable displaced persons with free choice in matters regarding their return, integration, or resettlement options, by consulting with

¹⁰⁰ African Union Convention for the protection and assistance of internally displaced persons in Africa (Kampala Convention), October 2009

them on these and other options, and ensuring their participation in finding sustainable solutions.

Article 13, obliges state parties to facilitate access of internally displaced persons to civil status documents necessary for the enjoyment and exercise of their rights. These include documents such as passports, personal identity documents, civil certificates, birth certificates and marriage certificates. And also it necessitates state parties' facilitation of the process of issuing new documents or replacing documents that have been lost or destroyed during the displacement process, failure to provide IDPs with such documentation should not prevent them from exercising their human rights.

Admasu Alemayehu, in his LL.M thesis¹⁰¹ examined the essential features of the African Union(AU) IDPs Convention. He stated that the AU IDPs Convention has become the first human rights treaty incorporating norms of international human rights and humanitarian laws in a single human rights treaty. Admasu argues that the protection of persons from arbitrary displacement is one important contribution in the history of human rights treaty- making. This guarantee has been implicit in the pre-existing human rights treaties and it is for the first time that such a right has acquired express legal status under a human rights treaty. According to him, the other unique contribution of the Convention is its direct imposition of human rights obligations on the members of armed groups in situations of armed conflicts.

Getnet Ayalew, in his LL.M thesis¹⁰² has dealt with the legal and institutional framework for the protection of IDPs in Ethiopia. He argues that the Ethiopian legal framework has provided different protections for IDPs in different stages of displacement. However, since the protections are provided by scattered provisions that are stipulated here and there, there are many occasions in which difficulties happen in their enforcement. Further, the scattered nature of these protections creates a problem in developing public awareness regarding the rights and freedoms of IDPs as well as their obligations and

¹⁰¹ Admasu Alemayehu, The African Internal Displacement Problem and the Responses of African Union: - An Examination of the Essential Features of the AU IDPs Convention, LL.M Thesis, Addis Ababa University, (January 2010)

¹⁰² Getnet Ayalew Tessema, 'The protection of internally displaced persons: an assessment of the legal and institutional framework in Ethiopia', LL.m thesis, Bahirdar University (june 2019)

responsibilities towards them. He also argues, though the national normative frameworks have provided many protections for IDPs, they do not squarely comply with the minimum essential elements necessary for ensuring adequate protection for IDPs in accordance with the supranational frameworks. As a result, the national normative framework still faces some gaps in this regard. Some of these gaps include its failure: to provide any form of definition for IDPs; to expressly provide displacement as one ground in which discrimination is prohibited; to provide the manner of collecting information on the number and location of IDPs in order to guide implementation as well as to avoid the ongoing conflicts within the IDP population at the time of voting.

CHAPTER THREE: IDPs' RIGHTS TO VOTE AND BE ELECTED IN ETHIOPIA

Ethiopia has faced significant challenges in addressing the political participation of internally displaced persons (IDPs). With millions displaced due to ethnic conflicts, natural disasters, and other factors, ensuring their inclusion in the political process remains a pressing issue. This chapter explores the situation of IDPs in Ethiopia, the causes of displacement, the existing legal framework, measures taken to protect IDPs, and the challenges they face in participating in political processes.

3.1 General overview of Displacement in Ethiopia

In 2018, Ethiopia experienced the third-highest number of new displacements globally, with 3,191,000 internally displaced persons (IDPs). A large portion of these displacements was driven by conflicts, primarily linked to ethnic and border-related disputes. Long-standing tensions, such as those over the Oromia-Somali regional border that escalated in 2017, remain unresolved, while new conflicts have also emerged. For instance, disputes over the administrative designation of Konso woreda in the Southern Nations, Nationalities, and People's region triggered conflict in 2016. Although Konso was formally recognized as a zone in 2018, tensions have persisted.¹⁰³

In April and June of the same year, competition over land and resources fueled violent clashes between the Gedeo and Guji Oromo tribes in West Guji, resulting in the displacement of approximately 748,499 individuals by August 2018. Further displacement occurred in September 2020 when frequent attacks by unidentified armed groups (UAGs) on the border of the Benishangul-Gumuz region forced many to flee to the Awi zone in the Amhara region. This situation worsened, and by January 2021, the number of displaced people peaked at 76,000.¹⁰⁴

In early November 2020, the Tigray regional party reportedly attacked the Northern Command of Ethiopia's National Defense Force in Mekelle, triggering a military

¹⁰³ IOM, IDMC note 1, accessed on Nov 12, 2022

¹⁰⁴ Ibid

response from the federal government. This escalated into a broader conflict in northern Ethiopia, causing widespread displacement. By late June 2021, following a change in administration in the Tigray region, the conflict shifted southward into the Afar and Amhara regions before beginning to subside around January 2022. Meanwhile, in mid-April 2021, violence erupted in the Ataye City Administration within the North Shewa zone of the Amhara region and its surrounding areas. This led to large-scale displacement, with government estimates placing the number of internally displaced persons (IDPs) at a peak of 310,000.¹⁰⁵

As of June 2024, Ethiopia's internal displacement crisis involves 4.5 million displaced individuals spread across various regions. These displacements are primarily concentrated in Somali, Oromia, and Tigray, which collectively account for the largest numbers. The Somali region alone is home to approximately 1.2 million displaced persons, followed by Oromia and Tigray, each with an estimated 1.1 million IDPs. Other regions with significant displacement include Amhara (418,000), Benishangul-Gumuz (324,000), and South Ethiopia and Sidama, each hosting 88,000 IDPs. Smaller numbers are found in Southwest Ethiopia (37,000), Central Ethiopia (33,000), Gambela (7,000), and Harari and Dire Dawa combined (2,000).¹⁰⁶

The duration of displacement varies, with the majority (56%) displaced for less than one year, while 23% have faced displacement for two to four years. Alarming, 11% of IDPs have endured displacement for five years or more, indicating the prevalence of protracted situations.¹⁰⁷

According to the International Organization for Migration, there were approximately 4.17 million IDPs in Ethiopia as of July 2021, 82% of which are conflict-induced and largely related to ethnic and border-based disputes. This estimate has increased dramatically since due to the various conflicts in the country.¹⁰⁸

¹⁰⁵ Ibid.

¹⁰⁶ "IDP Situation in Ethiopia," June 2024, compiled and analyzed by OCHA, based on IOM-DTM Site and Village Assessments (up to rounds 35 and 18, respectively) <https://bit.ly/2GeXzGl> accessed 22 April 2024.

¹⁰⁷ Ibid.

¹⁰⁸ Ethiopian Human Rights Commission, [Electoral Participation of Internally Displaced Persons \(IDPs\) in the Ethiopian National Election of 2021, September 2021](#)

The causes of displacement are predominantly linked to conflict, which remains the leading driver, followed by social tensions and climate-related challenges such as floods and droughts. Despite these ongoing challenges, significant progress has been made in facilitating returns, with 3.3 million IDPs returning to their areas of origin since January 2022. However, continued displacement across the country underscores the need for comprehensive solutions.¹⁰⁹

Many IDPs could potentially return, relocate, or integrate locally if security conditions improve and adequate resources are allocated. The crisis emphasizes the importance of coordinated efforts to provide durable solutions while addressing the root causes of conflict and environmental vulnerability.¹¹⁰

3.2 Causes of Displacement in Ethiopia

Ethiopia faces a multifaceted internal displacement crisis driven by various interrelated factors. As of May 2024, an estimated 3,306,693 individuals (664,509 households) were displaced across 2,739 accessible sites in the country. This reflects an increase of 3.5% (112,280 individuals) since the previous data collection round in late 2023.¹¹¹

1. Conflict

Conflict is the primary driver of displacement, accounting for 68.7% of the internally displaced population (IDPs). An estimated 2,272,533 individuals are displaced due to armed violence, particularly in regions such as Tigray, Amhara, and Afar.¹¹² The Tigray conflict began in November 2020, with hostilities between the federal government and the Tigray People's Liberation Front (TPLF). Although a cessation of hostilities was signed in November 2022, insecurity persists in Tigray and its neighboring regions, contributing to ongoing displacement.¹¹³ Political unrest in Amhara, exacerbated by the

<https://www.ohchr.org/sites/default/files/documents/issues/internaldisplacement/cfis/participation-elections/inputs/2022-09-09/IDPs-participation-in-elections-EHRC-inputs-IDP-elections.docx> > accessed on Nov 12, 2022

¹⁰⁹ Ibid

¹¹⁰ Ibid

¹¹¹ IOM, *Ethiopia National Displacement Report 19: November 2023 – May 2024* (IOM 2024) 8.

¹¹² Ibid.

¹¹³ Ibid, 3

federal government’s decision to dissolve regional security forces, has also intensified displacement in 2023 and 2024.¹¹⁴

2. Climate-Related Factors

a. Drought

Drought caused by consecutive failed rainy seasons since 2020 has displaced 544,002 individuals, or 16.5% of the IDP population.¹¹⁵ This issue is most acute in Somali, Oromia, and Afar regions, with the Somali region hosting 73.1% of those displaced due to drought. The resulting water shortages and food insecurity have further deepened vulnerabilities in affected areas.¹¹⁶

b. Other Climate-Induced Events

Floods, landslides, and fires collectively account for the displacement of 276,868 individuals (8.4% of IDPs). Heavy rainfall during the March–May 2024 “Belg” season caused widespread damage, including the destruction of housing, infrastructure, and croplands.¹¹⁷ The Somali and Afar regions are particularly affected, with Somali alone hosting 72.1% of those displaced by these events.¹¹⁸

3. Social and Political Factors

Political tensions and social unrest are significant displacement triggers, particularly in the Amhara region. Protests against federal policies have escalated into violent clashes, leading to insecurity and displacement.¹¹⁹ Additionally, humanitarian needs in areas such as West Gondar have worsened due to resource limitations and restricted access, compounded by an influx of refugees from Sudan since 2023.¹²⁰

4. Combined Impacts and Vulnerabilities

¹¹⁴ Ibid, 4.

¹¹⁵ Ibid, 8.

¹¹⁶ Ibid, 4

¹¹⁷ Ibid, 4

¹¹⁸ Ibid, 4, 8.

¹¹⁹ Ibid, 4.

¹²⁰ Ibid.

The convergence of conflict, climate-related disasters, and political unrest has exacerbated vulnerabilities among displaced populations. Many IDPs face limited access to essential services, including healthcare, clean water, and education. Disease outbreaks such as cholera, malaria, and measles further increase the suffering of both IDPs and host communities.¹²¹

3.3 Legal Framework in Ethiopia

1. **The 1995 Constitution of the Federal Democratic Republic of Ethiopia (FDRE):** under its article 38 recognized the right of every Ethiopian citizen to participate in conduct of public affairs, to vote and to be elected at any level of government without discrimination of any kind.¹²²
2. **The Ethiopian Electoral, Political Parties Registration and Elections’ Code of Conduct Proclamation No. 1162/2019:** this Proclamation specifically provides that ‘special polling stations’ may be established at or near the place where internally displaced voters are to be found.¹²³ The stipulation of the new electoral framework of 2019 for the establishment of special polling stations at or near the place where internally displaced citizens are to be found, is of paramount significance in ensuring the participation of every Ethiopian, including IDPs, in making elections more inclusive. The provision also guarantees special measures catering for the specific challenges and obstacles faced by IDPs in the context of elections. It affirms that IDPs cannot be stripped of their ability to exercise electoral rights on the account of displacement.
3. **Directive on the Establishment of Special Polling Station No. 13/2021:** the national election management body - the National Electoral Board of Ethiopia (NEBE) - adopted the Directive on the Establishment of Special Polling Station No. 13/2021, with the intention of enfranchising various members of the community who live outside their

¹²¹ Ibid, 4–5.

¹²² The Constitution of the Federal Democratic Republic of Ethiopia (FDRE Constitution), Proclamation No.1/1995, Fed. Negarit Gazette, 1st Year No.1, 1995.

¹²³ Electoral Proclamation of 2019, *supra* note 5, Article 17 (1)

electoral district of habitual place of residence, including IDPs.¹²⁴ The Directive was progressive as it recognizes alternative means of identity verification, such as testimonies of fellow IDPs or IDP camp management.

3.4 Challenges of IDPs Political Participation, including Electoral rights

A. Practical Challenges

As per article 17(1) of proclamation no.1162/2019 the NEBE may, for the purpose of enfranchising those living far from their constituency, establish special polling stations at or near the place where the voters are to be found: military who live in camps; civil servants and their family members; citizens attending higher learning institutions; internally displaced citizens. Moreover, the Board shall determine the particulars in a directive for these voters, including the place where they will vote, the constituency where their votes are to be counted and other related matters, accordingly, the National Electoral Board of Ethiopia developed and approved Directive No. 13/2020.

However, the NEBE was unable to implement most of the directive's provisions.¹²⁵ IDPs were, therefore, registered in small numbers and majorities were not eligible legally to vote on June 21, 2021.¹²⁶ The lack of engagement by regional authorities hampered the possibility of establishing special polling stations or making them accessible for IDPs.¹²⁷ The Board officially listed 427 special polling stations across Afar, Harari, Gambela, Oromia, and Somali regions as well as Dire Dawa City Administration where IDPs from past conflicts were settled. The NEBE couldn't confirm if elections were held in those areas.¹²⁸ Yet, the Limited Election Observation Mission for Ethiopia (LEOME) was only able to verify the existence of four special polling stations that processed voters on June 21 in Gambella.¹²⁹

¹²⁴ Directive on the Establishment of Special Polling Stations No 13/2021, Articles 13 & 14.

¹²⁵ International Republican Institute (IRI) and National Democratic Institute (NDI), Ethiopia June 21, 2021 National Elections, LEOME Report, August 5, 2021, p.7. Available at <https://www.ndi.org/sites/default/files/LEOME%20Report%20of%20the%20June%2021%20Elections-krf0806-R3%20%281%29.pdf>

¹²⁶ Interview with NEBE official

¹²⁷ Id.

¹²⁸ Id.

¹²⁹ Interview with Coalition for Ethiopian Human Rights Organizations

Elsewhere, NEBE's regional offices allowed the registration of IDPs in regular polling stations, where they voted for local candidates, along with the general population; in most areas, logistical and security challenges stood in the way of the NEBE addressing the needs of more recent IDPs spawned by ongoing inter-communal conflicts in Amhara, Western Oromia, and Benishangul-Gumuz regions.¹³⁰

IDPs were also not sufficiently afforded civic and voter education and were thus not adequately prepared to exercise their right to participate in election.¹³¹ Likewise, political parties did not include IDPs in their voter outreach strategies, arguing that IDPs settlements were out of reach and that IDPs were generally more preoccupied with receiving shelter and other forms of humanitarian assistance.¹³² Due to the uncertainty surrounding the establishment of special polling stations, no civil society organization observed the vote inside IDP settlements. Coalition for Ethiopian Human Rights Organizations (CEHRO), the only organization accredited to observe at IDP sites, did not deploy any observers because there were no SPS dedicated to NEBE.¹³³ Furthermore, the NEBE did not report the number of IDPs registered in special polling stations or the number of votes cast in these polling stations in the aftermath of the elections.¹³⁴

It was confirmed by NEBE's higher officials through an interview that IDPs did not participate during the 6th national election. The most widely cited factor for non-participation, as claimed by NEBE, was lack of data about the number of IDPs in different camps, lack of information about the original constituency of the IDPs, the return of some IDPs to their original home, and constraint of time were the major reasons for the exclusion of IDPs during the 6th national election.

In practice IDPs in Ethiopia were disenfranchised of their electoral rights during the 6th national election, although, the Ethiopian normative framework recognizes the rights of IDPs political participation, including the right to vote and to be elected.

¹³⁰ Interview with NEBE

¹³¹ Ibid.

¹³² Interview with joint council of Ethiopian Political Parties, and Ethiopian Citizens for social Justice Party, former Secretary

¹³³ Interview with Coalition for Ethiopian Human Rights Organizations

¹³⁴ Ibid.

B. Having Discriminatory Provisions and electoral system

Many international human rights instruments require the State to respect and ensure the rights recognized by those conventions without any discrimination. Article 26 of the International Civil and Political Covenant, for example, provides for equality of treatment and governs the exercise of all rights, whether protected under the Covenant or not, which the State party confers by law on individuals within its territory or under its jurisdiction. Discrimination on the basis of "race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status" is prohibited. "Other status" has been given a broad interpretation and can be argued to include internally displaced persons. The UN Guiding Principles on its principle 22(1) (d) recognizes IDPs' right to elect and to be elected without discrimination on the account of their situation. The same right is enshrined in the Kampala convention. When it comes to Ethiopian laws the FDRE constitution under article 38 stipulates every Ethiopian national has the right to participate in the conduct of public affairs, to vote and to be elected at any level of government without discrimination of any kind.

The above mentioned legal instruments and other international, regional and local laws are clear about the equality of IDPs right to political participation, including the right to vote and to be elected like other citizens. Any discrimination with the 'purpose' or the 'effect' of nullifying or impairing the equal enjoyment or exercise of rights is prohibited under the non-discrimination provisions. In other words, the principle of non-discrimination prohibits 'direct' and 'indirect' forms of discrimination. The concept of 'indirect' discrimination refers to an apparently 'neutral' law, practice or criterion, which has been applied equally to everyone but the result of which favors one group over a more disadvantaged group. In determining the existence of indirect discrimination, it is not relevant whether or not there was intent to discriminate on any of the prohibited grounds. Rather, it is the consequence or effect of a law or action that matters. Having the meaning and legal basis on the principle of non-discrimination bear in mind, it can easily be witnessed the presence of discriminatory provisions, and in the system.

Ethiopia employs a **first-past-the-post (FPTP)** electoral system, where candidates compete in single-member constituencies, and the individual with the most votes wins the seat. This system has faced criticism for not ensuring equitable representation for smaller parties and minority groups, thereby limiting the scope for multiparty democracy. Critics argue that FPTP can marginalize minority voices and does not reflect the diverse political preferences of the electorate.¹³⁵ Additionally, the FPTP system poses challenges for internally displaced persons (IDPs) in Ethiopia. Displacement disrupts their connection to their original constituencies, complicating their ability to participate in elections. In the 2021 national election, measures were taken to allow IDPs to vote for their constituencies of origin through absentee ballots. However, logistical and security challenges persisted, highlighting the need for more robust mechanisms to ensure the political participation of displaced populations.¹³⁶

Constituency-based electoral systems, like Ethiopia's, often present challenges for internally displaced persons (IDPs) who are unable to reside in their regular constituency due to displacement. Questions arise about where such individuals should cast their vote or stand as candidates for election. These systems typically link voter eligibility and candidacy requirements to residency within a specific constituency, creating obstacles for displaced individuals who no longer live in their original constituency but may not meet the residency requirements of their new location.¹³⁷

In the Directive on Candidate Registration, Collection of Endorsement Signatures and Selection of Symbols no. 7/2021. According to article 7(2) of the directive a person who, due to education or internal displacement, is away from his permanent residence can compete as a candidate in a constituency of his permanent residence where he has been living prior to his departure to another place for education or be in an internally displaced people's camp. As per this very article IDPs seeking to register as a candidate have no choice other than participating in their original constituency.

¹³⁵ Adem Kassie Abebe, Idea and Source, E. (2015) *The winner Shall not take it all: Proposals for electoral reform to ensure inclusive political representation in Ethiopia*, ConstitutionNet. Available at: <https://constitutionnet.org/news/winner-shall-not-take-it-all-proposals-electoral-reform-ensure-inclusive-political> (Accessed: 15 February 2024).

¹³⁶ Enguday Meskele Ashine & Omotunde Enigbokan, (note 19)

¹³⁷ Interview with CEHRO

In the constituency-based elections, it can be technically difficult for IDPs to run in constituencies of origin or habitual residence while they are not physically there. Given the precarious position that IDPs can find themselves in, there is a slight possibility for them to return back to their place of residence or origin in order to stand for elections. It is also highly complicated for IDP candidates to conduct campaigns targeting voters who are still residing in constituencies of origin or dispersed to other regions. Thus, physical absence from the election district combined with limited access to potential voters may deter IDPs from participating in the election as candidates and in the political process. Besides this, many sources reveal that the major displacement reasons in Ethiopia are politically motivated ethnic violence and communal conflict. If consideration is given to the reasons for the displacement of IDPs, the challenges of IDPs to be a candidate in his/her original residence will be appreciated.

To fully protect the right to be elected of IDPs, the electoral laws of Ethiopia, including the aforementioned directive, should be revised in a way to give the IDPs a chance to choose their constituency between their original residence and present constituency. Otherwise, Ethiopian IDPs will face practical discrimination and resulted in disenfranchisement of their right to be elected and become part of the political process

Pursuant to article 9 of the same directive any person seeking to register as an independent candidate and contest for a seat in the House of Peoples' Representatives shall secure endorsement signatures of at least 5000 eligible voters residing in the constituency where he is intending to contest. Where she/he is a person with disability secure endorsement signatures of at least 3000 eligible voters residing in the constituency where she is intending to contest. Where the independent candidate is contesting for a seat in a regional council, she/he shall submit endorsement signatures of 2500 eligible voters residing in the constituency in which she/he wishes to compete. Where she is a person with disability, submit the endorsement signature of at least 1500 eligible voters residing in the constituency in which she/he wishes to compete.

If the person is contesting for a seat of council of special zone, nationalities' zone, woreda, city administration or kebele she/he must submit endorsement signatures of not

less than 500 eligible voters, for a seat in a special zone, nationalities zone, Woreda or city administration council. Where she/he is a person with disability and if competing for a seat in a special zone, Nationality zone, Woreda or city administration council, she/he shall submit endorsement signatures of not less than 300 eligible voters. She/He must submit endorsement signatures of not less than 100 eligible voters, for a seat in a Kebele council. Where the independent candidate is a person with disability and contesting for a seat in kebele council, she/he shall submit endorsement signatures of not less than 50 eligible voters.

According to article 11 of the same directive eligibility to endorse a candidate a person endorsing a candidate shall be an Ethiopian citizen; be a resident of the constituency for a period of six months; be 18 years old or above; not be stripped of voting rights by law or decision of a court; and not be restricted to vote due to mental illness.

Close looks at the above provisions indicate that to run in constituencies of origin IDPs are expected to have an equal endorsement signature with non-displaced candidates. Considering direct discrimination one may argue that the law does not discriminate against IDPs to participate as a candidate; hence, their political participation, including the right to be elected is fully protected. However, this argument will not be sound if account of the major reasons that often of IDPs are considered, most of which are the result of politically motivated ethnic violence and communal conflict. Moreover, less possibility for them to return back to their place of residence or constituency of origin in order to stand for elections and the challenging situation that IDP candidates face to conduct campaigns targeting voters who are still residing in constituencies of origin or dispersed to other regions.

Unless NEBE takes some positive measure to revise the above-mentioned provisions of directive no. 7/2021 to lower the number of endorsement signature expected from IDPs, at least like people with disability, it is safe to conclude that the IDPs suffer indirect discrimination and their right to be elected will be highly disenfranchised.

C. Restrictive Residency Requirements

Exercising electoral rights such as voting rights is often closely tied to an electorate's place of residence.¹³⁸ The UN Human Rights Committee has emphatically noted that States should make sure 'if residency requirements apply to registration, they must be reasonable, and should not be imposed in such a way as to exclude the homeless from the right to vote'.¹³⁹ Here, it could be argued IDPs are in the category of homeless, hence, should not be excluded by residency requirement.¹⁴⁰ Nevertheless, in line with common practice, the electoral proclamation of 2019 as well as directive no. 13/2020 on special polling stations has provided for a rule that requires a person to register as a voter within a constituency where he/she has been residing for at least six months.¹⁴¹

On the other hand, displacement often entails a temporary or permanent loss of residence, thus making it impossible for displaced persons to register and vote by proving six months residency within the constituency. The Ethiopian electoral framework guarantees IDPs' right to elect representatives for districts in which they are currently residing. A close look at directive no. 13/2020 reveals IDPs to cast their vote at the location of displacement for their respective constituency of origin.¹⁴² The directive provides for absentee voting arrangement by reiterating that 'voters will vote for their respective constituencies and as such, the vote for each constituency shall be aptly counted'.¹⁴³

It is not deniable that the government of Ethiopia has taken huge steps to widen the opportunity for IDPs participation in the election process by issuing different laws. Among these laws we can cite directive no 13/2020. According to this directive, as an alternative option, an IDP is allowed to register for voting upon presenting a document which shows her personal identity given by a relevant institution. A person is allowed to register for voting upon recognition of the voter's identity by the registration officers. Moreover, the IDPs can be eligible as voter on the testimonies of other two IDPs, whose habitual residence prior to displacement is the same with the IDP, or on the testimonies of

¹³⁸ Interview with EHRC and CEHRO

¹³⁹ Ibid

¹⁴⁰ Interview with NEBE

¹⁴¹ Ibid

¹⁴² Interview with CEHRO

¹⁴³ Ibid

two witnesses whose residence in the camp have been proven, and after this event have been recorded in the minutes.

From the aforementioned provisions, it is plausible to conclude the directive on establishment of special polling stations tries to widen the chance of IDPs participation in the election process. However, as mentioned above, the directive should not give the IDP a chance to choose a constituency from place of origin or place of displacement- where their vote is to be counted. Thus, IDPs should be entitled to choose whether to have their vote counted in the place of current residence or by absentee ballot, in their place of origin.

Like other citizens of the country, in fact without any forms of discrimination, IDPs have the right to participate as candidates during elections. This may help displaced persons to maximize their political participation. In this connection, the electoral proclamation provides that an Ethiopian citizen who has attained 21 years of age or above, and resided in the constituency of his intended candidature continuously for one year prior to the election day or his place of birth is in the constituency of his intended candidature is eligible to stand in election.¹⁴⁴ This provision requires individuals to register as candidates at the place where they lived for a minimum of one year prior to election or at their place of birth. Thus, a candidate has to establish that he/she is a resident or native of a certain community in which he/she wishes to stand for election. Such requirements, however, present problems to IDP candidates due to the fact that they are no longer located at their place of habitual residence or origin. This goes to say that exercising the right to stand in elections is almost unavailable to IDPs. This is particularly in the case that the general elections (election for HPR and Regional State Councils) are based on sub-national districts, and local elections are based on ballots that are unique for each constituency.¹⁴⁵ This raises a difficult question about where IDPs should be able to contest as candidates.

On the other hand, if they wish to run for office at the place of displacement, they should establish residence for a minimum of one year. Thus, running for office at their current

¹⁴⁴ Electoral, political parties registration and election's code of conduct proclamation 2019, art.31

¹⁴⁵ Interview with CEHRO

place of displacement is equally difficult for IDP candidates as they may not fulfill the requirement. Perhaps it could be argued that deprivation of IDPs' right to stand for election in their current constituency is appropriate given the fact that they may not be familiar with local issues and may not have established party structure.¹⁴⁶ Nevertheless, strict residency requirement means an IDP candidate who would have met residency requirements to run for office at his/her constituency of origin might be excluded from standing for election in the current constituency on the account of long residency requirement. The Electoral Proclamation of 2019 has failed to consider the specific situation of displacement by stipulating rules that seem reasonable and harmless under normal conditions yet potentially curtail IDPs' participation in public affairs and decision-making process. This is not in line with the international standard that requires the right to be exercised without unreasonable restrictions and without any forms of distinction.¹⁴⁷ In this regard, the Human Rights Committee which monitors compliance with ICCPR underscored that 'persons who are otherwise eligible to stand for election should not be excluded by unreasonable or discriminatory requirements such as residence or descent.'¹⁴⁸

On top of this, it has been argued deprivation of IDPs' right to stand for election at their current constituency based on strict residency requirement amounts to punishing them for having been displaced.¹⁴⁹ Furthermore, allowing IDPs to have their own representative at their current place of displacement enables their voice to be heard, and facilitates IDPs integration or finding of durable solutions. Hence, it is important to introduce a special mechanism that allows IDPs to exercise their right to be elected otherwise IDPs may not be able to satisfy candidature requirements provided under the new electoral proclamation.

¹⁴⁶ Coalition for Ethiopian Human Rights Organizations, *Assessment of the Normative Framework of Ethiopian laws with relevance to Internally Displaced Persons (IDPs) right to Political Participation including the right to vote, be elected and actively engage in Political Processes in Ethiopia*, 2023, p 14

¹⁴⁷ Ibid, Interview with EHRC

¹⁴⁸ Ibid

¹⁴⁹ CEHRO Assessment supra note 147, p. 16

In general, strict residency requirements enshrined under the electoral proclamation of 2019 coupled with inadequate attention paid to issues of particular concern to IDP voters and candidates under directive 7/2021 and directive 13/2022 may cumulatively disenfranchise IDPs from political participation, including the right to vote and to be elected.

D. Lack of Documentation

Registering to vote as well as actual access to voting through obtaining a ballot generally will require proof of identity, with an elector having to show personal identity documentation attesting to citizenship and civil registration or residency.¹⁵⁰ However, such requirements can be difficult for IDPs, as personal documentation often is lost or destroyed, or even confiscated, in the course of displacement. Moreover, voter registries compiled prior to the events causing displacement may be destroyed in situations of displacement, whether conflict or natural disaster.¹⁵¹ On the other hand, most electoral frameworks require electorates and candidates to adduce identity documents in order to participate in the election.¹⁵² In a similar vein, the electoral proclamation of 2019, the directives on special polling stations, as well as, on candidates have stipulated documentation requirements for the sake of registration as voter and candidate.¹⁵³

Taking in account the difficulties, that IDPs face to adduce document for registration as a voter, the UN Guiding Principles stipulates that States are required to provide IDPs with new or replacement documents without imposing unreasonable condition so as to enable IDPs enjoy their legally recognized rights on equal base with other citizens similar vein, issuing IDPs with relevant documents necessary for enjoyment and exercise of their rights should be prioritized in pursuant to the commitment under the Kampala Convention.¹⁵⁴ Furthermore, the Convention has stated that failure to issue IDPs with such documents shall not in any way impair enjoyment of their human rights.

¹⁵⁰ Grace and Mooney, *supra* note, 5 p.11

¹⁵¹ Grace and Mooney, *supra* note, 5 p.11

¹⁵² Ibid.

¹⁵³ CEHRO Assessment, *supra* note, p.38

¹⁵⁴ Ibid.

In conformity with international standards and considering IDPs particular difficulty in fulfilling such documentation requirements directive no 13/2020 allowed an IDP to register for voting upon presenting a document, which shows her personal identity given by a relevant institution. A person is allowed to register for voting upon recognition of the voter's identity by the registration officers. Moreover, the IDPs can be eligible as voter on the testimonies of other two IDPs, whose habitual residence prior to displacement is the same with the IDP, or on the testimonies of two witnesses whose residence in the camp have been proven, and after this event have been recorded in the minutes.

From the aforementioned provisions, it is plausible to conclude the directive on establishment of special polling stations tries to widen the chance of IDPs participation in the election process. Even though, the progress is huge, we can't conclude that the rights of IDPs are fully guaranteed. As a result, NEBE shall revisit electoral rules dealing with documentation requirements that could prevent IDPs from registering and exercising their right to vote in light of standards provided under the Kampala Convention. Accordingly, alternative mechanisms such as providing special arrangements for IDPs including affidavits, extracts from telephone directories, bills and other related evidence should be considered.¹⁵⁵

Pursuant to Directive no.7/2021 any person seeking to register as an independent or a political party candidate shall submit a valid and unexpired photographic residence identification card, driving license, military service document, an employee or student identification card issued by a legally recognized governmental or private employer, university or school to prove identity.¹⁵⁶ The Directive on Candidate Registration, Collection of Endorsement Signatures and Selection of Symbols has provided for alternative solutions to the documentation issues by stipulating if documentary evidences submitted by the person does not prove age or residence she can be registered as a candidate by proving such facts through testimony of witness having documentary

¹⁵⁵ Ibid

¹⁵⁶ The Directive on Candidate Registration, Collection of Endorsement Signatures and Selection of Symbols, art.8(1)

evidence proving five years residence in the locality where the constituency situate and upon recording this on a minute.¹⁵⁷ Such conditions, however, are often highly problematic for IDPs given the fact that IDPs may reside in camps or temporary residence isolated from the rest of the population. Thus, it is not easy for them to establish identity by adducing documents or through testimony of a witness having documentary evidence proving five years residence in the IDPs habitual residence. These cumbersome requirements of proving residency may have an effect of disenfranchising IDPs' right to be elected.

E. Access to Information and Voter Education

A lack of adequate and timely information is often a further impediment to IDPs political participation, including voting.¹⁵⁸ Moreover, language barriers and low literacy rates also impede IDPs participation in political processes, such as elections.¹⁵⁹ In this regard the UN Human Rights Committee has noted that ‘Voter education and registration campaigns are necessary to ensure the effective exercise of rights by an informed community.’¹⁶⁰ IDPs have particular information needs given that they are away from their location of origin, and special electoral arrangements may be put in place for them.¹⁶¹ Displacement can also make it difficult for IDPs to access information that is available through regular methods.¹⁶² Furthermore, IDPs may have higher levels of political disillusionment and can be subject to intimidation, meaning that greater efforts may be needed to promote their engagement.¹⁶³ Therefore, it is not a choice rather it is a necessity to find special arrangement and technique to attain the information needs of IDPs voters.

Directive no. 4/2020 recognizes voter’s rights to get information about the need of election and the voting process. Besides, the directive stipulates providing information to

¹⁵⁷ Ibid, art.8(3)

¹⁵⁸ Grace and Mooney, *supra* note, 5 p.13

¹⁵⁹ Tetyana Durnyeva, Harald Hartvig Jepsen and Hannah Roberts “IDPs’ Electoral Participation Gap” *Journal of Internal Displacement*, Volume 9, Issue 1, January 2019 p.14 available at: <https://www.journalofinternaldisplacement.com/current>

¹⁶⁰ UN Human Rights Committee, General Comment 25 (1996), paragraph 11.

¹⁶¹ Tetyana Durnyeva, Harald Hartvig Jepsen and Hannah Roberts, *supra* note, 166 p.14

¹⁶² Ibid

¹⁶³ Ibid.

special polling station voters in relation to the whole process of voting, vote counting and vote result.¹⁶⁴ Nevertheless, the directive does not specifically spell out the need to disseminate timely and adequate information to IDP voters. On the other hand, unlike other voters, IDP voters may face particular challenges in making informed decisions regarding voting due to limited access to campaign information.¹⁶⁵ Special efforts and measures should be put in place to ensure election related information reaches IDPs who often reside in camps or temporary centers.¹⁶⁶

Language accessibility is not only important for ensuring all citizens can engage in political participation, including the right to vote and to be elected but it also ensures that IDPs, who have the desire and capability to vote, have the equal opportunities regardless of the languages they speak. It is important for NEBE to adopt inclusive practices in order to break down the barriers preventing IDPs from participating in the electoral process. However, in relation to language barrier even most NEBE issued directives were not translated into other languages and only seven directives were available on the NEBE website (only in Amharic).¹⁶⁷ Though the Electoral Proclamation was translated into the other four working languages of Ethiopia, it was only disseminated electronically.¹⁶⁸ On the other hand, the Human Rights Committee of ICCPR has reiterated state parties should take positive measures to overcome specific difficulties such as language barriers.¹⁶⁹ Hence, there is an obligation to make sure election and campaign related information, including the laws that govern the election should be prepared in the language IDPs understand.

Ethiopia, as a country, pays little attention to the issues of particular concern for IDPs access to information and voter education both in normative framework and in practice.

From the above sub chapter one can easily conclude that the gap between the laws and the practice. Furthermore, there are provisions, having a negative impact on IDPs

¹⁶⁴ CEHRO Assessment supra note 147, p. 22

¹⁶⁵ Ibid.

¹⁶⁶ Ibid. p. 41

¹⁶⁷ LEOME, supra note, 126, p.8

¹⁶⁸ Ibid.

¹⁶⁹ CEHRO assessment supra note 147, p. 28

political participation rights, which demand restrictive residency and strict documentation requirements on the electoral proclamation and on the directives issued by NEBE. The presence of discriminatory provisions in the above-mentioned electoral laws are also a challenge for the enfranchisement of IDPs rights to political participation.

F. The FDRE NHRAP III and IDPs right to political participation

The 1993 Vienna World Conference on Human Rights was a milestone in human rights promotion.¹⁷⁰ The Declaration and Action Plan, which it adopted, set the tone of the work, which followed.¹⁷¹ Among other recommendations, the World Conference called on all States to consider drawing up national action plans for human rights. That recommendation reads: “The World Conference on Human Rights recommends that each State consider the desirability of drawing up a national action plan identifying steps whereby that State would improve the promotion and protection of human rights.”¹⁷²

Following the Vienna conference many state parties prepare national human rights action plans. Ethiopia, like other countries, prepared human rights action plans at different times. The first action plan was formulated in 2013 the period covers from 2013 to 2015 G.C. The second national human rights action plan came into force in 2016. The period covered by the action plan was from 2016 to 2020. The past two action plans had their own strength and weakness both in the preparation of the documents and in practice as well. However, evaluating the previous two action plans is not the concern of this research.

Ethiopia has now prepared a draft NHRAP III which will cover the period from 2022-2027G.C.¹⁷³ The draft action Plan has six chapters, the first chapter devoted to the goals of the action plan to be achieved, about the preparation of the document and the scope of the action plan. Chapter two covers the assessment of the implementation of the 2nd

¹⁷⁰ Britta Lejon, Minister for Democratic Issues “A Written Communication to Sweden Government about The National Human Rights Action Plan – A summary”, 2001 p.4

¹⁷¹ Ibid.

¹⁷² Ibid.

¹⁷³ Draft National Human Rights Action Plan III, May, 2022. The action plan is expected to cover the period 2022- 2027G.c. The document is prepared by ministry of justice and needs the approval of council of ministers.

Human Rights Action Plan; Chapter three is all about human rights education, chapter four deals with civil and political rights; Chapter five focuses on the rights of vulnerable groups- the rights of women, the rights of child rights, the rights of disabilities, the rights of elders. The last chapter covered the Action Plan's implementation strategies, monitoring and review process.

The main scope of the draft NHRAP III is to address in significant detail the issue of civil and political rights, economic rights, social and cultural rights, as well as the rights of vulnerable communities (including women, children, the elderly, the HIV-positive and the Persons with Disabilities).¹⁷⁴ The document indicates the need to take measures to ensure the right to development and environmental rights. While implementing the action plan the government should consider the principle that "human rights are indivisible, interdependent and interrelated." According to the action plan human rights implementation requires both familiar enforcement mechanisms and novel approaches. The action plan further explained the need to include the principle of the right to equality and non-discrimination while implementing the action plan. By citing the inclusion principle of the right to equality and non-discrimination, one may argue that the action plan gives the required attention for rights of IDPs political participation, including right to vote and to be elected.

Though the issues of IDPs are not exhaustively listed under the draft NHRA III, the revised version of the draft action plan gave due consideration to the rights of IDPs and challenges they face. The draft action plan unequivocally states that the rights included in the action plan are selected in considering the problem faced while implementing. Nevertheless, the third draft action plan doesn't indicate measures to be implemented so as to enfranchise IDPs rights, especially their right to political participation, including the right to vote and to be elected. From all these facts it is plausible to conclude that IDPs' rights, especially their right to political participation, including the right to vote and to be elected do not get the required attention and priority in the draft NHRAP III.

¹⁷⁴ Draft NHRAP III, supra note 80, p.4

Ethiopia is now on the top list with a high number of internally displaced persons in the globe and most portions of the IDPs are women and children. Furthermore, for the 6th national election IDPs were not included, for that, they deprived their right to participate in the political process of their country, which includes their voting right and the right to be elected. In this regard, unless the government revises the draft action plan III in a way to include IDPs as a marginalized community and gives the required attention for these parts of the society, it will have a negative impact on the human rights implementation task and may contribute for the continuation of politically motivated conflict and violence.

CHAPTER FOUR: CONCLUSION AND RECOMMENDATIONS

4.1 Conclusion

Internally displaced persons (IDPs) in Ethiopia face numerous challenges in participating in political processes, despite their inherent right to do so under national and international law. These challenges are compounded by logistical, legal, and security barriers that prevent IDPs from exercising their political rights, including voting and standing for office. The legal frameworks in place, both at the national and international levels, provide important protections for the political participation of IDPs. However, in Ethiopia, these protections remain largely theoretical due to gaps in implementation, infrastructure limitations, and the pervasive instability caused by conflict.

The ongoing internal displacement crisis, exacerbated by ethnic conflicts and socio-political unrest, has resulted in millions of Ethiopians being deprived of their fundamental rights. The electoral laws, including residency requirements and documentation challenges, often exclude IDPs from meaningful participation in the political process. Furthermore, discriminatory practices and inadequate civic education further marginalize these vulnerable populations.

The exclusion of IDPs from political participation not only undermines the democratic process but also perpetuates their marginalization. For IDPs, political participation is a vital avenue for addressing their needs, ensuring their representation, and holding the government accountable for its actions in managing displacement and resettlement processes. Thus, it is imperative for the Ethiopian government to take more robust actions to facilitate IDPs' inclusion in political processes, particularly in the context of elections, where their rights are most immediately impacted.

IDPs possess unique perspectives and experiences that are essential for formulating effective policies and solutions to their challenges. Their active involvement in the political process is not only a matter of rights but also critical for fostering national unity and stability. Therefore, addressing the barriers to their political participation is imperative for reinforcing the legitimacy of Ethiopia's democratic processes and ensuring that governance reflects the needs and voices of all citizens.

4.2 Recommendations

The government of Ethiopia, especially the NEBE, takes great steps to revise the normative framework related to IDPs electoral rights with a good intent to enfranchise IDPs political participation rights, including the right to vote and to be elected. However, having restrictive residency and documentation requirements, the existence of discriminatory provisions, and the gaps between laws and the practice, are still the challenges that IDPs have been facing and continue to face in Ethiopia.

To promote the practical realization of IDPs' rights to political participation, including the right to vote and the right to be elected, the writers suggest the following recommendations.

Recommendations to the National Electoral Board of Ethiopia (NEBE)

- NEBE should revise Directive No. 7/2021 (Article 7(2)) to allow IDPs to choose their constituency between their original place of residence and their current place of displacement. This would ensure that IDPs are not disenfranchised due to the practical difficulties of returning to their place of origin for elections.
- NEBE should reduce the number of endorsement signatures required from IDPs, especially from vulnerable groups such as persons with disabilities. This would lower barriers to political participation for marginalized IDPs and ensure equal opportunities for all citizens.

- NEBE should revisit Directive No. 13/2020 (Article 14(5)) and consider incorporating alternative documentation methods for IDPs, such as affidavits, telephone directories, and utility bills. These alternatives would help IDPs who may lack conventional identification due to displacement. It should also explore the feasibility of electronic voting and mobile voting units to address issues related to residency requirements and documentation. These solutions would ensure that IDPs are not disenfranchised due to their displacement and can cast their votes from their current place of residence.
- NEBE should ensure that election-related information, including laws and guidelines, are made available in languages that IDPs understand. This would guarantee that all IDPs are informed about their rights and the electoral process.

Recommendations to the Federal Democratic Republic of Ethiopia (FDRE) Government

- The government should amend national laws to explicitly protect the political rights of IDPs. Special provisions should be made to ensure that IDPs can register to vote, access polling stations, and participate fully in elections, regardless of their displacement status.
- The government should implement mobile registration units and other mechanisms to ensure that IDPs, especially those in remote areas, can obtain necessary identification for voter registration. Special focus should be given to simplifying the documentation process for displaced persons.
- Promotion of Civic Education: The government should conduct public outreach campaigns targeting IDPs, educating them about their political rights, the electoral process, and how they can participate in elections. This would empower IDPs to engage in the political process and exercise their rights effectively.
- Revision of the Draft Action Plan III: The government should revise the draft Action Plan III to explicitly recognize IDPs as a marginalized group in need of attention, ensuring that their political participation is prioritized and fully integrated into national policies.

Recommendations to the House of Peoples' Representatives (HoPR)

- Legislative Reform to Ensure IDPs' Rights: The HoPR should pass laws that specifically address the rights of IDPs to participate in elections. This includes revising existing legal frameworks and creating new provisions that enable IDPs to vote, register, and run for office, irrespective of their displacement status.

Recommendations to Media Authorities

- Media authorities should launch awareness campaigns focused on educating IDPs about their political rights and the electoral process. By informing IDPs of their rights, the media can play a vital role in empowering them to engage in elections.
- Media should ensure that election-related information is disseminated in accessible formats and languages that IDPs understand. This will ensure that displaced communities are adequately informed about the elections, including the availability of special voting mechanisms like mobile voting or absentee ballots.
- Media outlets should monitor and report on the political participation of IDPs, highlighting any challenges they face and raising awareness of the need for reform in electoral laws and practices to better include displaced populations.

Recommendations to Civil Society Organizations (CSOs)

- CSOs should actively advocate for the adoption of inclusive legal frameworks that recognize the electoral rights of IDPs. They should lobby NEBE and the HoPR to amend discriminatory provisions in electoral laws that prevent IDPs from fully participating in the political process.
- CSOs should conduct targeted voter education campaigns for IDPs, informing them about their rights to vote and run for office. They should also offer assistance in voter registration, especially for IDPs who may face challenges accessing the registration process.
- CSOs should engage in election observation activities, focusing on ensuring that the political rights of IDPs are upheld. This includes monitoring voting processes,

advocating for the inclusion of displaced populations in electoral systems, and reporting any irregularities or barriers to participation.

Recommendations to Political Parties

- Political parties should design inclusive campaigns that specifically address the needs of IDPs. They should prioritize issues related to displacement, including political participation, access to voting, and the right to run for office, ensuring that IDPs feel represented and included in the political process.
- Political parties should commit to increasing the representation of IDPs in their ranks, ensuring that they are not only included in the electoral process as voters but also as candidates. This would promote greater inclusion of displaced populations in political leadership.

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- Interview with Ethiopian Citizens for Social Justice (Ezema) head of organizational affairs department, Wasihun Tesfaye

ANNEXES

Key informant interview and focus group discussion guiding questions

I. Guiding key informant interview questions: for key officers within the National Election Board of Ethiopia, Ethiopian Human Rights Commission, National Disaster and Risk Management Commission, Political parties, Civil Society organizations (participated in the election observation) and regional governments.

Introduction: Greetings, My name is Tsion Engdaye, I am an LL.M at Addis Ababa University. I am currently researching The Right to Political Participation of Internally Displaced Persons in Ethiopia, specifically their Rights to Vote and be Elected, as partial fulfillment of my LL.M degree.

If you do not mind I would like to ask you a few questions about the situation of IDPs and their participation in the electoral process. This should not take much of your time, and you can choose to stop the interview at any time or to skip any questions if you like. Your responses are really important and confidentiality is guaranteed. are you willing to proceed with this interview?

I thank you in advance for your cooperation!

1. What are the major causes of internal displacement in Ethiopia?
2. What does the overall protection of IDPs look like in the country?
3. Is there any institutional framework that is specifically established to deal with the issue of protection of the rights and freedoms of IDPs?
4. What are the roles of your institution regarding the protection of the rights of IDPs?
5. What works are done and what are in progress or planned in the future for the protection of the rights, freedoms, and interests of IDPs?

6. Is there a situation where IDPs were able to participate in the Electoral processes? If yes, when? And Tell me about the process. If not, why?

7. What are the major challenges that hindered IDPs' participation in the process as voters and candidates? (probe: were IDPs able to participate as candidates?)

8. Do you think that the protections provided by the existing national legislative and institutional frameworks sufficiently satisfy the needs of IDPs to participate as voters and candidates within the nation?

9. What is expected from whom for providing better protection of these rights of IDPs?

10. Is there anything you would like to add?

For political parties only

11. Were you able to recruit candidates and member from the IDP camps, do you have members who are IDPs or living in the IDP camps? (Probe: If not, why? If yes: Were they able to participate in the elections as candidates? Tell me about the process)

12. Were there challenges in recruiting members, selecting candidates and campaign? Tell us more about this.

13. What is your party doing to address IDPs in their works, during election times?

Thank you!

II. Guiding FGDs with IDPs found in Amhara, Oromia and Southern Nations, Nationalities and People's Regions.

Greetings, My name is Tsion Engdaye, I am an LL.M at Addis Ababa University. I am currently researching The Right to Political Participation of Internally Displaced Persons in Ethiopia, specifically their Rights to Vote and be Elected, as partial fulfillment of my LL.M degree.

If you do not mind I would like to ask you a few questions about the situation of IDPs and their participation in the electoral process. This should not take much of your time, and you can choose to stop the discussion at any time or to skip any questions if you like. And if you do not want to respond to the discussion during the discussion, you can tell me your responses afterward. Your responses are really important and confidentiality is guaranteed. are you willing to proceed with this Discussion?

I thank you in advance for your cooperation!

1. What were the reasons you have been displaced from your original places? What are the problems in which you are facing because of displacement and what protections are being provided to fulfil your needs?
2. Is there any organ that is specifically working to protect your rights to participate in the elections? Do you think these rights are important?
3. Are you aware of the protections provided by the existing legislative and institutional frameworks? Are those sufficient to satisfy the needs you have?
4. Are you a member of any political party? Were you able to participate in the elections, as voters, candidates for election executors?
5. Were there challenges you faced to participate?
6. Were the political parties campaigning during the elections?

7. What should be done by whom for better protection of your rights and freedoms?

8. Is there anything you would like to add?

Thank you!