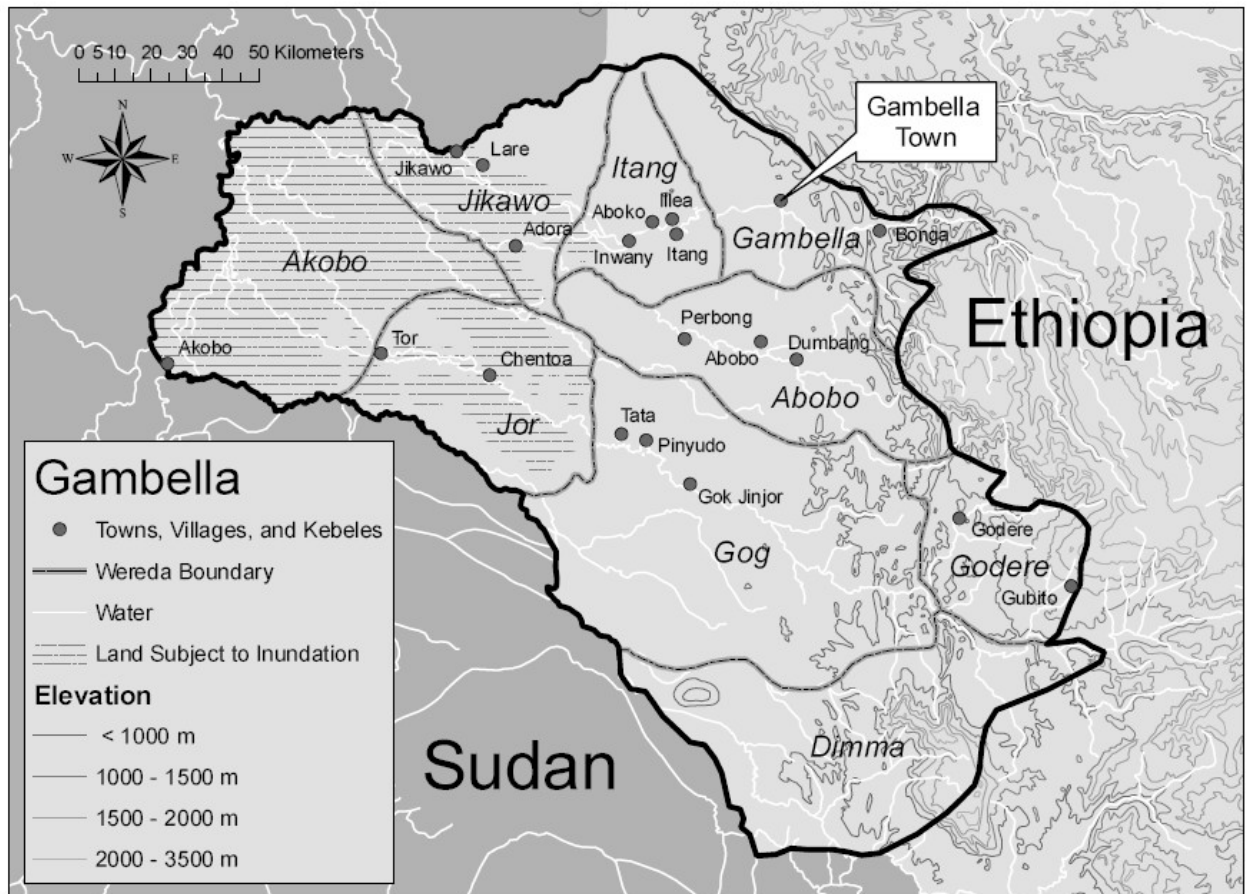




## Institute of Human Rights

### THE IMPACT OF CONFLICT ON THE RIGHT TO DEVELOPMENT OF THE PEOPLES OF THE GAMBELLA REGIONAL STATE



*A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of Master of Arts (MA) in Human Rights at Addis Ababa University Institute of Human Rights*

By: **Chuol Nyak Tongyik**

Advisor: **Mr. Getahun Kassa (LLB, LLM)**

February, 2011

Addis Ababa  
University  
(Since 1950)



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#### **Approved by the Examining Board:**

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February, 2011

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## Acknowledgements

Dedicated to my mom *Mary Nya-Juach (Nyakuer Juach)*, my sister *Tibitha (Nyakong Nyak)* and my children, especially *Nyaguol*. Infact, words cannot express my love to my mam Mary and my sister Tibitha for their countless support and their desire for me to finish this work. Of course, more thanks to my madam *Sarah Nyatew Gatluak* and *Martha Nyekhor Reath* for the courage they gave me in preparing this paper.

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**“And I am sure that he who began a good work in you will complete it.” - Philippians 1:6**

## Acronyms

ACHU	Africa Conflict and Humanitarian Unit
ACORD	Agency for Cooperation and Research in Development
APDO	Anywaa People Democratic Organization
ARRA	Agency for Refugees and Returnee Affairs
AU	African Union
CAPCOM	Capacity Building and Community Development
CEWARN	Conflict Early Warning and Response
CSA	Central Statistic Agency
CSO	Civil Society Organizations
DICAC	Development & Inter-Church Aid Commission of the Ethiopian Orthodox Church
DPPC	Disaster Prevention and Preparedness Committee
EECMY	Ethiopian Evangelical Church Mekane Yesus
EPRDF	Ethiopian People’s Revolutionary Democratic Front
EPUF	Ethiopian Patriotic United Front
GPDC	Gambella Peace and Development Council
GPDC	Gambella People Democratic Congress
GPDF	Gambella People Democratic Front
GPDM	Gambella People Democratic Movement
GPDU	Gambella People Democratic Union
GPDUP	Gambella People Democratic Unity Part
GPLM	Gambella People Liberation Movement
GPLP	Gambella People Liberation Party
GNPRS	Gambella People’s Nation Regional State
ICRC	International Committee of Red Cross
IDPs	Internally Displaced Persons
IGA	Income Generating Activities

IGAD	Inter-Governmental Authority on Development
IISD	International Institute for Sustainable Development
MDGs	Millennium Development Goals
MPDO	Majangir People Democratic Organization
MSF	Medicins Sans Frontieres
NEPAD	New Economic Partnership for Africa
NGO	non-governmental organization
NPDO	Nuer People Democratic Organization
NRDP	Natural Resources Development and Environmental Protection
NRM	Natural Resource Management
NUPI	Norwegian Institute of International Affairs (2009)
OECD	Organization for Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
PACT	American organization involved in peace building
RADO	Rehabilitation and Development Organization
RCHIE	Research Centre for Civic & Human Rights Education
RtD	Right to development
SALW	Small arms and light weapons
SCS	Save the Children Sweden
SNNPRS	Southern Nations Nationalities Peoples Regional State
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Education, Science and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UN-OCHA	UN Office for the Co-ordination of Humanitarian Affairs
UNSCR	UN Security Council Resolution
WFP	World Food Programme
WHO	World Health Organisation
ZOA	Zuid Oost Azie Refugee Care

## **Abstract**

Violent conflict has killed and displaced more people in Africa than in any other continent in recent decades according to the Commission for Africa. This severely challenges the realization of the right to development of the peoples of Africa.

Development and security are intimately related — one cannot be achieved without the other.

By the same token, conflict has been erupting in Gambella region since 1990s. This becomes an impediment on the realization of the right to development of the peoples of Gambella region. This paper establishes the relationship between conflict and the right to development in analyzing the impact of conflict on the right to development of the Gambella people. In its analysis, the paper examines several variable factors that can help in the explanations of the relationship between Conflict and the right to development of the Gambella people. These variable factors includes: economic, political, environment and socio-cultural dimensions of the right to development. None of these varying factors can unilaterally explain the relationship between conflict and the right to development as issues behind Gambella's instability.

The paper argues that the relationship between conflict in Gambella and failures in realization of the right to development by the Gambella people is strong and goes in both directions: conflict powerfully retards realization of the right to development; and equally, failures in realization of the right to development substantially increase proneness to conflict. The paper concludes that unless the incidence of conflict is sharply reduced by community, national and international efforts a substantial Gambella people are likely to be stuck in a conflict trap resulting into failure in realization of the right to development. It's also suggested that incidence of conflict can be

brought down by intelligent and vigorous deployment of development, economic, social, military and political assistance.



# 1. CHAPTER ONE: INTRODUCTION

## 1.1. Background of the Study

Peoples of the Gambella region are found in the Gambella People's National Regional State (GPNRS). The GPNRS is one of the nine regions constituting the Federal Democratic Republic of Ethiopia. Geographically, the GPNRS is located in the southwestern part of the country. The Gambella region has total area of about 25,294 square kilometers. Her neighbors are Benishangul Gumuz and Oromia regions situated to the North, the Southern Nations, Nationalities and Peoples' Regional State (SNNPRS) and the Sudan Republic to the South, Oromia and SNNPRS to the east and the Sudan Republic to the west.<sup>1</sup>

Gambella region is composed of five major ethnic groups, viz. Nuer, Anuak<sup>2</sup>, Majenger, Komo and Opo. In addition to these regional inhabitants, the region also includes people from other parts of Ethiopia, referred to as highlanders.<sup>3</sup>

According to the FDRE Central Statistical Agency (CSA),<sup>4</sup> the Gambella Region has total population of 306,916, consisting of 159,679 men and 147,237 women; urban inhabitants number 77,878 or 25.37% of the population. With an estimated area of 25,802.01 square kilometers, this region has an estimated density of 9.57 people per square kilometer. For the entire Region 65,445 households were counted which results in an average for the Region of 4.6 persons to a household, with urban households having on average 3.9 and rural households 5.0 people. The main ethnicities of the region are the Nuer (46.65%), the Anuak (21.17%), Amhara (8.42%), Kafficho (5%), Oromo (4.83%),

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<sup>1</sup> Abraham S. "Breaking the Cycle of Conflict in Gambella Region" Paper delivered at 1st Workshop on *Settlement and Resettlement in Ethiopia*, Addis Ababa, 28th-30th January 2003 (2003a) P.3

<sup>2</sup> The Anuak people prefer to call themselves *Anywaa* than Anuak. Hence, I have used the two words interchangeably- i.e. they have no different.

<sup>3</sup> Toang, Kong, J "Conflict and resources management in the Gambella Region" (2006), *Sudan Tribune 3 March 2007*, P.6, Available at: <<http://www.sudantribune.com/spip.php?article14479>>.

<sup>4</sup> CSA, *The 2007 Population and Housing Census of Ethiopia: Ethiopian Regional Population Distribution and Ethnic Composition*, Statistical Report 1, Addis Ababa, Central Statistical Authority (2007), first draft, Tables 1, 4, 5, 6. Available at: <[http://www.csa.gov.et/pdf/Cen2007\\_firstdraft.pdf](http://www.csa.gov.et/pdf/Cen2007_firstdraft.pdf)>

Kambaata (1.44%), Majenger (4%), Shakacho (2.27%), Tigrean (1.32%), and other ethnic groups predominantly from southern Ethiopia 4.9%. 70% the region's population are Protestant, 16.8% Orthodox Christian, 3.8% practice traditional religions, 4.9% Muslim, 3.4% Catholic, and others constitute 1.1%.<sup>5</sup>

“Agro-ecologically, the region is dominantly lowland (kolla) with a few midlands (weyna-dega). Generally, recession riverside agriculture is common, particularly maize and sorghum along the Baro, Gilo and Akobo rivers. As the region is generally not cereal self-sufficient, alternative income sources such as fishing are important sources of food. Wild food consumption is part of the daily dietary intake given the still partly untouched bush land and natural forest resources.”<sup>6</sup>

To mention life style of the two major ethnic groups (Anuak and Nuer), most of the Nuer population resides along the Ethio-Sudanese border (Nuer Zone Woredas), where it is too dry for rain fed agriculture. Whereas, most of the Anuak are a river people whose villages are scattered along the banks and rivers of southeastern Sudan and western Ethiopia, in the Gambella Region.<sup>7</sup>

The Nuer are cattle herders whose economic backbone centers on cattle business, though are also agriculturalists. Therefore, livestock constitutes the primary source of income. On the other hand, Anuak are agriculturalist whose economic livelihood centers on farming and fishing. Although few rear cattle and goats, majority prepares farming and fishing instead of cattle herding, which is often true that these two businesses-herding cattle and farming- contradicts each other, especially in a situation where they are not regulated.<sup>8</sup>

For different grounds: socio-economic, socio-cultural, and socio-political, the peoples of Gambella region stayed in inter-ethnic and intra-ethnic conflict between/within ethnic

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<sup>5</sup> Ibid

<sup>6</sup> Supra Note 1, P.1

<sup>7</sup> Ibid

<sup>8</sup>Supra Note 3, P.7

groups outstandingly, between the Nuer and the Anuak since the commencement of the 19th century. The root causes of the conflict are diverse and range from different factors of different magnitudes.<sup>9</sup>

This situation of the regional conflict starting from intra-ethnic conflict to inter-ethnic conflict is considered to have often resulted in human rights violations in the region.<sup>10</sup> It has been acknowledged that human rights and the right to development are interdependent and mutually reinforcing.<sup>11</sup> Consequently, as has been said, human rights violations hinder the human right to development<sup>12</sup>; likewise, conflicts hamper the right to development of the peoples of Gambella region.<sup>13</sup>

Gambella region has rich natural resources, particularly the large expanse of arable land, huge surface and ground water resources, livestock and fish resources, and forest resources, which render the region best suited to agricultural development<sup>14</sup>.

Moreover, oil reserves and other mineral resources add up to the region's natural wealth, which is a 'jackpot' for economic growth. However, *"in spite of its enormous natural resources and its tremendous potential for economic development, the peoples of Gambella region has remained one of the most backward and poverty-ridden areas in the country"*.<sup>15</sup> In other words, compared to the other regions in Ethiopia, peoples of the

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<sup>9</sup> Gew, Chuol, *Understanding the Root Causes Management and Prevention Methods* (2003), , P.7, Available at: <http://www.sudanarchive.net>. Posted: 1 February 2011, Accessed: Saturday 12 February 2011 21:36 GMT

<sup>10</sup> Gay, McDougall "IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251 OF 15 MARCH 2006 ENTITLED "HUMAN RIGHTS COUNCIL"" *Report of the independent expert on minority issues* MISSION TO ETHIOPIA (28 November-12 December 2006) A/HRC/4/9/Add.3 :UNITED NATIONS (2007), Addendum. Available at:

<<http://www.universalhumanrightsindex.org/documents/28/1066/document/en/text.html>>

<sup>11</sup>UNDP, *integrating human rights with sustainable human development*. Washington D.C.: Communications Development Incorporated (1998). Available at:

<[http://www.undp.org/governance/docs/HR\\_Pub\\_policy5.htm](http://www.undp.org/governance/docs/HR_Pub_policy5.htm)>

<sup>12</sup> Ibid

<sup>13</sup> Unanimous informants in the Gambella Regional State Council interviewed by the researcher, November 8, 2010

<sup>14</sup> Medhane Tadesse, *Gambella: The impact of local conflict on regional security*. Pretoria: Institute for Security Studies, (2007), P.5

<sup>15</sup> Ibid, P.5-6

Gambella region lag behind in realizing their right to development.<sup>16</sup>

## **1.2. Statement of the Problem**

According to the article 1 of the Declaration on the Right to Development of 1986, the right to development is, "an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized."<sup>17</sup>

The human person is identified as the beneficiary of the right to development, as of all human rights. The right to development can be invoked both by individuals and by peoples. It imposes obligations both on individual States - to ensure equal and adequate access to essential resources - and on the international community - to promote fair development policies and effective international cooperation.<sup>18</sup>

The World Conference (Vienna Conference) held in 1993 reaffirmed by consensus the right to development as a universal and inalienable right and an integral part of fundamental human rights. It further stated that, while development facilitates the enjoyment of all human rights, lack of development may not be invoked to justify the abridgement of internationally recognized human rights.<sup>19</sup>

Overwhelmed by conflicts, and compared to the other regions of the country, the peoples of Gambella region have lagged behind on the realization of the right to development. In addition, because of the legacy of economic underdevelopment and the absence of basic infrastructures of the *Derg* regime in Gambella region, post-*Derg* regional government was destined to be weak and unstable.<sup>20</sup>

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<sup>16</sup> Supra Note 13

<sup>17</sup> UN, *Declaration on the Right to Development*, G.A. res. 41/128, annex, 41 U.N. GAOR Supp. (No. 53) at 186, U.N. Doc. A/41/53 (1986), Available at: <http://www1.umn.edu/humanrts/instree/s3drd.htm>

<sup>18</sup> Alson, Philip and Robinson, Mary (Ed.), *Human Rights and Development: Towards Mutual Reinforcement*. New York. Oxford University Press, (2005), P.13

<sup>19</sup> UN, *Vienna Declaration, World Conference on Human Rights, Vienna, 14 - 25 June 1993*, U.N. Doc. A/CONF.157/24 (Part I) at 20 (1993). Available at: <http://www1.umn.edu/humanrts/instree/11viadec.html>.

<sup>20</sup> Dereje Feyissa, *The prospects and challenges of ethnic federalism: the experience of Gambella regional state*. Osaka: Osaka University Press, (2003), P.7

Having seen that Gambella region is underdeveloped, the EPRDF has provided it with a considerable amount of central government money, most of it to the state sector for the development of the region. True, this has created unprecedented new career opportunities for local actors in the civil service. However, though Gambella moved beyond subsistence livelihood with the setting up of political administrations and the rise of an educated elite community, the allocation and distribution of this ‘new’ money became a cause of disagreement. As part of local empowerment, affirmative actions have been taken, especially in the field of education and in the job market. The EPRDF government has made major efforts to educate regional officials and improve skills levels. A particular point of attraction for the new generation of educated local people, however, is the new government sponsored, Ethiopian Civil Service College (ECSC).<sup>21</sup>

“The main reason for the establishment of the college was to meet the burning work force need of the regional governments in the context of decentralization and devolution of power from the central government, such that nations and nationalities have the right to determine their own affairs and the capacity to it. Local empowerment is also mirrored in the redistribution of administrative power. In post-1991 Gambella, local people occupy all the administrative posts”,<sup>22</sup>.

Unfortunately, though great efforts were done to curb conflict, promote the human right to development, and ensure respect for human rights and fundamental freedoms of the Gambella people, conflict is no doubt a day to day event in Gambella and this results into human rights violations of individuals. Moreover, as conflicts violate human rights, the peoples of Gambella region are still underdeveloped compared to her sister regions in Ethiopia<sup>23</sup> because of the interdependence of human rights and the right to development.

Hence, this researcher believes that it is of paramount importance to assess the impact of conflict on the right to development of the peoples of Gambella region

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<sup>21</sup> Ibid

<sup>22</sup> Supra Note 14, P.14

<sup>23</sup> Ibid

Thus, the objective of this study is dealt under the following sub-section.

### **1.3. Objective of the Study**

#### **1.3.1. The general objective of the study**

The main objective of the study is to assess and scrutinize the impact of conflict on the right to development of the peoples of Gambella region.

#### **1.3.2. Specific Objective**

The specific objectives of the study are to:

- Assess the root causes of conflict in Gambella region; Establish the link between violent conflicts and poor development peoples of Gambella region are facing by clarifying its negative impact on the full realization of the right to development of the peoples of Gambella region;
- Identify the role of the governments and non-governmental organizations (NGOs) on mitigating conflicts and the promotion and implementation of the right to development of the peoples of the Gambella region, and; Finally, to suggest strategic feasible optional recommendations which may have significant contributions towards alleviation of conflicts and contribute towards promoting and enhancing the full realization of the right to development of the peoples of the Gambella regional state

### **1.4. Research Questions**

The objectives of the study were achieved by way of seeking answers to/ guided by the following basic research questions:

- 1) What are the impacts of conflicts on the full realization of the right to development of the peoples of the Gambella region?; or
- 2) How do conflicts in the Gambella region affect the full realization of the right to development of the peoples of the Gambella region?

## **1.5. Research Methods, Materials and Procedures**

The research method in this study is in qualitative and descriptive in nature. The essence of choosing qualitative method is based in the fact that it is typically more flexible – that is, it allows greater spontaneity and adaptation of the interaction between the researcher and the study participant. For example, it asks mostly “open-ended” questions that are not necessarily worded in exactly the same way with each participant. With open-ended questions, participants are free to respond in their own words, and these responses tend to be more complex than simply “yes” or “no.”

In addition, with qualitative methods, the relationship between the researcher and the participant is often less formal than in quantitative research. Participants have the opportunity to respond more elaborately and in detail than is typically the case with quantitative methods. In turn, the researcher have the opportunity to respond immediately to what participants say by tailoring subsequent questions to information the participant has provided. Another advantage of qualitative methods is that they allow the researcher the flexibility to probe initial participant responses – that is, to ask why or how.

There are only few written sources on political developments in the Gambella region since 1991 and which are not enough for immediate empirical information.<sup>24</sup> Hence, the study is based on both primary and secondary sources to get more information for this particular study. The following overall research design and methods is held in the study.

### **1.5.1. Primary Data**

The primary data for the paper was collected in a period of two months, mainly through one-to-one interviews, focus group discussion, open-ended questionnaires from randomly selected individuals, institutions and organizations, field notes and through observations. The target groups of the research included both indigenes and non-indigenes from both sexes. They are chosen from elders and clan leaders, intellectuals, present government officials, former regimes officials, schoolteachers, zonal administrators, woreda administrators, kebele administrators and the youth and religious leaders. The

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<sup>24</sup> Ibid, P.2

information was gathered from one hundred and twelve respondents selected from the four administrative zones of Gambella region.

The regional institutions, national institutions and NGOs contacted to provide information were from the following.

- 1. Regional Institutions:** the GPNRS State Council, the GPNRS Agriculture and Rural Development bureau, the GPNRS Works And Town Development Bureau, the GPNRS Water Resources and Energy Development Bureau, the GPNRS Gambella Teachers Education and Health Science College, the GPNRS Gambella Agriculture Technical Vocational Educational Training College (GATVET), the GPNRS Investment Bureau, the GPNRS Security Council, the GPNRS Supreme Court, the GPNRS Police Commission, Gambella Peace and Development Council.
- 2. Federal Government Institutions:** the Federal Affairs Office, Ethiopian Road authority, Ethiopian Telecommunications Corporation; the Ethiopian Electric Power Corporation, ARRA.
- 3. NGOs:** PACT Ethiopia, ACCORD, UNHCR, UNICEF, WFP, HEKS, IOM, ZOA, MSF, WHO, Hope Enterprise, Don Bosco, ICRC, Environmental Forum for Association, GTZ, UNOCHA.

### **1.5.2. Secondary Data**

In addition to the primary data, to elaborate on the impacts of conflicts on the right to development of the peoples of the Gambella region, the researcher reviewed on the general survey of national laws, documents, international instruments, charters, conventions, protocols, declarations, and workshop papers and other documents/literatures relevant to the study. The researcher also used the internet.

### **1.5.3. Data Analysis**

The researcher analyzed the data by examining the data; interpreted it via forming an impression and reached the result of the report in a structured form using recursive abstraction interpretive technique. In this technique, datasets were summarized; those summaries were then further summarized, and so on to the final finding.



## ***1.6. Scope (Delimitation of the Study)***

Conflict is said to have an adverse effect on every society everywhere in the globe threatening or violating human rights of every society. The right to development as can be seen above is in itself one element of human rights.

In the same token, conflict has a negative impact on the right to development. However, this research only based on the impact of conflict on the right to development of the peoples of the Gambella region.

## ***1.7. Limitations of the Study***

It has to be noted here that Gambella region has insufficiency of infrastructures, e.g. roads connecting the three zones with the main administrative zone (Gambella town). Sometimes there was lack of travel vehicles where there is a break on the road leading to the other zone due to the summer rain and the flood from the rivers. This made it too difficult to have an access to some periphery areas relevant for collecting data.

On the other hand, the Institute of Human Rights is a recent Institute in Ethiopia. This means there are no or very few human rights researches done prior to this research, particularly in the Gambella region, if not done elsewhere. Hence, this rendered it so complicated to analyze the research data with precedent research documentary materials.

Another challenging factor is that the researcher is from Nuer ethnic group which made most of the respondents from other ethnic ethnicities hide their ideas and information on the subject of the research, particularly, on causes of conflict in Gambella. However, to ensure objectivity and impartiality of the research information, the researcher selected some individuals from each category of the ethnic groups as assistants for conducting interviews and focus group discussions.

Finally, money is so crucial for the achievement of the goal of a research project. However, the researcher had only small amount of money, which was not enough to cover all the costs that would have been needed for all the tasks and materials for the

project, including travel costs to/from all the places the data was collected.

## **1.8. Organization of the Study**

The report is organized into five chapters. Introductory issues such as background of the study, statement of the problem, objective of the study, research methods, scope (delimitation of the study), limitations of the study, definitions and concepts are outlined under chapter one. Chapter two deals with the literature review on causes of conflicts and impacts of conflicts on the right to development under section one and two, respectively. Causes of conflicts in Gambella are dealt under chapter three. Chapter four deals with the impacts conflicts on the right to development of the peoples of the Gambella regional state. Furthermore, chapter five examines the efforts taken to mitigating conflicts and the efforts taken to realizing the right to development of the peoples of the Gambella regional state. Finally, the report closes with conclusions and recommendations.

## **1.9. Definitions and Concepts**

The purpose of this paper is to explain the link between conflict and the right to development of the peoples of the Gambella region. Before proceeding into the topic, meanings of the two concepts (conflict and the right to development) are outlined below.

### **1.9.1. The Right to Development**

The right to development is one of the new concepts of the international human rights law.<sup>25</sup> So, what is the right to development? What are the indicators of the right to development? These questions demand rational answers though may be complex.

The definition of the Right to Development formulated in the Declaration on the Right to Development reads as:

“The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy **economic,**

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<sup>25</sup> OHCHR, *Human Rights: Handbook for Parliamentarians*. France: SADAG, Bellegarde-sur-Valserine, (2005), P.29

**social, cultural and political development**, in which all human rights and fundamental freedoms can be fully realized”.<sup>26</sup>

The Independent Expert, Arjun Sengupta, on the other hand, interpreted the Right to Development as:

“an individual and collective human right *by virtue of* which all human beings, both individually and collectively, have a right to participate in a process of development in accordance with human rights, while the outcome of that process would encompass the full realization of each human right and all of the human rights together.”<sup>27</sup> On the other hand, the term ‘development’ is defined in the Preamble of the Declaration on the right to development, second paragraph as:

“a **comprehensive economic, social, cultural and political process**, which aims at the constant improving of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in their fair distribution of benefits resulting therefrom”.<sup>28</sup>

As can be seen from the definitions above, the right to development encompasses both the civil and political as well as the economic, social and cultural dimensions of human rights and addresses both the national and international dimensions of development. Using the right to development framework, States acting both individually and collectively have the responsibility to create an environment conducive to development (the right to development) when formulating, adopting and implementing policies and programmes.<sup>29</sup>

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<sup>26</sup> Declaration on the right to development (RtD) Article 1.1.

<sup>27</sup> Sengupta, Arjun, “On the Theory and Practice of the Right to Development”, *Human Rights Quarterly*, (2002), Vol. 24, P.23

<sup>28</sup> Gouwenberg, Anna E. “The Legal Implementation of the Right to Development”, *A Study of the Grotius Centre for International Legal Studies*, Leiden University (2009), P.31

<sup>29</sup> OHCHR, *The right to development – Framework for achieving the MDGs*. New York, (2010), P.2

The right to development can be rooted in the provisions of the Charter of the United Nations, the Universal Declaration on Human Rights and the two International Human Rights Covenants.<sup>30</sup>

Through the United Nations Charter, Member States undertook to "promote social progress and better standards of life in larger freedom" and "to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion."<sup>31</sup>

The Universal Declaration on Human Rights contains a number of elements that became central to the international community's understanding of the right to development. It attaches importance, for example, to the promotion of social progress and better standards of life and recognizes the right to non-discrimination, the right to participate in public affairs and the right to an adequate standard of living. It also contains everyone's entitlement to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized<sup>32</sup>.

A significant step towards the recognition of the right to development was UN General Assembly resolution 1161 (XII). In this resolution, the General Assembly expressed the view "that a balanced and integrated economic and social development would contribute towards the promotion and maintenance of peace and security, social progress and better standards of living, and the observance of and respect for human rights and fundamental freedoms."<sup>33</sup>

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<sup>30</sup> OHCHR, *Development-Right to Development 1996-2007*, (2010). Available At: <<http://www2.ohchr.org/English/Issues/Development/Right/Index.htm>> Accessed on 25, April 2010.

<sup>31</sup> Charter Of The United Nations, article 1.3

<sup>32</sup> UN, *Universal Declaration of Human Rights Adopted and proclaimed by UN General Assembly Resolution 217 A (III) of 10 December 1948 Text: UN Document A/810, p. 71 (1948)*

<sup>33</sup> UN, *Balanced and integrated economic and social progress , General Assembly resolution 1161 (XII) of 26 Nov. 1957 (1957)*, Available at: [www.Daccess-ods.un.org](http://www.Daccess-ods.un.org)

This theme was taken up at the International Conference on Human Rights, held in Tehran, Islamic Republic of Iran, from 22 April to 13 May 1968. The Conference expressed its belief "that the enjoyment of economic and social rights is inherently linked with any meaningful and profound interconnection between the realization of human rights and economic development." It recognized "the collective responsibility of the international community to ensure the attainment of the minimum standard of living necessary for the enjoyment of human rights and fundamental freedoms by all persons throughout the world."<sup>34</sup>

In the year 1969, the General Assembly adopted the Declaration on Social Progress and Development, which states that "social progress and development shall aim at the continuous raising of the material and spiritual standards of living of all members of society, with respect for and in compliance with human rights and fundamental freedoms."<sup>35</sup>

On 21 February 1977, the UN Commission on Human Rights decided to pay special attention to consideration of the obstacles impeding the full realization of economic, social and cultural rights, particularly in developing countries, and of national and international action to secure the enjoyment of those rights. Recognizing the right to development as a human right, the Commission requested the UN Secretary-General to undertake a study on "the international dimensions of the right to development as a human right in relation with other human rights based on international cooperation, including the right to peace, taking into account the requirements of the New International Economic Order and fundamental human needs."<sup>36</sup>

The study was submitted and considered by the Commission on Human Rights at its thirty-fifth session in 1979. The Commission subsequently, by its resolution 36 (XXXVII) of 11 March 1981, established a working group of 15 governmental experts to study the scope and contents of the right to development and the most effective means to

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<sup>34</sup> UN, *Tehran Conference, International Conference on Human Rights, Islamic Republic of Iran, from 22 April to 13 May 1968* (1968).

<sup>35</sup> UN, *Declaration on Social Progress and Development adopted in 1969 by the General Assembly, in its resolution 2542 (XXIV)* (1969)

<sup>36</sup> UN Commission on Human Rights, *resolution 4 (XXXIII) of 21 February 1977* (1977)

ensure the realization, in all countries, of the economic, social and cultural rights enshrined in various international instruments, paying particular attention to the obstacles encountered by developing countries in their efforts to secure the enjoyment of human rights. It also requested the Working Group to submit a report with concrete proposals for implementation of the right to development and for a draft international instrument on this subject.<sup>37</sup>

The right to development was proclaimed by the United Nations in 1986 in the "Declaration on the Right to Development" which was adopted by the United Nations General Assembly resolution 41/128.<sup>38</sup> As follow-up mechanism to ensure promotion and implementation of the Declaration on the Right to Development, the Commission established an intergovernmental Working Group on the Right to Development in 1998, and its high-level task force on the implementation of the right to development in 2004.<sup>39</sup>

The right to development is also recognized and guaranteed under article 43 of the FDRE Constitution and under article 44 of the Revised Constitution of the GPNRS.

### 1.9.2. **Conflict**

When people speak about conflict, many definitions come to the mind. Conflict is defined to be from Latin word, meaning for, "to clash or to engage in a fighting confrontation between one or more parties aspiring towards incompatible or competitive means or end."<sup>40</sup> Conflict can also be defined as, military war-warfare between opposing forces, especially a prolonged and bitter but sporadic struggle; and as difference-a disagreement or clash between ideas, principles, or people.<sup>41</sup>

Conflict happens when two or more people or groups have, or think they have, incompatible goals. Therefore, some of our views and opinions will differ from those of others. Conflict often occurs because of a lack of respect for one another's needs and views. When conflict becomes violent, it will usually do more harm than good. After

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<sup>37</sup> UN Commission on Human Rights, *Resolution 36 (XXXVII) of 11 March 1981* (1981)

<sup>38</sup> Supra Note 17

<sup>39</sup> Supra Note 30

<sup>40</sup> Miles, S., *Globalization: World Youth Report 2003*. (November 2002), P.29

<sup>41</sup> Tear Fund, *Peace-Building Within Our Communities*. Tear Fund, (2003), P.4

violent conflict, it is often difficult to see the opportunities for a better future due to the widespread destruction of infrastructure and livelihoods, the breakdown of trust and the suffering caused through bereavement, trauma, grief and anger. It is also likely that such social change could have occurred before the conflict became violent.<sup>42</sup>

In other words, open conflict can cause more physical, social, psychological and environmental damage than the other types. It can also affect rights of the people who are not involved in the conflict as well as those who are.<sup>43</sup>

## **2. CHAPTER TWO: LITERATURE REVIEW**

### **2.1. General Overview**

As aforementioned in the introductory chapter, the study is on the impact of conflict on the right to development of the peoples of the Gambella region. On the other hand, there is no available research being done on the impact of conflict on the right to development of the Gambella people. So to shed light on the impact of conflict on the right to development of the peoples of the Gambella region, it's appropriate to have a look at other prior literature concerning the nexus between conflict and the right to development relevant to the case of Gambella.

Development is a human right, the Secretary-General, Kofi Annan affirms, and is central to the prospects for reducing conflict in Africa. Governments should review their

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<sup>42</sup> Ibid, p. 5

<sup>43</sup> Ibid

priorities to focus on basic human needs and place a primary emphasis on reducing poverty.’’<sup>44</sup>

One of the primary obstacles to development in Africa has been perennial conflict within (inter-ethnic and intra-ethnic) and between countries. For centuries, Africa has been marked by presence of conflicts. Within Africa, some countries are more conflict prone than the others. By all measures, Ethiopia qualifies as a conflict-prone country.<sup>45</sup> By the same token, from the beginning of the 19<sup>th</sup> century to present, Gambella region suffers from the multilayered occurrence of ethnic conflicts.<sup>46</sup>

The consequence of these conflicts has been devastating. Their consequences have resulted in the loss of life and destruction of physical capital, with detrimental implication for growth and development.<sup>47</sup>

“Notwithstanding their damaging implication and their impact on the development and welfare of the people, no study has attempted to make an explicit link between conflict and the right to “development” of the peoples of the Gambella region. An early exception is the political economist, Gebr-Hiwot Bayekedagne, who in the early 20th century conceptualized this inter link and outlined the implication for growth and development in his classic work *State and Public Administration in Ethiopia*<sup>48</sup>”. In his model, Gebre-Hiwot, explained that, “the major internal constraint to development is war and/or banditry. He, in fact, ranks banditry over and above natural or environmental constraints. For him, the source of banditry is the capacity of certain individuals to unleash violence

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<sup>44</sup> Department Of Public Information, *Secretary- General, Report To The United Nations Security Council Africa Recovery* (1998): Available At:  
<http://www.un.org/ecosocdev/geninfo/afrec/sgreport/peace.htm>

<sup>45</sup> Alemayehu Geda, ‘‘The Gebrehiwot Model: A Pioneer African Development Economist’’, *Ethiopian Journal Of Development Research* (2002a).In: Alemayehu Geda, *Does Conflict Explain Ethiopia’s Backwardness? Yes and Significantly* (Paper Presented at WIDER Conference on Making Peace Work, (June 2004). P.4

<sup>46</sup> Meckelburg, Alexander, *Changing Ethnic Relations: A Preliminary Investigation of Gambella, Southwest Ethiopia*, In Working Paper. Hamburg: Asien-Afrika Institut Der Universität Hamburg. (2006), P. 9, Available At:  
<http://www.anyuakmedia.com/Changing%20ethnic%20relations%20in%20gambella.pdf>

<sup>47</sup> AlemayehuGeda, *Does Conflict Explain Ethiopia’s Backwardness? Yes and Significantly* (Paper Presented at WIDER Conference on Making Peace Work, (June 2004). P.5

<sup>48</sup> Ibid



so as to ensure a regular flow of income without directly engaging themselves in the production process...<sup>49</sup>

To understand the nexus between conflict and the right to development, it's appropriate to look at related literature on the causes of conflict after which the literature on the impacts of conflict on the right to development will be seen.

## **2.2. Causes of Conflicts**

Conflict can arise from a multitude of causes. There are varieties of factors related to the dimensions of the right to development; including economic, political, social, cultural and environmental grounds from which these causes are founded. Absence of certainty and security in terms of these factors makes it difficult to create respect for human rights, promote peace, and ensure full realization of the human right to development. When discussing the need for a shift of mindset, we need to more closely examine the underlying causes that force people to resort to violence, both in order to understand its impacts on development and to come up with the proper solutions to reduce its spread.<sup>50</sup>

According to recent researches done on the subject in Africa, current conflicts are often violent civil wars over control for state power and its resources. They have been variously been described as ethnic or resource-motivated wars and violent conflicts. Economic motivations and “lootable” resources have become the driving force and are fuelling wars in Africa.<sup>51</sup> Similarly, the presence of lootable or primary commodities may not trigger conflict, but definitely increases or prolongs conflict.<sup>52</sup> Another related school of thought is that non-lootable resources, such as oil, gas, deep-shaft mineral deposits tend to be associated with separatist conflicts, which are often caused by ethno-political grievances over inequitable resource or revenue sharing and exclusionary government policies. In all the group conflicts investigated in the Sahel and Horn of Africa, access to natural and social resources, expressed in terms of justice, fairness, equitable sharing and equal development, was the primary concern of people in arms. While there may be external factors

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<sup>49</sup> Ibid, P.6

<sup>50</sup> Brander, P., Keen, E. & Lemineur, M.L. (Ed.), *Compass: A Manual on Human Rights Education with Young People*. Council of Europe (2002). P. 20

<sup>51</sup> Berdal, M., And D. M. Malone, *Greed and Grievance: Economic Agendas in Civil Wars*. Boulder, London: Lynne Rienner (2000), P.17

<sup>52</sup> Ross, M, “What Do We Know About Natural Resources And Civil War?” *Journal Of Peace Research* (2004), Vol. 43, P. 27

that influence these conflicts and their dynamics, there are mostly and primarily conflicts over governance, identity and resource allocation within a particular state.<sup>53</sup>

Despite the complexity in the causality of the conflicts, the root causes of conflicts in Africa are grouped into four categories which may be internal or external to the country or community they materialized.<sup>54</sup>

## **2.2.1. Internal Causes**

### **2.2.1.1. Political Factors**

The first category of cause of conflicts has to do with political governance which among others defines or establishes the relationship between the ruling classes and the rest of the people, and therefore the relationship between public institutions and the people, and where the political systems in place were military or militarized, autocratic, led by single party or state party regimes, with strongmen controlling or brainwashing the rest of the population ideologically.<sup>55</sup>

Under those circumstances, and in confronting the political opposition and social demands, the government had no other response than oppression and militarization of politics, sometimes based on cultural, ethnic, regional or religious exclusion. This forced some leaders and their followers to form armed groups with the aim of seizing political power. The absence of political or democratic governance seems to be the cause of conflict.<sup>56</sup> This may also include “exclusion and marginalization” politics that is the refusal or inability of governments to manage the multi-cultural and multinational aspects of African countries.<sup>57</sup> Political stability is closely linked to the prevention of conflict and the promotion of the full realization of the right to development and attainment of peace.

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<sup>53</sup> Suliman, Mohamed (Ed.), *Ecology, Politics and Violent Conflict*, London: Zed Books, (1999), P. 80

<sup>54</sup> Kankwenda, Mbaya, *Dynamics of Conflicts and Development Crises in Central Africa and the Great Lakes*. NRC Publishing Inc. (2005), P. 19

<sup>55</sup> Asiedu, Kojo, *In Pursuit Of the Millennium Development Goals (MDGS) In Conflict-Affected Countries in Africa: An Uphill Challenge and Policy Lessons*. Paper Presented At The International Conference On Peace And Security In Africa Hilton Hotel, 20 – 23 February 2008, Addis Ababa, Ethiopia (2008). P.6

<sup>56</sup> Ibid, P. 7

<sup>57</sup> Ibid

Many political systems restrict democratic practices, violating human rights and increasing their own power at the expense of the public. This stimulates corruption, injustice and abuse within the community. Such totalitarian regimes force their own values and beliefs upon members of the society using state-controlled media.<sup>58</sup>

The role political elites play in exacerbating conflicts should also be mentioned. Elites from communities identify political office and employment as an opportunity to gain political influence and access state resources. In an area of limited financial resources, political office is a source of stable income for the individuals and provides a crucial opportunity for them to access or solidify political influence for their ethnic groups. The possibility of gaining recognition from the government through the establishment of district offices has intensified the race to define one's identity and magnify one's difference from other ethnic groups to gain access to these resources. In this race, individuals and groups come up with new schemes to claim political office, such as giving new names to already existing areas and requesting political representation.<sup>59</sup>

#### **2.2.1.2. Economic Factors**

Like political factors, economic issues are closely linked to the promotion of the right to development and maintenance of peace and security—particularly as a result of globalization, as countries become more closely connected and interdependent.<sup>60</sup> This category of causes relates to the failure of development governance especially in the distribution of social and economic “cake” of the nation. The situation in Nigeria illustrates this category. From 1970 to 2000 over USD320 billion worth of crude oil was exported from the oil-rich Niger Delta wetlands, accounting for some 90% of Nigeria's hard currency earnings and making Nigeria a major world oil producing country.<sup>61</sup>

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<sup>58</sup> Marshall, Monty G, *Major Episodes of Political Violence 1946 – 1999*. University Of Maryland, Centre for Systematic Peace, College Park (2000). P. 71

<sup>59</sup> Ibid

<sup>60</sup> Asiedu, Kojo, *Contributing To Peace Security And Development: The Experience Of The ZMM-GT*, Paper Presented At International Conference, University Of Bradford, UK. (2003).P.25

<sup>61</sup> C.N., James Paul, “The Human Right to Development: It's Meaning and importance”. *Third World Legal Studies*, (1992), P.20

However, the 7 million residents of the Delta are among Nigeria's poorest, and protests against the perceived injustice of extreme poverty in the midst of vast wealth have often disrupted oil production – threatening the country's economic lifeline and provoking violent clashes among local communities and between activists and the authorities.<sup>62</sup>

Economic stability is an essential requirement in order to attain the right to development and build peace within a society. The uneven distribution of benefits: economic growth, modernization and employment, has resulted in an increased gap between members of society.<sup>63</sup>

### **2.2.1.3. Social and Cultural Factors**

Social issues that result into conflicts are changes in people's lives. These may be breakdown of family structures, migration to areas that lack appropriate sufficient infrastructures, the loss of traditional values also as a result of isolation that follows from the breakdown of their personal history, the exposure to violence in the media as well as in daily life and the exposure to different cultures. Advances in technology have enabled millions of people to enhance their mobility anywhere in the world, resulting in exposure to diverse cultures and making societies increasingly multicultural. However, this process has brought shortcomings with its many benefits. It can provoke fear and rejection of the unknown, misunderstanding and intolerance of other cultures.<sup>64</sup> Unfortunately, many people turn to violence in their intolerance and rejection of cultural differences.<sup>65</sup>

Furthermore, exclusion of individuals and certain groups from participation in the fields of social, economic and political issues is another major cause of conflict. Marginalization in the decision-making process occurs because of discrimination in terms of cultural differences, ethnicity, religion, race, language and age: groups susceptible to discrimination are women, youth, elderly people, and minorities. The impact of marginalization these groups experience causes feelings of humiliation, alienation and

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<sup>62</sup> Ibid, P.21

<sup>63</sup> Supra Note 40, P.7

<sup>64</sup> UNESCO, *Plan of Action to Follow Up the United Nations Year for Tolerance (1995)*. Available At: [Http://www.unesco.org/tolerance/planeng.htm](http://www.unesco.org/tolerance/planeng.htm).

<sup>65</sup> Supra Note 61, P.23

denial of human rights and resources. This creates grounds for them to engage in violent actions, endangering both themselves and others.<sup>66</sup>

Finally, the effect of cultural marginalization poses as a major threat to social stability.<sup>67</sup>

#### **2.2.1.4. Environmental Factors**

As a recent and current global threat, many are left without basic access to natural resources such as sanitation and a clean water supply. The lack of proper health care, water care and sanitation infrastructures leads to high mortality and disease rates and poses threat to the promotion of peace and stability.<sup>68</sup> This category of causes of conflict concerns environmental governance where the natural basis for economic growth, the environment and natural resources, are plundered by the leaders and their accomplices without due consideration of the protection and regeneration of the environment for the needs of current and future generations. As a result, insecurity for some social groups emerges which can ignite violent conflicts.<sup>69</sup> As observed by Rubenson (1990) “other deeper-rooted sources of conflict also exist such as growing pressures arising from overpopulation, environmental degradation, which can lead to mass migration, underdevelopment and poverty, mainly in underdeveloped countries”.<sup>70</sup>

Environmental stress is only one factor generating migration; political and social conflicts also generate migration and adjustment. These two processes often overlap. However, while environmental scarcity can lead to conflict over competition for resources, there is only limited research that suggests that migration itself leads to

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<sup>66</sup> Balanandan, E., *Social Development, Including Questions Relating To The World Social Situation And To Youth, Ageing, Disabled Persons And The Family*: Statement By Member Of Parliament Of The Third Committee On Social, Humanitarian And Cultural Issues, United Nations (1998). P.10

<sup>67</sup> Kalib, Ussuf, “Horn of Africa: Conflict and Consequences”, *Horn of Africa Peace and Development Center*. Dallas, Texas (2007), P.2

<sup>68</sup> UN, *United Nations Environment Programme, Peter Saundry*. "Environmental and Socio-Economic Impacts of Armed Conflict In Africa". In: *Encyclopedia of Earth*. Eds. *Cutler J. Cleveland* (Washington, D.C.: Environmental Information Coalition, National Council for Science and the Environment). [First Published In The Encyclopedia Of Earth October 17, 2008; Last Revised Date October 17, 2008; Retrieved October 5, 2010. Available At:

<<http://www.eoearth.org/article/environmental-and-socioeconomic-impacts-of-armed-conflict-in-africa>>

<sup>69</sup> Ibid

<sup>70</sup> Ibid

conflict. It is possible to identify regions likely to experience tension arising from a combination of demographic and environmental factors.<sup>71</sup>

Environmental stress is likely to be linked to conflict indirectly but significantly and greater in poorer nations. The impacts will come directly from declining resources and conflicts over those resources and from the tensions created by populations that are displaced or who move seeking improved life chances in other regions. However as noted by Dereje, most environmentally induced conflict will appear in the guise of religious, ethnic or civil conflict.<sup>72</sup>

It is probable that growing populations will result in scarcities of renewable resources at the same time as the amount of high quality agricultural land will decrease, as will the extent of renewable forests. The widespread depletion and degradation of aquifers, rivers and other water resources, either from human-induced pressure or from climatic change, have the potential to produce violent conflicts. Environmental stress and acute conflict are most likely in those countries where the institutional capacity for adapting to environmental stresses is weak. These are the nations that are likely to be the most affected by three key conditions generally seen as leading to conflict: decreased quality and quantity of renewable resources; increased population growth and increased per capita consumption; unequal access to resources across local populations.<sup>73</sup>

When these conditions co-exist, two processes may produce conflict: ecological marginalization and resource capture.<sup>74</sup> Ecological marginalization occurs when population growth and unequal access to resources cause people to migrate to regions that are ecologically fragile, such as steep upland slopes or marginal agricultural areas adjacent to deserts. High population densities in these areas, coupled with lack of

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<sup>71</sup> Supra Note 55, P.9

<sup>72</sup> Dereje Feyissa, *The experience of Gambella Regional State, Osaka, Japan* (2005), P. 15

<sup>73</sup> Stewart, F. "War And Underdevelopment: Can Economic Analysis Help Reduce The Costs?" *Journal of International Development* 5 (1993) Vol. 2, Pp. 357-380.

<sup>74</sup> Keen, D., "The Political Economy of War, War and Underdevelopment", *The Economic and Social Consequences of Conflict*. Oxford, New York, Oxford University Press (2001) Pp. 39-66.

knowledge and capital to protect local resources, can result in severe environmental damage and eventually endemic poverty.<sup>75</sup>

In the Philippines, for example, the government has encouraged the expansion of large-scale lowland agriculture. This has increased the number of landless agricultural laborers, many of whom have migrated to steep and ecologically vulnerable hillsides where they have cleared land to establish subsistence agriculture. Civil dissent has increased in these areas which are largely beyond the effective control of the central government.<sup>76</sup>

Resource capture describes the situation in which there is competition between groups for the declining quantity or quality of renewable resources. In Senegal and Mauritania, West Africa, dams were built along the Senegal River in order to regulate river flow, produce hydropower, enable expansion of irrigated agriculture and provide river transport to the ocean. While these may be laudable goals, the outcomes led to increased land values along the river and a struggle between power élites for the control of these lands. The more powerful élites then changed property rights and resource distribution in their own favor, which produced a sudden increase in resource scarcity for the ethnic minority and the expulsion of 20,000 marginalized Mauriticians to Senegal – from where they then launched raids to retrieve expropriated cattle.<sup>77</sup> Even though these two cases illustrate the potential for conflict resulting from environmental change or environmental stress, the conflicts themselves are embedded in social and political contexts.<sup>78</sup>

Environmental changes form the background to tensions in which some other event is a trigger for conflict. Poor countries will in general be more vulnerable to damaging environmental change than rich ones, and poor migrants are more likely to be affected than rich migrants are.<sup>79</sup>

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<sup>75</sup> Ibid

<sup>76</sup> Supra Note 55

<sup>77</sup> Supra Note 50

<sup>78</sup> Ibid, P. 22

<sup>79</sup> Ibid

The social and political context is immensely broad and complex and includes patterns of land distribution, family and community structure, and economic and legal incentives, including systems of property rights and markets. All of these interact with environmental change, and it is not simply environmental change that leads to conflict. Indeed, environmental conflicts may manifest themselves as political or social tensions, including ethnic and religious conflicts, rather than conflicts over resources per se.<sup>80</sup>

Where environmentally induced migration and conflict might occur is slightly more easily answered than whether it will occur and to what extent. Demographic stress (and possible conflict) can be categorized on a scale from very high risk (where there is a large 'youth bulge', rapid urban growth and low cropland or freshwater availability), high risk (large youth bulge and either rapid urban growth or low cropland/ freshwater availability), low risk (low cropland or fresh water availability) to no risk (none of these factors).<sup>81</sup> This process identifies Africa and, to a lesser extent, the Middle East as primary areas of potential conflict and tension arising from rapid population growth and environmental stress. There are other 'hot spots' in Asia and northern South America.<sup>82</sup>

Conflicts arising from environmental change are much less likely than conflicts generated by religious, ethnic and other rivalries. That said, it is clear that environmental stress in the 'high risk' nations is likely to be a factor in increasing population dislocation and potential conflict. Environmental stress is likely to be linked to conflict indirectly but significantly. Its impacts will come directly from declining resources and conflicts over those resources and from the tensions created by populations that are displaced or who move seeking improved life chances in other regions. However, most of the conflicts will embed environmentally induced conflict under the guise of religious, ethnic or civil conflict.<sup>83</sup>

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<sup>80</sup> William, A V Clark, *Social and Political Contexts of Conflict, Climate Change as a Security Risk. Earth Scan, London and Sterling VA (2008)*.P.18

<sup>81</sup> Supra Note 40, P.17

<sup>82</sup> Supra note 55, P.11

<sup>83</sup> Ibid, P.12



### 2.2.2. External Causes

Local, national and international issues are all significant in generating and perpetuating conflict, and interact in different and changing ways.<sup>84</sup> At the local level, controversies over resource access can be a factor in the formation of armed groups, which are often linked to larger national or international “political” conflicts or economic interests. This may result in the militarization of the local socioeconomic space, including increasingly bloody competition over economic infrastructure and resources, extraction systems and trade networks. In some cases, this may be manifested in rent-seeking behavior by those with access to military power, or even direct appropriation and transfer of assets. This militarization may limit access to markets for local people, pushing up transaction costs and effectively driving up the cost of living.<sup>85</sup>

It has become evident in Africa that long-running violent conflicts are not confined to the national borders of a given country. The situations in West Africa (Liberia, Sierra Leone, Guinea, Ivory Coast), Horn of Africa (Ethiopia, Somalia, Sudan, Eritrea), and the Great lakes (Rwanda, DRC, Congo, Burundi, Uganda, Sudan) are all classical cases in point. Almost all those conflicts have at some stage and to various degrees involved neighboring states supporting the relevant dissidents.<sup>86</sup>

Local level conflicts have become instruments of politics of destabilization. Indeed, many of the neighboring states use these instruments to pursue broader political objectives. In reality, it is difficult to distinguish between domestic and external sources of conflict in Africa as witnessed in the Horn and Great Lakes, because of the dynamic interaction between the two.<sup>87</sup>

Africa, given its history and geography and replete with certain ethnic groups typically living in the border areas of two or three countries, can become tribe-in-arms if they feel

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<sup>84</sup> Ibid

<sup>85</sup> Supra Note 14, P.3

<sup>86</sup> Borchgrevink ,Et Al., *Regional Conflicts And International Engagement On The Horn Of Africa*, Norwegian Institute Of International Affairs (NUPI) (2009), P.31

<sup>87</sup> Ibid, P.32

neglected by their respective governments – in terms of equitable distribution of the national wealth and equal development.<sup>88</sup>

To sum up, conflict roots from many dimensions related to development: economic, political, social, cultural and environmental. Universal culture of human rights can only be attained if each nation has an interest in promoting full realization of the human right to development and in maintaining peace and security.<sup>89</sup> Nations must cooperate in order to attain global equity. This cooperation must come in terms of economic, social and political change and the promotion of peace at national, regional and global levels. It's to be noted that every individual is capable of making a contribution towards a more peaceful future where human rights are respected and the right to development fully realized everywhere in the world. The recent developments in today's world, including the tragic events of September 11, 2001 and the current international concern on Iraq's necessity to comply with the demands of the international community, have forced many people to believe that peace is an impossible dream. There is the lack of feeling directly involved in what is going on in the world, through people's lack of interest or simply because of ignorance of how they can become involved. People need to be made aware that they, too, can work towards the creation of a more peaceful world where human rights are respected and the right to development achieved to the peak.<sup>90</sup> People need to be reminded that an individual who acts with pure intentions can make a profound difference, and can influence events that are important to the continued existence of mankind.<sup>91</sup>

### **2.3. Impact of Conflict on the Right to Development**

“Conflict and development are mortal enemies.”<sup>92</sup>

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<sup>88</sup> Supra Note 55

<sup>89</sup> Iqbal, Khurshid, *The Declaration on the Right to Development and Implementation*. University of Ulster, (2007), P.3

<sup>90</sup> Ocampo, José, *Multidimensionality Of Peace And Development: A Desa Perspective* Under-Secretary-General For Economic And Social Affairs, United Nations, New York (2009), P.15

<sup>91</sup> Ibid, P.16

<sup>92</sup> General Assembly President's Speech To The High-Level Meeting On African Development At The General Assembly's High-Level Plenary Meeting On The New Partnership For Africa's Development (Nepad): *Press Release Ga/Sm/292 Afr/479 Ga/10054 16/09/2002*

The right to development has been defined to as “ an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized”.<sup>93</sup>

The essential link between international peace and security and the rule of law and human rights was acknowledged by the 1993 World Conference on Human Rights. This Conference placed these concepts all within the larger context of democratization and development. The need to reinforce these vital links has been highlighted by the sharp increase in bloody conflicts and man-made calamities in this decade.<sup>94</sup>

It is recognized that conflict has multiple, long- and short-term impacts on the right to development, and on environmental and human well-being. The effects, even of internal conflicts, are felt at various spatial levels, within the immediate area of conflict, and often in neighboring countries. Conflict undercuts or destroys environmental, physical, human and social capital, diminishing available opportunities for sustainable development.<sup>95</sup>

### **2.3.1. Internal Impacts of Conflicts on the Right to Development**

#### **2.3.1.1. Impacts on Political Dimension of the Right to Development**

Conflicts results into weak political structures in societies and which curtail the right to development. Conflict changes the structure of political institutions, both local and national, as well as their ability to provide public goods and guarantee the establishment of property rights, the rule of law and security. Violent conflicts frequently result from and/or lead to forms of state and governance failure<sup>96</sup>. The conflict effort affects negatively social spending as well as the institutional ability to run the economy, provide even basic social services (such as health care, education, sanitation, etc) and maintain socio-economic stability. But they also offer important opportunities for new classes of

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<sup>93</sup> Supra Note 26

<sup>94</sup> Supra Note 19

<sup>95</sup> Supra Note 60

<sup>96</sup> Zartman, W. (Ed), *Collapsed States: The Disintegration And Restoration Of Legitimate Authority*, Boulder (1995), P.26

local and regional leaders to challenge political powers<sup>97</sup>. In most conflicts, a number of actors (militia-leaders and members, political elites, businessmen, petty traders, but also households and groups) have tried to improve their position and to exploit the opportunities offered by a context of internal conflict. The result is a profound reshaping of relations between populations, the politico-military or economic elites and legal and judiciary structures. Political relations are shaped and reshaped during times of conflict thereby inducing processes of social and political transformation<sup>98</sup>. One way in which those processes occur is through the emergence of local ‘governance’ structures in places where ‘government’ is absent. In the available literature, such circumstances are usually referred to as state ‘collapse’.<sup>99</sup>

However, the collapse of ‘government’ does not necessarily have to be accompanied by the collapse of ‘governance’, rather it is accompanied by institutional changes as different actors replace weak or inexistent institutions in the provision of local public goods, the enforcement of property rights and social norms and the provision of security<sup>100</sup>.

Without improvement to the current situation of developing countries, which constitute the majority of the world’s people, communal as well as global security will become increasingly threatened by acts of terrorism and political instability there by impeding the right to development<sup>101</sup>.

### **2.3.1.2. Impacts of Conflict on the Economic, Social and Cultural Dimensions of the Right to Development**

The economic impacts of conflict on development could be inequality in economic opportunities and unemployment which leaves the majority of the members of society with insufficient opportunities to obtain a decent living without assistance from outside sources, preventing them from getting out the cycle of poverty. Unequal access to

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<sup>97</sup> Reno, W., “The Politics Of Insurgency In Collapsing States”, *Development And Change* (2002), Vol. 33 (5), P.837-858.

<sup>98</sup> Vlassenroot, K. And Raeymaekers, T., *Conflict and Social Transformation in Eastern Dr Congo*, Ghent, Academia Press (2004), P.18

<sup>99</sup> Supra Note 66, P.11

<sup>100</sup> Supra Note 55, P.12

<sup>101</sup> Woolcock, M., “Social Capital and Economic Development: Towards A Theoretical Synthesis and Policy Framework”, *Theory and Society* 27 (1998), Vol. 2, P. 151.

education prevents them from obtaining skills that would contribute to their development and self-sufficiency.<sup>102</sup>

Conflict also has macro-level impacts.<sup>103</sup> These include a decline in state capacity, associated with a shrinking revenue base and reduced public spending, and economic stagnation as a result of a fall in exports, hyper-inflation, exchange rate depreciation, disinvestment, and capital flight. Additionally, they may incur new costs in relation to refugees and losses from deteriorating regional trade.<sup>104</sup>

Conflict can set in motion a cycle of degradation and human vulnerability. Human vulnerability refers not only to the exposure to negative environmental change, but also to the ability to cope with such change through either adaptation or mitigation. Conflict can also contribute to the breakdown of social cohesion and the disruption of local governance systems; this in turn may result in established safety nets becoming unavailable.<sup>105</sup>

The increase in social and economic vulnerability, as result of conflict, may in the face of environmental and land degradation, trigger new tensions and conflict over critical resources, such as water or food. The incidence of poverty may increase, not only through the loss of livelihoods but also as a result of a growing inability of people to cope with change. This loss of resilience is also directly linked to diminished access to public services, resulting in, for example, an increasing incidence of ill health, a contraction in formal employment opportunities, the destruction of subsistence livelihoods, and other entitlements failures which affect consumption and nutrition, as well as the weakening of social cohesion and heightening insecurity.<sup>106</sup>

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<sup>102</sup> Nafziger, W.E. And Auvinen, J., *Economic Development, Inequality, War and State Violence*. World Development (2002). P.32

<sup>103</sup> Justino, P., *the Impact of Armed Civil Conflict on Household Welfare and Policy Responses*. Microcon Research Working Paper 12, Brighton: Microcon (2009), P. 12

<sup>104</sup> Ibid, P.14

<sup>105</sup> Ibid

<sup>106</sup> University of Birmingham, *Conflict Dynamics and Impact*, University of Birmingham (2006), P.3 Available at: <http://www.gsdrc.org/go/conflict/chapter-1-understanding-violent-conflict/conflict-dynamics-and-impact>

Conflict is estimated to result, on average, in production losses of 12 percent and to undercut growth in the agricultural sector by 3 percent per year. Conflict, therefore, by increasing the gap between food production and need, aggravates poverty and hunger, and consequently promotes continued dependence on food aid.<sup>107</sup>

Displacements of people also have direct impacts on receiving communities and countries. The burden placed on local infrastructure such as schools, hospitals and sanitation facilities may be considerable and difficult to bear.<sup>108</sup>

The destruction of assets by conflict, in addition to unstable economic, social and political environments, will impact significantly on the ability of affected people to recover their economic and social position in post-conflict settings impeding their right to development.<sup>109</sup>

The destruction and decay of infrastructure not only affects the provision of essential services but leads to a breakdown in communication, through the loss of roads and telecommunications. This may increase the extent of isolation already experienced by rural communities; it may further diminish their sense of citizenship and contribute to a shrinking of civil society. Infrastructural decay results in the loss of market and other economic opportunities. The Department for International Development (DfID) reports that in the 20 years from 1980 to 2000, Africa lost over 50 percent of its infrastructure as a result of conflict. For example, in southern Sudan, there is no viable road network, and Angola and the Democratic Republic of Congo (DRC) are entirely dependent on air transport due to the collapse of infrastructure.<sup>110</sup>

The displacement of people is a major social and economic cost of serious conflict, in the short term as well as in post-conflict periods<sup>111</sup>. Since 1960, more than eight million

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<sup>107</sup> Supra Note 103, P. 13

<sup>108</sup> Supra Note 106, P.4

<sup>109</sup> House of Commons International Development Committee, *Conflict and Development: Peacebuilding and Post-Conflict Reconstruction, Sixth Report of Session 2005-06*. The Stationery Office Limited (2006), *Volume I*, P.7

<sup>110</sup> Supra Note 55

<sup>111</sup> Supra Note 109

people have died directly or indirectly as a result of conflict in Africa, and projections suggest that by 2020 injuries caused by conflict will have become the eighth most important factor placing a disease burden on society. In a significant number of conflicts, violence has taken new forms, with the deliberate targeting of civilians and an increasing incidence of mutilations, violent rituals and rape. Specific groups, who rely on the collection of natural resources, or farming, as many people in rural Africa do, may be targeted.<sup>112</sup> Women, for example, are often specifically targeted as they collect firewood or water. This “total war” effect, as well as ruthless counter-insurgency strategies employed by some states, can lead to forced displacement and the destruction of homes, crops and food stocks, exacerbating extreme poverty and food insecurity. As a result of the targeting of civilians, large areas can become depopulated and output of agricultural or pastoral production reduced, thus affecting local livelihoods and the national economy. Northern Uganda, where almost 2 million people are displaced on a regular basis, is a case in point. One major, and often lingering effect of such violence, is damage to the social fabric, including informal networks of trust and support, undermining governance and often natural resource management (NRM). This hinders the resurgence of institutions, including markets and NRM institutions, in the post-conflict period.<sup>113</sup>

Children are a major target of conflict and violence. Children may be killed or maimed by one group in order to undermine the morale of the other side.<sup>114</sup>

### **2.3.1.3. Impacts on Environmental Dimensions of the Right to Development**

Conflict has devastating effect on the environment. National parks housing endangered species are often affected for exploitation for food or consumption. People affected by conflict hunt wildlife for bush meat, either to consume or sell it. Elephant populations in Africa have seriously declined as a result of ivory poaching. Farmers burn parts of the forest to apply as farmland, and corporate logging contributes to the access of poachers to bush meat. A survey by the WWF showed that the hippopotamus population in one national park decreased from 29,000 thirty years previously, to only 900 in 2005. The

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<sup>112</sup> Ibid

<sup>113</sup> Homer-Dixon, T, “Environmental Scarcity and Conflict”, *Peace Magazine*, University Of Toronto (1996), P.18

<sup>114</sup> Ibid, P. 20

United Nations Educational, Scientific and Cultural Organization (UNESCO) listed all five parks as ‘world heritage in danger’.<sup>115</sup>

Conflict may result into environmental changes. Livelihoods are directly affected through decreased access to land, and inadequate access to natural resources, as a result of exclusion, displacement and the loss of biodiversity.<sup>116</sup> Conflict affects human well-being, reducing quality of life, the capabilities of people to live the kinds of lives they value, and the real choices they have. It results in the loss of lives, livelihoods and opportunity, as well as of human dignity and fundamental human rights.<sup>117</sup>

A further feature of conflict is the collapse of public institutions or the inability of these institutions to cope. Conflict can lead to large areas coming under the control of non-state actors. There may be a weakening of environmental institutions and governance systems, resulting in lower managerial capacity.<sup>118</sup> Environmental and other relevant agencies are handicapped through lack of funds or loss of personnel. Low levels of monitoring and evaluation may contribute to biodiversity loss and encourage illegal and unsustainable trade in natural resources. Natural resources in these zones may be exploited at unsustainable rates in order to purchase weapons, or simply to enrich members of the controlling forces. Foreign or multinational companies are often involved in resource exploitation in such zones, for example timber in eastern DRC.<sup>119</sup>

### **2.3.2. External Impacts of Conflicts on the Right to Development**

Impacts of conflicts are seldom confined to the country of conflict. Conflict affects neighbor in many ways. Violent conflict has various effects in neighboring countries and beyond as arms, drugs, conflict resources and refugees spill over the border. Mass refugee migration in particular can place a large economic burden on host countries.

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<sup>115</sup>Supra Note 68

<sup>116</sup> Hagmann, T., ‘‘Confronting the Concept of Environmentally Induced Conflict’’, *Peace, Conflict and Development* (2005), P.29

<sup>117</sup> Supra Note 113, P.80

<sup>118</sup> Ibid, P.83

<sup>119</sup> Cervenka Zdanek, *The Relationship Between Armed Conflict And Environmental Degradation In Africa, In Ecology And Politics-Environmental Stress And Security In Africa*, London, Oxford University Press (1999), P.97



Neighboring countries may also suffer from damage to cross-border infrastructure and the environmental impacts of conflict.<sup>120</sup> Countries bordering conflict zones may also need to increase security expenditure in military and non-military sectors.<sup>121</sup>

Displacements impact directly on neighboring countries, as refugees flee across international boundaries. However, impacts on neighboring countries are not limited to these population movements and there may be multiple affects on social cohesion and economic opportunities. There are often complex cross-border links at different levels and between different actors, this includes cross-border operations of armed opposition groups, the international and local arms trade, and the sale of natural resources, narcotics, and other commodities used to sponsor conflict. Around centers of conflict, there are often extended zones of “bounded instability” which experience sporadic violence<sup>122</sup>.

Long-term situations of “neither peace nor war” can therefore ensue. International border zones are especially conflict-affected. Typically, these zones of friction are the most politically and economically marginalized, with weak state administrative structures. They are often also, because of their remote nature, havens of biodiversity. The influx of refugees across national borders into areas adjacent to national parks has contributed to immense pressure on these protected areas, often undermining NRM.<sup>123</sup>

To sum up, it is widely acknowledged that conflict and development or the lack thereof, is closely interlinked. Most violent conflicts stem from deeply rooted social and economic injustices often related to identity politics and extended periods of targeted deprivation. Long-term development programmes, accompanied by structural political and social change, are needed to eradicate the real causes of poverty, and thereby also of conflict to realize the right to development of communities<sup>124</sup>.

Building durable peace in Africa requires both good governance and sustainable development, the Secretary-General emphasizes, devoting a section of his report to the

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<sup>120</sup> Supra Note 106, P.4

<sup>121</sup> Supra Note 80, P.19

<sup>122</sup> Supra Note 27

<sup>123</sup> Supra Note 119, P.102

<sup>124</sup> UNDP - *Human Rights and Human Development: Human Development Report 2000*. New York: Oxford University Press (2000), P.20

broader political, economic and social conditions needed to prevent a recurrence of conflict.<sup>125</sup>

### **3. CHAPTER THREE: CAUSES OF CONFLICT IN THE GAMBELLA REGIONAL STATE**

#### **3.1. General Overview**

Gambella is identified as one of the conflict prone region in Ethiopia<sup>126</sup>. Conflict in the Gambella region is caused by different and underpinning causes or factors hindering the right to development of the people of Gambella region. The causes of conflict in Gambella are linked with political, economic, social, cultural and environmental issues<sup>127</sup> pertinent to the right to development.

“Gambella can be seen as an example for one of the most, if not utmost, complex regions in Ethiopia with regard to contemporary political conflicts. Its status as a border region, its multiethnic composition, identity politics and political representation, and competition over land rights and resources, as well as the indigenes relations to the highlanders, its status as a border region, its exposure to the Sudanese civil war and transnational migration and the inner-Ethiopian dynamics between centre and periphery contributed to the recent extension of the conflict in the area. Each of these causes and events is equally important for the understanding of the region and should never be seen as separate from each other.”<sup>128</sup>

There are significant elements of reciprocity and complementary socio-economic relations and exchanges among the various groups in Gambella, and that, for the most part, Gambella would be a peaceful region. However, conflict erupts regularly and is a

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<sup>125</sup> Supra Note 44

<sup>126</sup> Ethiopian Human Rights Council, *Parallel Report Submitted to the Committee on Racial Discrimination, Ethiopia* (2009), P.9

<sup>127</sup> Supra Note 14, P. 14

<sup>128</sup> Supra Note 46, P.12

reality that underpins daily life: the ever-present potential makes conflict a dominant pattern of inter-group relations.<sup>129</sup> Many Conflict and violence in Gambella region find expression in various fields of social interaction (from villages to churches, from schools to political parties) in ways ranging ‘from the complete destruction of villages to rioting in the schools; from targeting minors and the raiding of public transports to the crucifixion of individuals to humiliate the group to which they belong’. The underlying tension became part of everyday life between the ethnic groups in Gambella region. In recent years, once conflicts have erupted, they have tended to take on a more violent form, with bombing and massacres in the region.<sup>130</sup>

These conflicts have different levels i.e. between the Anuak and the Nuer, between the Anuak and the Majangir, between the Anuak and the highlanders, between the Majangir and Sheka zone of SNNRS, intra-Nuer clans and intra-Anuak ethnic group. But the Anuak-Nuer conflict is the most prominent of all conflicts in the region.<sup>131</sup>

For convenience, to elucidate the causes of conflict in Gambella, the author tried to classify them into the causes internal to the region and the causes external to the region here below. Further as stated above, causes of conflict in Gambella are interlinked and reinforcing each other. Thus, as it may not make clear understanding to discuss each cause separately, I have categorized them under each level of conflict as follows.

## **3.2. Causes of conflict Internal to Gambella Region**

### **3.2.1. Causes of Anuak-Nuer Conflict**

The Nuer-Anuak inter-ethnic conflict is the major one of the levels of conflicts in Gambella<sup>132</sup>. Their conflict can be linked to socio-economic, socio-cultural, socio-political factors. In other words, the Anuak-Nuer conflict accounts to the livelihoods

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<sup>129</sup> Supra note 72, P. 8

<sup>130</sup> Dereje Feyissa, A National Perspective on the Conflict in Gambella, In: *Proceedings of the 16th International Conference of Ethiopian Studies*, ed. by Svein Ege, Harald Aspen, Birhanu Teferra and Shiferaw Bekele, Trondheim (2009), P.6

<sup>131</sup> Ibid

<sup>132</sup> Hussein et al., *Report of the assessment on the situation of Internally Displaced Persons in Gambella region*, ZOA Care Ethiopia, Gambella (2006), P.10-13

these ethnicities pursue and their history of expansion into their present territories escalating in to competition for political power<sup>133</sup>.

### **3.2.1.1. Historical, Socio-economic, Socio-cultural Factors**

One of the main contributing factors to the Anuak-Nuer conflict is their incompatible livelihood they are practicing along with competition over control of natural resources. The Anuak are agriculturalist and the Nuer being pastoralist. The greatest number of Anuak prepares farming and fishing with an exception of some who rear cattle and goats. Contrary to agriculture, economic backbone of Nuer centers on cattle business though they use agriculture for some seasons<sup>134</sup> “This is often true that these two businesses-herding cattle and farming- contradict each other, especially in situation where they are not managed. Since livestock do not respect any boundaries, the Anuak always prepares to live very far from Nuer because the cattle are threats to their farming businesses, which often offense them. This is always the triggering event when these two communities come in close vicinity with each other”<sup>135</sup>.

For reasons whatever, both the Nuer and the Anywaa have a history of expansion. Anywaa oral history recounts that in the eighteenth century, they entered their present territory from the southwest<sup>136</sup>. According to some authors, the Nuer must have entered their current territory towards the end of 19th century<sup>137</sup>. The Nuer-Anuak ethnic conflict has its origin in the 19th Century Nuer migration when Eastern Jikany Nuer sub-clan advanced to the present Gambella area where the Anuak has already settled. In the course of their migration, the Jikany advanced to their present location by joining other ethnic groups, including the Anuak, and thereby occupying the pasturelands for their cattle. Although events stopped Eastern Jikany migration for some time, the migration never ended. It slowly gained momentum as other factors such as civil wars in Sudan pushed them.<sup>138</sup>

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<sup>133</sup> Supra Note 3

<sup>134</sup> Ibid

<sup>135</sup> Ibid

<sup>136</sup> Supra Note 14, P.15

<sup>137</sup> Supra Note 72, P.7

<sup>138</sup> Supra Note 3

The Anuak discontented for advancement of the Nuer and to stop the Nuer, the Anuak used war as the only option to stop the advancing Nuer. From the early to late twentieth Century, the Anuak organized many campaigns to stop the advancing Nuer from taking their lands and the Nuer resisted them furthering their expansion.<sup>139</sup>

As far as the two ethnicities lived very close together they slowly acquire some strategies to prevent conflict and conflict management mechanisms. However, after introduction of the governments-the monarchy, *Derg* and subsequently EPRDF- the old resource competition turned into rivalry over regional politics<sup>140</sup>.

### **3.2.1.2. Socio-Political Factors**

The Anuak-Nuer rivalry over limited natural resources is compounded by struggle for political power at the regional level<sup>141</sup>.

To clarify the internal dynamics of the Anywaa-Nuer conflict, it is necessary to provide a brief examination of the political history of the region.

During the late imperial period the province, *Illubabor*, was in practice a colony of the Highlanders. The population was then Anuak by majority with a large Nuer minority and a smattering of smaller, politically irrelevant tribes. The natives of the province had no political role and the administration was entirely in Highlander hands. During the first Sudanese civil war (1956-1972) Emperor Haile Selassie used the Anuak to support the anti-Khartoum southern rebellion, which meant that the tribe acquired a degree of military experience and strength<sup>142</sup>.

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<sup>139</sup> Supra Note 14, P.7

<sup>140</sup> Supra Note 20, P.9

<sup>141</sup> Supra Note 46, P. 11

<sup>142</sup> WRITENET (Independent Analysis), *Ethiopia: The Gambella Conflict – Structures and Prognosis* (2004), P.3

Following the Ethiopian revolution in 1974, the new government, the communist *Derg* empowered the Nuer as a local administration. After the 1976 *zemecha*, the regime created a completely Nuer-led local administration.<sup>143</sup>

This created a resentment on the Anuak seeing that the Nuer they consider foreigners are ruling them in a land they consider their land. A number of young Anuak then started to look for outside support, going to Eritrea for that purpose. It was in Eritrea that the EPLF put them in touch with the TPLF. Before the downfall of the *Derg* regime in 1991 the Anuak, organized under their party, the GPLM and fought against the *Derg* on the side of EPRDF. Under *Derg* regime, the Nuer had dominated the Anuak.<sup>144</sup> Thus later (1989-1990), when the TPLF created its multiethnic political cluster, the EPRDF, Anuak took the future Gambella administration<sup>145</sup>.

In April-May 1991, after the fall of the *Derg* when power changed hands, the former communist-supported Nuer administration fled and was replaced by young EPRDF-supported Anuak. The Anuak soon acquired significant political weight due to the support they enjoyed from the new government. The Anuak dominated party (GPLM) started to govern the region because of its affiliation to the EPRDF. For the Anuak, this was ‘the first time in history that they have had their own government’.<sup>146</sup>

In 1991 militant Anywaa killed a number of educated Nuer when a party, which claims to represent the Anywaa, took control of the regional state of Gambella. Meanwhile, a series of violent confrontations erupted between the Anywaa and the Nuer in 1992 that lasted until 2002. These clashes cost lives of many people, destroyed entire villages and produced thousands of internally displaced people<sup>147</sup>.

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<sup>143</sup> Unanimous Nuer and Anuak elder interviewed by the author in Anuak Zone and Nuer zone on 23 October and 29 October, 2010, respectively.

<sup>144</sup> James, Wendy, No place to hide: Flag waving on the western frontier. In: *Remapping Ethiopia: Socialism and after*, edited by W. James, D. Donham, E. Kurimoto and A. Triulzi. Oxford: James Currey (2002), P.74

<sup>145</sup> Ibid, P. 77

<sup>146</sup> PAX Christi Netherlands, *The December massacre in the Gambella region and its political aftermath: Analytical report* (July, 2004), P.12

<sup>147</sup> Supra note 20, P.10

However, this would change totally, when a relative peace and stability prevailed in Ethiopia. The Nuer, who fled to the Sudan fearing vendetta persecution from the new Anuak-led regional state, returned to the region. The 1994 national population census showed that Gambella is a home for about 162, 397 of which the Nuer constituted the majority (39.7%) over the Anuak, which are 27.4 %.<sup>148</sup> The Anuak received this population census result with shock. It reduced them into a minority population within the land they consider 'homeland'.<sup>149</sup> The Anuak contested the census for they felt it has overestimated the population of the Nuer. From the Anuak' point of view; the main point in the controversies over the accuracy of the 1994 population census is the cross border migration and refugee flow from Sudan. They believe that the census has included Nuer who are not Ethiopian Nuer but Sudanese Nuer refugees. As there is no system of identifying the Sudanese Nuer from the Ethiopian Nuer, the Sudanese migrants seemed to have joined the Nuer on the Ethiopian side in the new autonomy politics of the Gambella region,<sup>150</sup> Without contestation on the genuine nationality of the Nuer, the Anuak would become minority in number and accordingly give up some privileges they had been enjoying since 1991.<sup>151</sup> Since the Anuak considered themselves the "owners of the land" and the "real inhabitants" of Gambella they tended to react with violence and the Nuer, who believes in co-ownership of the land, responded in kind.<sup>152</sup>

Despite the numerical majority of the Nuer, the Anywaa administration of the region still continued. In post 1991 Gambella the office of the regional presidency is allocated to the Anywaa whereas the offices of the vice presidency and the secretary are allocated to the Nuer and the Majangir, respectively. The Nuer however, challenged the Anuak administration that it is against the democratic principle of majority rule and minority right. The Nuer contestation of the Anywaa political dominance resulted in a major war

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<sup>148</sup> CSA, *The 1994 Population and Housing Census of Ethiopia 1995*. Results for Gambella Region. Addis Ababa: Central Statistics Authority.

<sup>149</sup> Kurimoto, Eisei , "Fear and Anger: Female versus Male Narratives among the Anywaa (2002)". In: James, Wendy & Donham, Donald et al., *Remapping Ethiopia. Socialism and After*, Oxford: James Currey. S. P. 219-238.

<sup>150</sup> Supra Note 86, P.34

<sup>151</sup> Ibid, P.35

<sup>152</sup> Supra Note 130, P.7

that broke out in Itang woreda in 1998. A more deadly conflict occurred in 2002 on issues related to succession to the office of the vice president<sup>153</sup>.

Alongside politics in Gambella, there have been questions of what language should be taught in schools from the Nuer and the Anywaa languages. Until recently, this has also caused solemn conflicts between the two groups. Both groups claim that their own language should be taught in schools in Gambella region. Since 1995, both languages have been taught. Only the Anywaa language was taught up to grade 10 and at college level. The Nuers, on the other hand, argued that their language should be taught in schools<sup>154</sup>.

### **3.2.2. Causes of Anuak-Highlanders Conflict**

During the *Derg* era the Gambella area was targeted for agricultural development and this had a drastic impact on the livelihoods of the indigenous people. The Anywaa fear that the highland population will grow and in time will present both a political as well as a practical challenge (in that they will take over Anywaa land). Although famine victims themselves, these “settlers” were seen by the local Anuak population as “invaders”. In 1991 many were killed by the Anuak when the regime changed. Anywaa villagers massacred hundreds of highland farmers.<sup>155</sup>

However, the new EPRDF government prevented the settlers from taking any form of revenge. Later the newcomers used their Highland connections to set up small businesses and go into gold-panning. They succeeded fairly well economically, thereby increasing the resentment of the Anywaa against them.<sup>156</sup>

At times, conflict has escalated such as in the early 1990’s. Tensions were intensified from 2002 onwards with regular killings (e.g. massacre in Itang, July 2002) and several

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<sup>153</sup> Supra Note 86, P. 38

<sup>154</sup> Supra Note 1, P. 4

<sup>155</sup> Supra Note 146, P.5

<sup>156</sup> Meckelburg, Alexander, Some preliminary considerations on collective violence, identity and conflict and their coherence: The case of Gambella, Western Ethiopia. In *Hot spot Horn of Africa revisited. Approaches to make sense of conflict*, edited by E.-M (2008), P. 10



Anywaa leaders were jailed. Since 2003 there is a renewed tension between the Anywaa and the highlanders that culminated in the massacre of hundreds of Anywaa in Gambella town on December 13, 2003<sup>157</sup>.

In November 2003 a road-building crew was attacked on the road between Abobo and Gok. But it immediately re-opened a mass of old, unresolved conflicts. When the mutilated bodies of the Highlanders were brought back to Gambella town, feelings ran so high (fuelled by the memories of the never avenged 1991 massacres) that the local authorities let settler vigilante groups form themselves and slaughter Anuak. Later the Anuak took revenge on the civilian settler population which the Ethiopian army was incapable of protecting. Killings and counter-killings became routine<sup>158</sup>.

Quite a lot of workers, all Highlanders, were killed by local Anuak. In December the Anuak attacked a vehicle carrying the director of the planned Odier camp, as well as an engineer and five laborers: all were killed, as were the driver and their military escort. Ethiopian army soldiers brought the bodies back to Gambella town and displayed them to the public, showing the mutilations they had suffered. This inflamed feelings among the Highland settlers, and started a pogrom during which Highland settlers, at times supported by the police and the army, killed large numbers of Anuak. Tens of thousands of Anuak refugees fled across the border to the Pochala area of Sudan, which is under the control of the Sudan People's Liberation Army (SPLA)<sup>159</sup>.

By April/May 2004 the situation on the ground in Gambella had calmed down somewhat, and this has continued, partly due to heavy army intervention<sup>160</sup>.

### **3.2.3. Causes of Anywaa-Majangir Conflict**

Traditionally, the Anywaa and the Majangir have maintained peaceful relationships. Over time, the Anywaa have expanded their territory to the east, encroaching on Majangir

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<sup>157</sup> Supra Note 146, P.17

<sup>158</sup> Ibid

<sup>159</sup> Supra Note 142, P.4

<sup>160</sup> Supra Note 116. P.30

communities living near or in the foothills of the escarpment with the SNNPRS highlands. Until recently, Majangir communities have been assimilated rather peacefully into Anywaa communities<sup>161</sup>.

Only just the Majangir have become increasingly aware of their rights as an ethnic group under the construct of ethnic federalism. They have demanded to be fairly represented in the Gambella regional government and some of the Majangir have been taking up arms to that purpose<sup>162</sup>.

This has been interpreted as a challenge by some Anywaa and in the resulting violent confrontations hundreds of people have been killed during 2001. It subsided fairly soon but left a situation of armed stand-off<sup>163</sup>.

Though traditionally the people have lived together relative peacefully, mistrust characterizes their relationship at the moment. One example of this is that the Majangir are afraid to go into the forest to collect honey from their bee hives. The work undertaken by the Mekane Yesus Church in re-establishing contact between affected Majangir and Anywaa communities is said to yield positive contributions to peace and reconciliation<sup>164</sup>.

#### **3.2.4. Causes of Majangir-Highlanders Conflict**

The causes of Majangir-Highlander conflict are intertwined. Identity politics and economic factors relating to competition over natural resources are the main causes of their conflict. A number of Majangir live in Majangir zone. However, with the creation of states in 1991 by EPRDF, Majangir were divided between the Southern State and Gambella region. Some of the Majangir did not agree with the decision of the government and started to fight to unite the Majangirs<sup>165</sup>.

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<sup>161</sup> Unanimous informant, interviewed by the author in Anuak zone, Abobo Town on November 13, 2010

<sup>162</sup> Unanimous Majangir politicians interviewed by the author in Majangir zone Godere town from November to December, 2010.

<sup>163</sup> Supra note 132, P.12

<sup>164</sup> Van, Uffelen, *Summary assessment report*, PACT (2005), P.8

<sup>165</sup> Ibid

The remaining Majangirs in the SNNPS are minority in number would claim fair representation in the regional politics which was not however, satisfied to their expectation and whose violently pursued grievances initiated bloody conflict in neighboring Sheka zone, in 1991, 1993 and in April/May 2002<sup>166</sup>.

Moreover, like in the Anuak zone the Derg regime resettled highlanders in Majangir area during its regime. The Majangir used to live relatively peacefully together with the highlanders, who were resettled in their areas during the Derg regime. However, with the increased number of highlanders, the pressure on the forest increased and tensions between Majangirs and highlanders increased with the highlanders destroying larger amounts of forest to cultivate coffee. This is destroying the ecosystem and is a threat for the cultivation by Majangir. There are little efforts to restore the relationship between the Majangir and highlanders. The Majangir now feel threatened at both sides; at one side by the highlanders, at the other side by the Anywaa<sup>167</sup>.

### **3.2.5. Causes of Intra-Nuer Conflict**

The causes of Nuer-Nuer conflict are diverse. Formed on lineage, geographically and on the basis of history of migration, the Nuer are divided into three broad categories: western, central and eastern. The eastern Nuer are further divided into Lou and Jikany. The Nuer in the Gambella region belongs to the eastern Jikany division. The Jikany Nuer are in turn divided into three descent-based territorial units which are also called the *Gaa-Jaak*, the *Gaa-Jiok* and the *Gaa-Guang*. The sub divisions of Jikany Nuer, *Gaa-Jaak*, *Gaa-Jiok* and *Gaa-Guang*- form distinct identity units each contain numerous sub divisions<sup>168</sup>.

Based on their lineage divisions, the causes of intra-Nuer conflict are attached to competition over natural resources, political rivalry, cattle raiding, blood feuds and the

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<sup>166</sup> Vaughan, Sarah and Tronvoll, Kjetil, "The Culture of Power in Contemporary Ethiopian Political Life", *Sida Studies No.10* (2003), P.45

<sup>167</sup> Supra Note 72, P.9

<sup>168</sup> FAST International, *ETHIOPIA: Trends in Conflict and Cooperation*, Switzerland (2009), P.4

spill over effect of the Sudanese civil war fuelled by access to small arms and environmental degradation. In fact, insecure border area and activities of armed elements in those areas are the hot issues in the area since the border area itself is characterized by weak governance on both sides)<sup>169</sup>.

Regardless of some recent attempts to revive the category of Jikany as a unit of identification, the trend is towards fragmentation. The rivalry between *Gaa-Jaak* and *Gaa-Jiok*, the simmering tension between Thiang and other *Gaa-Jaak*, and the protracted conflict between *Cieng-Wau* and *Cieng-Nyajani* (since 1995) gives the impression that the Nuer are at war with themselves, more than their conflict with their neighbors. With increased militarization and decline of traditional conflict-resolution mechanisms (particularly compensation for homicide) conflicts among the Nuer becomes a day to day activity<sup>170</sup>.

On the other hand, pastoral mobility is reduced and population pressure on the land increased, more and more Nuer groups have shifted to agro-pastoralism. Unlike grazing land which is perceived not as scarce, farming land is inherently more limited so as the Nuer now enter into competition for the same ecological niches with each other<sup>171</sup>.

Moreover, cattle raiding between different sections of the Nuer are often reported. Armed incursion by the Lou Nuer from Sudan led to the displacement of over 12,000 Nuer from Akobo woreda to Jiokow, Itang and Gambella woredas of the Gambella region. The incursion led to the occupation of seven to ten *Kebeles* by Sudanese Nuer. The absence of effective border regulations endangers the border populations and internal displacements caused by the border dynamics create serious tensions and often result in conflict itself in the Baro river valley. The absence of effective border regulations endangers the border populations and internal displacements caused by the border dynamics create serious tensions and often result in conflict itself in the Baro river valley (exacerbating the

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<sup>169</sup> Supra Note 72

<sup>170</sup> Supra Note 32, P.11

<sup>171</sup> Young, J, *Internal Nuer fighting, oil, and the humanitarian crisis in Southern Sudan*, Unpublished memo (2001), P.8

regular disputes and conflicts between the various Nuer subsections regarding cattle raiding, access to dry season cultivation and grazing areas and water)<sup>172</sup>.

Displacements lead to high population densities in areas such as Itang and even Gambella town, which in turn result in increased competition over scarce resources. As mobility is reduced due to insecurity, part of the livelihoods mechanisms utilized in times of food shortages is no longer functional<sup>173</sup>.

Another factor causing conflict among the Nuer is competition over political representation. As said above the Nuer of distinct section of sub clans, for these reason competition over which sub clan should rule and popularity in the political seats become more of controversy. This turns results to violent conflict where the regional government fails to manage the situation<sup>174</sup>.

A most deadly and recent conflict was between Chie-Chaany and Chie-Nyejaani sections. In the regional politics, the two sections were in competition of higher political posts influenced by competition and disagreement between their respective political representatives. Some population of Chie-Nyejaani resettled in a village called Puldeng in Anywaa territory during Derg regime. In 2009, the Gambella government planned to resettle this Chie-Nyejani population to their former Nuer territory. However, because the vice president of the region is from Chie-Chaany section the population interprets as political plan by their counter Chie-Chaany section targeted to harm them. Due to misunderstanding they refused the resettlement plan. By refusing the plan the government mistakenly launched a special force troop to force the population to resettle to their territory. This opened a deadly fight where the troop killed more than ten villagers and three soldiers killed by the villagers<sup>175</sup>.

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<sup>172</sup> Nuer Elders interviewed by the author in Nuer zone Jiokow woreda in August 2010

<sup>173</sup> Supra Note 72, P.5

<sup>174</sup> Field observation-the author is from the Nuer ethnic group.

<sup>175</sup> IRIN, ETHIOPIA: *Focus on Gambella violence* (2010). Available at: <http://www.irinnews.org/>

In response to that, the villagers of Puldeng planned to go and attack the vice president's Chie-Chaany section village and they start to kill four men and the war spread to all Chie-Chaany community and killed more than 12 men and 1 woman from Chie-Chaany and more than 15 from Chie-Nyejaani<sup>176</sup>.

### **3.3. Causes of Conflict External to Gambella**

As mentioned above causes of conflict in Gambella are not limited to the region. The nature of the region being in border to insecure Southern Sudan where different armies are operating amounts to causes of conflict in the region. Impacts of Sudan civil war, presence of OLF supported by Eritrea, presence of The Ethiopian Patriotic United Front (EPUF) and access to small arms not only trigger but exacerbate conflict in Gambella region<sup>177</sup>.

#### **3.3.1. Sudan Civil War**

Gambella borders on chaotic Sudan, a physical phenomena which itself makes the Gambella conflict formation politically sensitive as well as prone to be affected by events in the neighboring country. A prevalent historic phenomenon, immigration from Sudanese Nuers continues to be a major factor contributing to tensions and land struggles, and it has sparked armed inter-ethnic conflicts. War in Sudan (1980-2005) has also destabilized the Gambella region as members of Nuer, Dinka, Sudanese Anuak and other Sudanese ethnic groups fled war in Sudan by the tens of thousands in the 1980's and 1990's<sup>178</sup>.

Some 20,000 'Lou' Nuer from Sudan—relatively well armed and well-equipped—forcibly displaced Nuers from Nuer zones in Gambella in recent years, causing a domino effect, which in turn further displaced Anuak from Anuak, lands. Nuers in the Gambella

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<sup>176</sup> Ibid

<sup>177</sup> Supra Note 9, P. 10

<sup>178</sup> Supra Note 126, P.10

Nuer zones have also continued to migrate eastward into Anuak areas by choice, to access fertile farm and grazing lands<sup>179</sup>.

Gambella has also been host to a large number of refugees from the civil wars of Sudan. The overall deterioration of security in Gambella also affected these camps: Anuak refugees were forced to evacuate and seek shelter in nearby Anuak communities, while Dinka refugees were compelled to run to local Nuer societies. Following this, the Fugnido refugee camp was divided into an Anuak and Nuer section, to prevent local conflict from settling in the camp<sup>180</sup>.

The Gambella conflict pattern is furthermore affected by incidents on the Sudanese side, such as conflicts between the Dinka and Lou Nuer tribes. Both these groups mainly originate and reside in Sudan, but there are cross-border activities in the form of refugees, settlers and migrating nomads<sup>181</sup>.

Another threat to Gambella ethnic groups is the encroachments of the Sudanese Murle for cattle rustling. This Sudanese ethnic group along the border regularly attack and raid the cattle of the Nuer and the Anuak on the Ethiopian side. And to defend their rights, the Nuer and the Anuak are often at war with the Murley<sup>182</sup>.

In the year 2009 inter-communal violence between Lou Nuer and some sections of the Eastern Jikany flared up in Sudan. The violence killed and displaced large number of the Eastern Jikany. Because of the ties between the Sudanese eastern Jikany and Ethiopian eastern Jikany and their fear that the conflict spill over to the Gambella Nuer on the ground, a Jikany Nuer group ambushed and killed 40 south Sudanese soldiers and civilians transporting UN food aid on riverboats destined for displaced Lou Nuer in

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<sup>179</sup> Prevent Genocide International, *News Monitor for Gambella Region of Ethiopia, December 2003 to February 2004* (2004), Available at: <http://www.preventgenocide.org/africa/ethiopia/gambella/2004.htm>

<sup>180</sup> Kwot Gugo O., *Armed Conflict in Southwestern Ethiopia, Gambella, and Its impact on the Development in the Region* (2006), P.2, Available at: [www.anyuakmedia.com/com61806.html](http://www.anyuakmedia.com/com61806.html)

<sup>181</sup> Supra Note 132, P.10

<sup>182</sup> Supra Note 86, P.33

Akobo on June 2009<sup>183</sup>. This incident, known as the 2009 Sobat River Ambush, was believed to be in retaliation for an incident of attack, when people from Akobo, arguably Lou Nuer, attacked a settlement in Upper Nile and killed about 70 eastern Jikany<sup>184</sup>.

Such events, although occurring in Sudan, contribute to destabilize the whole region and spill over into Gambella. Intra- and interethnic rivalries over politics and resources shape the wider conflict formation, showing that what happens on one side of the geographical border cannot be disentangled from what happens on the other side<sup>185</sup>.

### **3.3.2. OLF**

Presence of OLF forces around Southern Sudan land around Gambella is one pushing factors for the occurrences of the conflict in Gambella. To gain acceptance, according to some informants, the OLF recruited some bandits from the Gambella communities to either persuade their communities join OLF or to participate attacks they make take on the region<sup>186</sup>.

On December 17, 2003, just prior to major outbreaks of political violence in Gambella region, the Ethiopian Minister of State for Federal Affairs, Gebrehab Barnabas, blamed recent violence on the OLF. “The conflict in Gambella town was triggered by members of t he Oromo Liberation front (OLF),” he stated, in a statement reported by the international press, “supported by the EPLF...”<sup>187</sup>

The OLF has reportedly infiltrated fighters into Ethiopia through Gambella in recent years, reportedly backed by the Eritrean Government; the OLF leadership is currently based in Asmara, the capital of Eritrea<sup>188</sup>.

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<sup>183</sup> Ibid

<sup>184</sup> Supra Note 132, P.11

<sup>185</sup> Sommer, Monika, *Transforming Conflict in the Multi-Ethnic State of Gambella in Ethiopia – Mediation in a Divided Society*. Institut Universitaire Kurt Bösch; M.A. Thesis (unpublished) (2005), P.17

<sup>186</sup> Unanimous informants from Nuer Zone and Anuak zone interviewed by the author on August and September 2010

<sup>187</sup> Supra Note 132

<sup>188</sup> Supra note 175



Almost immediately thereafter, in April 2002, groups of OLF guerrillas were infiltrated into Western Ethiopia from the Sudan, moving on into the Highlands, where, however, they were defeated by the Ethiopian army. The survivors retreated through the Gambella area, and were according to local Oromo settlers, though not independently verified betrayed by the Anuak, who also collaborated with government forces in the final destruction of the guerrillas<sup>189</sup>.

### **3.3.3. Eritrea**

The Ethiopian Patriotic United Front (EPUF) dominated by Nuer, Sudan-based, insurgent group led by a former Derg official named Thowath Pal Chay, has also been active in the region<sup>190</sup>.

During late July and early August 2006, new fighting developed around Akobo (on the border between Sudan and Ethiopia). At first the Ethiopian government described the fighting as due to territorial encroachments into Ethiopia by members of the Sudanese Lou subsection of the Nuer tribe. It soon became obvious that this was much more serious than that. The former governor of Gambella during the Derg communist regime, Thowath Pal, a Nuer by ethnic affiliation, who had left the region at the beginning of the crisis, has now returned to Southern Sudan from Eritrea, with support from the Eritrean government. Thowath Pal has created a militia organization, the EPUF. EPUF is a member of the anti-Addis-Ababa coalition of dissident movements supported by the Eritrean government<sup>191</sup>.

They claims to be fighting a “war of liberation” that seeks to overthrow the EPRDF government and return Ethiopia to socialism. The EPUF has engaged in sporadic fighting with ENDF (Ethiopian National Defense Forces) and has at times controlled villages along the Sudan border<sup>192</sup>.

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<sup>189</sup> Supra Note 146, p.12

<sup>190</sup> UNICEF, *Livelihoods & Vulnerabilities Study Gambella Region of Ethiopia*, UNICEF, Addis Ababa, Ethiopia (2006), P.14

<sup>191</sup> Ibid

<sup>192</sup> Dereje Feyissa, The experience of Gambella regional state. In : *Ethnic federalism. The Ethiopian experience in comparative perspective*, edited by D. Turton. Oxford: James Currey (2006), P.6

This has enabled him to mobilize his own sub-clan for an invasion of Gambella, although he has only managed to attract a small number of Anuak to his cause. It is evident that this bout of fighting goes beyond “tribal conflict”. Rather it appears to be a full-fledged effort by the Eritrean government to take advantage of the Gambella crisis and turn it into a direct threat for the Ethiopian government. In 2003-2004, combat has been fairly heavy in the Nuer Zone and Anuak zone area adjacent to the Southern Sudan, with light artillery and combat helicopters brought into the fighting. Precise casualty numbers are not known, but it seems certain that over one hundred have been killed<sup>193</sup>. The Sudanese government, which has concerns of its own about Eritrean interference, has given its blessing to Ethiopian troops entering Sudanese territory<sup>194</sup>.

The EPUP is now expelled away from the border by the Ethiopian defense force and is not as such a threat to the regional peace and development<sup>195</sup>.

#### **3.3.4. Access to Small Arms**

The long, porous border between Gambella and Sudan risks seeing greater international commerce in contraband and small arms; border disputes and cross border threats to security may also likely increase. Access to better weapons and ammunition triggers the sense of superiority and conflict.<sup>196</sup>

The SPLA played a key role in the destabilization of the region. It was the main source of modern firearms and Nuer and Anuak were supplied with sufficient firepower<sup>197</sup>.

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<sup>193</sup> Supra Note 190, P.15

<sup>194</sup> Ibid

<sup>195</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone and Anuak in the months of September and October, 2010

<sup>196</sup> Seyoum Gebre Selassie & Heran Sisay, "The Gambella Region of Ethiopia: Small Arms in a Border Area." In: Gebre Wold, Kiflemariam & Isabelle Masson: *Small Arms in the Horn of Africa. Challenges, Issues and Perspectives*. Bonn: Bonn International Centre for Conversion. (2002), p.34-36.

<sup>197</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone and Anuak in the months of September and October, 2010

The increased availability of automatic rifles has increased interethnic conflicts in the areas and made way for modern warfare and the conflicts among ethnic units caused heavy casualties on both sides<sup>198</sup>.

## **4. CHAPTER FOUR: IMPACTS OF CONFLICTS ON THE RIGHT TO DEVELOPMENT OF THE PEOPLES OF THE GAMBELLA REGIONAL STATE**

### **4.1. General Overview**

Gambella conflicts affected the enjoyment of the right to development of the Gambella people in different dimensions. Once conflicts erupt, they lead to loss of human lives, destruction or theft of property (e.g. cattle looting) and forceful trespassing on others' territories for pasture and water access, and disruption of livelihood activities<sup>199</sup>.

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<sup>198</sup> Kurimoto, Eisei, "Politicisation of Ethnicity in Gambella." In: *Ethiopia in a Broader Perspective. Papers of the 13th International Conference of Ethiopian Studies, Vol. II*. Kyoto: Shokado Book Sellers. (1997), p.798-815.

<sup>199</sup> Supra Note 14, P.8

While there appears to be some reduction in the intensity of the conflicts (intra-ethnic and inter-ethnic) in almost all the zones and woredas in Gambella, its continuation means that the consequences of the past conflicts are still being felt today and negatively affect full realization of the right to development of the peoples of the Gambella region: the region is a long way from recovering both physically and psychologically from that period; Structures damaged or looted in the conflict remain dysfunctional, while supplies and services remain without the necessary re-provisioning or rebuilding; Further, the fear with which each group views the other prevents, for example, the deployment of government staff to areas thought to be under the control of one ethnicity or another. The tension between ethnic groups limits free movement or other sorts of interactions, and subsequently prevents the effective use of the available resources, etc<sup>200</sup>.

The study has tried to specify the impact of conflict on the right to development of the peoples of the Gambella people. The study is a summary of the facts after the Gambella conflicts. Though some specification is used, this study is a general understanding of the impacts of the conflict on the right to development of the Gambella people. The researcher has grouped the impacts into socio-economic, socio-cultural, socio-political and environmental dimensions of the right to development of the Gambella people.

#### ***4.2. Impacts on Socio-Economic Dimension***

The total economic impact of the conflicts in the conflict-prone areas in Gambella is literally unquantified and not easy to quantify because there is no prior research available. There was gigantic waste of human and economic resources<sup>201</sup>. The conflicts had lasting consequences that will continue to alter Gambella people's economic development for many years. One overall observation that emerges from the study of the conflicts in Gambella is the fact that the economic consequences go far beyond expected. As a result of the conflicts in Gambella region, thousands of families lost a lot of personal and household possessions as their houses, granaries, farms, shops and other business premises went down in flames. Generally, the conflicts allowed some groups of people

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<sup>200</sup> Author's field observation

<sup>201</sup> Supra Note 190, P.15

and individuals to capitalize on the insecurity to usurp land or illegally purchase it at throw-away prices from the victims who had no otherwise<sup>202</sup>.

According to this study, one of the long term economic consequences of the conflicts was the fact that land possession patterns have been permanently altered. There was a general decline in economic production as many of the potential farmers used to run away due to insecurity created by the violence. In a state of insecurity, as was the case in the study areas, agricultural activities were disrupted. In most cases, maize, sorghum and other crops were either destroyed or abandoned because of the widespread violence caused by the conflicts. In some areas of the Anuak and Nuer woredas, work on agricultural land stopped for a long time as farmers or farm workers stayed away for fear of being attacked by the other side<sup>203</sup>.

There were other subsequent economic problems related to the conflicts such as food insecurity, labor disruption on farms and the public sector institutions, destruction of property, land grabbing, commercial disruption, breakdown in transport and communication, resource diversion, mis-allocation and unexpected expenditure (military expenditures), infrastructural disruption, inflation and fluctuation of prices and environmental destruction among others<sup>204</sup>. Food shortage was one of the far reaching economic consequences of the conflicts in the study areas. There was a drop in food production, food supply. As a result of food shortages, many conflicts victims experienced famine and this necessitated the appeal for local and international food aid and relief. The output of maize and other agricultural products experienced a drastic downfall due to the farmers' insecurity caused by the conflicts<sup>205</sup>.

The Human Right Watch Report of 2003 observed that the victims of the conflicts in the Anuak alone needed 7,200 tons of cereals and other food items in emergency aid for that particular year.

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<sup>202</sup> Ibid

<sup>203</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone and Anuak in the months of August and September, 2010

<sup>204</sup> Ibid

<sup>205</sup> Supra Note 190, P.15

Although there were no reliable statistics to illustrate the drop, due to losses of cattle in lootings, the conflicts also led to the drop in milk production, particularly in Nuer zone, which is pastoralist area in the region. For instance, most of the informants explained that milk production for consumption and for commerce fall lower than they were before conflicts erupt<sup>206</sup>.

During and after the conflicts, land grabbing in the conflicts-torn areas has become rampant at the expense of the conflict victims. After the conflicts, there has increasingly been an obsession with land in this region which needs to be re-examined. Land is a thorny issue in the former conflict-torn areas, for instance, Anuak zone (where more settlers reside in Abobo woreda and Dimma woreda), Gambella town area and its surroundings area, Itang special woreda (where both Anuak and Nuer live), and almost all the Nuer zone woredas and unless serious attention is taken, there is every likelihood of renewed conflicts<sup>207</sup>.

Because of the past conflict in most parts of the region, infrastructure in the Gambella is either wholly absent or rudimentary. While a recent report noted that road infrastructure “has always been in a state of collapse,” the opposite appears to be true: road infrastructure in Gambella has seen only marginal development at best<sup>208</sup>. Many areas are completely inaccessible during the rainy season as vast tracts of Gambella’s lowest land become completely submerged. Deep ravines and riverbeds are prohibitive or barely navigable by vehicles on the roughest of tracks that have never been anything more than rough tracks; winches are standard, imperative accessories. Consequently, public transport is unreliable or non-existent and, where it does exist, vehicles appear to be in dangerous disrepair, infrequent and unreliable at best. Over half of Gambella’s

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<sup>206</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone and Anuak in the months of August and September, 2010

<sup>207</sup> Ibid

<sup>208</sup> Supra Note 190, P.11

population becomes completely inaccessible during the rainy season, except by boat, and even boats do not facilitate access to some areas<sup>209</sup>.

Moreover, all major towns, including Gambella, Pinyudo, Abobo, Metti and Dimma, Lare, Jiokow, Wanthoa towns, lack even the most basic sanitation, running water and electricity (Gambella has only sporadic electricity)<sup>210</sup>.

Gambella is one of the underdeveloped regions in Ethiopia. Hence, the investors come from the other regions of Ethiopia that are better-off. However, as a result of the conflicts, the region experienced an abrupt drop in effective investment. Investment enterprises abstained from investing in the region due to the fear of insecurity and destruction of their property. In everyday life such structural incongruity is reflected in a steadily growing sense of insecurity both in physical terms and economic wellbeing. This state of affairs seems to have generated an extractive mindset in economic terms, which is above all reflected in repatriation of capital by the highlanders to their home regions. Whatever profit is made it is promptly repatriated to their “home” regions. Only recently, there was no serious investment by foreigners and resident highlanders in the region. Subsequently, some of the conflicts-prone areas experienced massive unemployment, with all the attendant social and economic consequences as the farming and distributive trade sectors were not there<sup>211</sup>.

The drop in the production of food necessitated costly imports of such items as maize and wheat from other regions of Ethiopia. This in turn led to hiking and fluctuation of prices of essential commodities in the conflicts-prone areas. For instance, the prices of bread, salt, sugar, flour and other basic goods went high due to the shortage caused by insecurity. Another noticeable feature in the area of commerce was the drop in the prices of cattle within the conflicts areas. For instance, in Nuer zone and Anuak zone areas, a

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<sup>209</sup> Supra Note 180, P.3

<sup>210</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone and Anuak in the months of August-December, 2010

<sup>211</sup> Supra Note 132

mature bull which before the conflicts cost over 2000 birr was being sold at 1000 birr or less due to fear of cattle rustlers who complimented the insecurity situation<sup>212</sup>.

Transport operators in most of the study areas are mainly the highlanders who reside in Gambella town. However, during the period of the conflicts, the vehicle owners, fearing attack on their vehicles and passengers stop their operations in the affected areas. The study established that during conflicts, areas such as Nuer Zone woredas, and Anuak zone woredas experienced transport hardships as a result of the conflicts. The transport problems have been eased, although the vehicle owners still have some fear and suspicion about losing them in the event of renewed conflicts. With most of the businesses closed and their vehicle and goods at risk of being destroyed or stolen, business men stopped regular supplies of commodities to the affected areas. This in turn caused considerable hardships to the "final consumers" of essential goods in almost all the areas of Gambella zones. Moreover, in most parts of the region, there was/ is no access to market at all. As a result, communities often suffer from constant food shortages and have to rely heavily on food assistance because they do not have access to markets and trade opportunities<sup>213</sup>.

### **4.3. Impacts on Socio-Cultural Dimensions**

The social impacts of conflicts in Gambella were enormous and cannot be easily quantified, especially the psycho-social ones. Most of the victims of these conflicts are left homeless, landless, destitute, injured, dead, abused, to mention but a few of the atrocities resulting from the menace. The immediate and real consequences of the conflicts in Gambella are felt most at personal and family level. There was loss of security in the conflict-prone areas as the civilians took the law into their own hands, targeting perceived enemies. As a result of insecurity, there was indiscriminate loss of human life. Many people sustained physical injuries and others were traumatized. The state of insecurity interfered with the day-to-day socio-economic and political undertakings within the conflicts areas. There was loss of life among all the ethnic groups

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<sup>212</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone in the months of August and September, 2010

<sup>213</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone and Anuak in the months of August and September, 2010



in Gambella region. There is increasing evidence to suggest that losses were felt on either side of the conflict<sup>214</sup>.

The Gambella government put the death toll of Anuak-Highlanders conflicts victims at 57, those injured at 200 and those displaced at 400. These figures exclude the number of persons who were killed, injured and displaced after the incident. The Human Rights Watch estimated that the number of those killed by December 2003 was at least 424 while those displaced was at least 16,000. However, with continued conflicts in the following months/year the total number of those who died, injured or displaced increased drastically.<sup>215</sup> If we were to go by the Nuer-Nuer conflict, the number of displaced people for the years 1993-2009, was about 6000 persons in 55 households. This study, building on the previous statistics, estimated that up to 2009 at least thousands of people were killed, injured and displaced as a result of the conflicts<sup>216</sup>.

However, with continued conflicts in Nuer zone the total number of those who died and those who were displaced increased. An IRIN document assessing the situation of the displaced persons in Nuer zone quotes fairly accurate figures of displaced persons in the Nuer zone in 2009 as 20,000<sup>217</sup>.

All we can infer is that the figures of death, injured and displaced persons in Gambella during the conflicts remains a mystery and one can hardly document such figures accurately due to contradictory statistics by the Government and independent sources<sup>218</sup>.

The above mentioned inter-ethnic and intra-ethnic conflicts in Gambella exemplified the potential and real consequences of conflict on inter-ethnic marriage, family and social

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<sup>214</sup> Ibid

<sup>215</sup> Human Rights Watch 2005, *Targeting the Anuak: human rights violations and crimes against humanity in Ethiopia's Gambella Region. HWR 17(3a)* (2005). Available at: <<http://hrw.org/reports/2005/ethiopia0305/>>.

[Accessed December 2010]

<sup>216</sup> Supra Note 175

<sup>217</sup> Ibid

<sup>218</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone and Anuak in the months of September- December, 2010

life. According to the field information collected in different parts of the conflicts stricken areas, there were cases of breakdown of marriage and family life. Currently, inter-ethnic marriage between the Anuak and the Nuer, Nuer-Nuer, and Anuak-highlander is viewed with fear and suspicion. This was one of the far-reaching social consequences of the conflicts which have also created mistrust, prejudice and psychological trauma characterized by mental anguish and general apathy, among the various ethnic groups in Gambella. This emerging negative tendency contradicts the view that the conflicting ethnic communities have co-existed and inter-married for several decades<sup>219</sup>.

As a result of the conflicts, thousands of school-going children were displaced. Some dropped out due to the financial and socio-economic constraints attributed to the conflict. For instance, the UNICEF estimated that by 1999-2004 over one third of the peoples of the Gambella had been displaced as a result of the conflicts. A similar number were out of school in the conflict-prone areas in the region. This disruption of education activities was widespread in all the conflicts - prone areas in Gambella. Many schools were burned down or looted in parts of Dimma woreda, Abobo woreda, and Fugnido woreda of the Anuak Zone as a result of the Anuak-highlander conflicts of 2003.<sup>220</sup> The same was witnessed in Nuer zone when Sudanese Lou Nuer tribe attacked Ethiopian Nuer 2008. In a number of cases, both students and teachers belonging to the so-called 'enemy' ethnic groups were attacked, a number of them fatally. Both the students and teachers belonging to the 'enemy' ethnic groups were forced to transfer to other schools while others abandoned schooling and teaching respectively. Some schools in Gambella region clash-prone areas were completely closed during the conflicts<sup>221</sup>.

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<sup>219</sup> The International Human Rights Law Clinic, Washington College of Law, *The Anuak of Gambella, Ethiopia*, Washington DC, USA in collaboration with the Anuak Justice Council Saskatoon, Saskatchewan, Canada Submitted to the United Nations Committee on the Elimination of All Forms of Racial Discrimination (CERD) (2007). P.5-10, Available at: <http://www.wcl.american.edu/clinical/inter.cfm>

<sup>220</sup> Gambella Education Bureau yearly statistics, visited 2010 by the author

<sup>221</sup> Unanimous expert Informant interviewed by the author in the Gambella education Bureau on 17 September 2010

In all the woredas within the study areas, there was a mass exodus of enemy ethnic group teachers who feared for their lives while teaching in the hostile woredas. Since then, many schools have had to do without the services of experienced teaching staff and the effect of this problem on the performance of examination classes was very serious. The conflicts prevented some of the primary and secondary school graduates from continuing with higher education and training because of financial constraints caused by the menace. Apart from the pupils losing their text and exercise books and uniforms, they often went hungry and often fell sick because of food insecurity and poor living conditions in the makeshift camps and schools<sup>222</sup>.

As a result of the conflicts in the region from 1995-2004 over one fourth primary schools catering for over half of students did not re-open for the new term because of insecurity. And Because of the conflicts, the Grade Eight students due to sit for their Grade Eight National Exam fled their schools because of insecurity caused by the violence. These have lasting impact on the level education in many areas today<sup>223</sup>.

In addition, during and after the conflicts, there had been a crisis in terms of identity and culture, especially for the offsprings of the ethnic groups that fought each other. As earlier recounted, several families have broken down and the children of mixed families are at crossroads in terms of ethnic and cultural identity. Some have been forced to leave on the paternal ethnic sides, while the others live on the maternal side, depending on where the pressure is most. This trend has created a new dimension in societal lives where children (potential marriage partners) are discouraged from engaging in any affairs with the `enemy' ethnic group. This unless checked, may go a long way to affect inter-ethnic marriages and interactions<sup>224</sup>.

The first-hand accounts by the conflicts victims in the affected areas were extremely disturbing as far as health was concerned. The thousands of displaced families, having lost their shelters and food supplies, had to camp in over-crowded temporary shelters

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<sup>222</sup> Ibid

<sup>223</sup> Ibid

<sup>224</sup> Supra Note 9

organized through the government support, donations and support from various organizations, such as the UNHCR and the UNDP among others. These camps were established haphazardly all over the conflicts zones and had poor ventilation. The grossly inadequate water supply and sanitation facilities, coupled with overcrowding, made these camps ideal conditions for major outbreaks of communicable diseases such as meningitis, typhoid, upper respiratory tract infections, cholera and other related diseases<sup>225</sup>.

The conflicts in various parts of the region brought about a situation of gender and child vulnerability. Indeed, it is the children and women who suffered more during the period of the conflicts. They were abused, violated, embarrassed and at times raped in broad daylight during the conflicts and in the absence of men, they have sole responsibility for sustaining the household, which increases their workload. Many women and young girls also fear going out of their villages, as they are often the targets of attacks, and this makes it difficult for them to fetch water, collect firewood or go to the market. Boys are also vulnerable to attack.<sup>226</sup>

Moreover, as a result of conflicts, there have been conflicts between modern and traditional institutions (different rules and regulations) to conflict resolution. Conflict prevention and resolution processes diluted due to the differences between the two systems. In 2004, elders of the Anuak and Nuer communities described to the UN independent expert historic harmony between the pastoralist Nuer and the settled agriculturalist Anuak. Land, water and resource sharing arrangements were traditionally negotiated peacefully, and when specific incidents of violence, ethnic tension, or low-level conflicts emerged, traditional and customary processes of conflict resolution and reconciliation were implemented to prevent confrontation and resolve such issues. However, with introduction of state made law or state intervention on conflict resolution, traditional mechanism ceased and conflict often erupt between the ethnicities<sup>227</sup>.

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<sup>225</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone and Anuak in the months of October and November, 2010

<sup>226</sup> Supra Note 10

<sup>227</sup> Supra note 225

#### **4.4. Impacts on Socio-Political Dimensions**

Inter-ethnic as well as intra-ethnic conflicts in Gambella resulted into political instability in lieu of stable political development for many years. Gambella people must watch out against the revival of ethnic politics as we approach the next future political competitions.

Over the years, Gambella has experienced the rise of ethnic tides and tensions which if left to continue may eventually turn into ethnic hatred and violence as witnessed. As in the past, there is likelihood that the next general elections will be decided upon not on regional issues but on ethnicity. Federalism was misinterpreted into violent political rivalry by the Gambella ethnic groups. Since 1991, there has emerged a horrible fact of politics in this region that politicians are vehicles of ethnic sentiments and interests<sup>228</sup>.

For instance, at the time of the conflicts there were different competing parties: the Anywaa based GPLP (Gambella People Liberation Party); the Nuer based GPDUP (Gambella People Democratic Unity Party). The GPLM was a party of the Anuak ethnic groups composed of only Anuak ethnic community and a few Komo ethnic group and controlled Gambella region from 1991-1994. It only stood for Anuak interest. The GPDUP was established in 1992 by the Nuer to challenge the political dominance of the largely Anywaa based GPLM<sup>229</sup>.

In 1998, the GPLP and the GPDUP merged, after a series of deadly confrontation, to form a ruling coalition called the GPDF (Gambella People Democratic Front). This merger was initiated and presided over by the EPRDF. Reacting to what they considered an imposition disgruntled Anywaa formed an opposition party the GPDC (Gambella People Democratic Congress). Although the GPDC included some Nuer and Majangir, it was largely an Anywaa initiative. In 2002 power struggle among the Nuer elites led to the formation of a splinter group called the GPDU (Gambella People Democratic Union). At the wake of the conflict between the Anywaa and the Nuer in 2002 the federal government abolished all the existing parties and helped establish new explicitly ethnic

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<sup>228</sup> Supra Note 46, P.7

<sup>229</sup> Supra Note 20, P.9

based parties. These are the APDO (the Anywaa People Democratic Organization, the NPDO (Nuer People Democratic Organization) and the MPDO (Majangir People Democratic Organization). Besides, these ethnic parties formed a new ruling coalition called the GPDM (Gambella People Democratic Movement). This has created a new political space for radical Anywaa (who militantly claim ownership right over the Gambella region, largely extracted from the former GPDC) to regroup into the new Anywaa party, the APDO. The APDO was swiftly dominated by the GPDC. This new political space has narrowed the political difference among the Anywaa elite who have been deeply divided since 1998 when they were split into the GPLP and the GPDC<sup>230</sup>.

The Anuak-Nuer conflicts that took place in Gambella between 1995 and 2002 not only increased ethnic animosity and prejudice but also made ethnic politics a reality. Indeed, the common ideology, especially among leaders of different political parties, is regional democracy, but the practice or reality is ethnic democracy for their supporters. There is common talk that the Nuer 'ate' during the Derg era, the Anuak "have eaten" during the downfall early era of the rise of the EPRDF and it is now the turn when all the Gambella ethnic groups to eat. In essence, the regional election results reflected numerous manifestations of block voting, this time closely related to ethnic regionalism, sectarianism and other forms of parochialism<sup>231</sup>.

Moreover, during the conflicts, the Judiciary was overburdened by more conflict related criminal cases and was seemingly unable to punish the perpetrators of the conflicts, due to its manipulation by the top politicians that was largely responsible for this conflict. The Supreme court claimed that over 1000 charges had been brought for crimes relating to the ethnic violence. Many politicians were charged with offences including murder, arson, robbery, unlawful meetings, inciting violence, conveying stolen goods, possession of illegal weapons and stock theft. It was increasingly evident that most of those charged even with violent offences were out on bail. Many of the warlords were not arrested or charged with violence against other ethnic communities. This study revealed that victims

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<sup>230</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone and Anuak in the months of October and November, 2010

<sup>231</sup> Ibid

who reported violent incidents against them were often turned back by the police who refused to record the statements from the victims. There was partial application of the law during the conflicts<sup>232</sup>.

Consequently, during and after the conflict, there was local government leadership with poor accountability to the community; local government only active during the conflict, limited effort to prevent conflict; marginalization of local institutions and indigenous knowledge. The above mentioned conflicts resulted into governance failure and changed the structure of political institutions as well as their ability to provide public goods and guarantee the establishment of property rights, the rule of law and security<sup>233</sup>.

#### **4.5. Impacts on the Environmental Dimensions**

Access to automatic rifles for defense in conflict times has caused serious damage to wildlife in almost all the Gambella area due to widespread uncontrolled and indiscriminate hunting practices<sup>234</sup>.

In Nuer zone and Anuak zone, large areas of forest land and savannah lands are usually set on fire as part of a defensive strategy taken by victims of the conflicts, to deny their attackers hiding grounds. This development in the long run may lead to catastrophic effects on the environment of these areas. In fact, these areas are some of the densely forested zones in Gambella and some are important rain catchment areas. The consequence of massive destruction of forests as was witnessed during the conflicts in the mentioned areas would therefore affect the pattern and intensity of rainfall and subsequently affect the viability of rain-fed agriculture and water supply in these zones<sup>235</sup>.

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<sup>232</sup> Ibid

<sup>233</sup> Observation by the author

<sup>234</sup> Supra Note 86, P.64

<sup>235</sup> Information from Unanimous Gambella National Park experts and Gambella Rural Development and Agricultural Bureau experts interviewed by the author on 27 September, 2010 in Gambella Town.

To sum up, the present state of the development of the Gambella region shows that the past conflicts negatively affect full realization of the right to development of the peoples of the Gambella region:

- The region is a long way from recovering both physically and psychologically from that period;
- Structures damaged or looted in the conflict remain dysfunctional, while supplies and services remain without the necessary re-provisioning or rebuilding;
- Further, the fear with which each group views the other prevents, for example, the deployment of government staff to areas thought to be under the control of one ethnicity or another;
- The tension between ethnic groups limits free movement or other sorts of interactions, and subsequently prevents the effective use of the available resources. Thus one can infer from the above situations that conflict have negative impact on the right to development of the peoples of Gambella.



## **5. CHAPTER FIVE: MITIGATING CONFLICT AND THE EFFORTS TO REALIZING THE RIGHT TO DEVELOPMENT OF THE PEOPLES OF THE GAMBELLA REGIONAL STATE**

### **5.1. General Overview**

Much effort has been carried out to mitigate conflicts in the region and to ensure full realization of the right to development of the peoples of the Gambella regional state<sup>236</sup>.

This ranges from conflict resolution, humanitarian aid and development activities done by the communities and both the government as well as NGOs<sup>237</sup>.

### **5.2. The Role of the State**

The regional as well as the federal government has done much effort to mitigate the Gambella conflict and to realizing the right to development of the peoples of the Gambella regional state. The intervention of the government in the region is in some areas deteriorated during the past years. Because of insecurity in several areas government staff left health centers and schools and there has been a lack of basic services in several places<sup>238</sup>.

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<sup>236</sup> Information from unanimous informants in Gambella State council, interviewed by the author on 12 September 2010

<sup>237</sup> Supra Note 132

<sup>238</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone and Anuak Zone in the months of October and November, 2010

The process of developing a solution have been to begin negotiations among the real actors, i.e. the traditional conflict resolution of the Anuak, the Nuer community, the Highland settlers ethnic groups, and the present local administration. For such negotiations to have a chance of success the government recognized the validity of these local forces and accept, inter alia, that traditional tribal leaders have a key role to play in the peace making process<sup>239</sup>.

On the other hand, the government used local empowerment and advancing education to raise awareness to the community. As part of local empowerment affirmative actions have also been taken especially in the field of education and in the job market. As a result, educational facilities in Gambella showed remarkable growth; an 83.6% increase in the number of elementary schools with a 75% increase in the student population<sup>240</sup>. The number of secondary schools rose to six; facilities in the Teachers Training Institute were enlarged. In 1997 the Institute was upgraded to include junior secondary school teachers training and in 2001 the Institute was promoted to a college with a diploma program in Education and Health. New training opportunities were created and between 1996-2001 more than 650 short-term and 158 long- term training positions abroad were offered; 270 in- country positions were organized and around 120 personnel were admitted to the Open University program<sup>241</sup>.

A particular point of attraction for the new generation of educated local population is, however, the new government sponsored Ethiopian Civil Service College (hereafter the ECSC). The ECSC was established in 1995 with a view to create conditions under which civil servants working in the newly created regions can better serve the people by training them in various skills and professions, giving special emphasis to admission of women and students from backward regions. It was established specifically to meet the urgent manpower needs of the regional governments in the context of decentralization and devolution of power from the central government, such that nations and nationalities have

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<sup>239</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone, Majingir zone, Gambella Town and Anuak Zone in the months of August, September, October and November, 2010

<sup>240</sup> Information from the Gambella Education Bureau Report of 2001, Gambella Town

<sup>241</sup> Ethiopian Civil Service College Brochure

the right to determine their own affairs and the capacity to do this<sup>242</sup>. This has created unprecedented new career opportunities for local aspirants in the modern sector, which otherwise needed to overcome the stiff competition in the national school exit examinations to join any of the colleges and universities. More than 200 students from Gambella have been enrolled in the ECSC, out of which around 50 graduates are currently working in the Gambella regional state at various capacities<sup>243</sup>. Today, the number of enrollment of students is increasing at fast rate than before<sup>244</sup>.

### **5.3. The Role of the Non-Governmental Organizations (NGOs)**

International presence in the Gambella region has been limited<sup>245</sup>. However, recently, numerous international agencies, NGOs and faith-based organizations<sup>246</sup> promote inter-ethnic cooperation, conflict prevention and peaceful development in Gambella alongside local civil society. The work of such organizations is extremely valuable, and their continued presence is considered essential by the government and the community to addressing the immediate and long-term needs of communities in the region, and to promoting peace, stability and development<sup>247</sup>.

Among the NGOs working in the region, we find various examples of ‘peace and development programmes’ or projects<sup>248</sup>. These range from seeking resolution to specific cases of resource competition between different groups, through arranging mediation and peace talks with the assistance of local elders, church leaders and other respected persons,

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<sup>242</sup> Gambella People National Regional State, Civil Service Bureau, Guidance on recruitment procedure

<sup>243</sup> Data from the Bureau of Education, Gambella Town

<sup>244</sup> Ibid

<sup>245</sup> Supra Note 1

<sup>246</sup> International Organizations And Agencies Including The Ethiopian Women Lawyers Association, Office Of The United Nations High Commissioner For Refugees (UNHCR), United Nations World Food Programme (WFP), International Committee Of The Red Cross (ICRC), Pact, And Médecins Sans Frontières (MSF) Amongst Others Are Active In Gambella State. The Salesian Don Bosco Organization Is Noted For Its Establishment Of Educational, Vocational Training And Recreational Facilities For Children And Young People From All Communities In Gambella Town.

<sup>247</sup> UN, *Report Of The Independent Expert On Minority Issues: Mission To Ethiopia (28 November-12 December 2006) A/Hrc/4/9/Add.3*, P.30

<sup>248</sup> Ibid

to programmes that seek to establish connections and peaceful interaction between and among groups by arranging sports competitions and similar events. Although we are not in a position to judge the quality and results of these programmes, they undoubtedly respond to a need within Gambella region<sup>249</sup>.

Seen in this light, there are few examples of good international engagement from a regional perspective in Gambella<sup>250</sup>.

PACT started working in Gambella because they already had an active programme in South Sudan with a significant peace-making component, focused inter alia on arranging peace conferences between elders and leaders of different ethnic groups or communities. Given the conflict situation in Gambella, and the many links to South Sudan, it was actually the SPLM that requested that PACT's peace programme be extended to the Ethiopian side. This project supports the restoration of community stability in the Gambella region of Ethiopia. The Restoration of Community Stability project mobilizes the community, encourages communities to work towards establishing peace through peace actors, and enhances the capacities of the peace actors to reduce the incidence of violent conflict. The project promotes opportunities for dialogue and establishes appropriate and agreed channels of dialogue with the Sudanese and the Ethiopian authorities and has also introduced best practices from other Pact projects that support conflict reduction and peace-building in other areas of Ethiopia and in Sudan. Pact reaches out to the people of Gambella through in-depth participatory conflict analysis and by engaging government and non-governmental officials at workshops to discuss conflict among ethnic groups in the Gambella region. The project seeks to ultimately strengthen the emergence of an active civil society, build the capacity of civil administration and support inter & intra ethnic initiatives aimed at strengthening of relations.<sup>251</sup>

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<sup>249</sup> Koang Reat, an expert in the Gambella Disaster Prevention and Preparedness Commission, interviewed by the author in Gambella Town, December 2, 2010

<sup>250</sup> Supra Note 86, P.63

<sup>251</sup> Pact Ethiopia, *Restoration of Community Stability in Gambella*, Pact- Ethiopia, Gambella (2009), Available at: [www.pactworld.org/cs/africa/ethiopia](http://www.pactworld.org/cs/africa/ethiopia)

In addition to establishing a similar programme within Gambella, PACT has also sought to address cross border linkages directly, by establishing a specific cross-border component<sup>252</sup>.

By focusing on specific ‘corridors’ linking clusters of conflicts on both sides, PACT has sought to implement its peace programme across the border. This includes ‘conflict mapping and analysis’; dialogue involving elders, leaders and traditional reconciliation mechanisms; religious dialogue using the churches as well as traditional religious leaders; and establishing contacts and exchanges between the authorities on both sides<sup>253</sup>.

For PACT, it has been possible to develop the programme because they have had a presence and been involved in similar activities on both sides. Still, in an area with extremely limited infrastructure on both sides, the cross-border component has been described as particularly challenging and exhausting to implement, with special requirements in terms of time and of dedicated staff with in-depth knowledge of local cultures and conditions. PACT has an experience in its area, and linking together a host of different organizations and institutions in its activities<sup>254</sup>.

Government offices, namely the DDPC (Disaster Prevention and Preparedness Commission), use to provide together with WFP (World Food Programme) food to the IDP’s during conflict. IDP’s received some short-term support like food, mosquito nets, agricultural tools and fishing nets from other organizations like ICRC and UNICEF. UNICEF is currently working with government departments addressing health, water and sanitation and education problems<sup>255</sup>.

MSF has run a clinic for several months in Itang and its also carrying health activities in many parts of the region, especially conflict prone areas. Catholic Church supports local

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<sup>252</sup> David Thijin, staff in Pact Ethiopia, Gambella, interviewed by the author on 26 August, 2010 in Gambella town

<sup>253</sup> Field observation and information from the Gambella Disaster Prevention and Preparedness Commission

<sup>254</sup> Supra Note 251

<sup>255</sup> Field observation and unanimous Informants interviewed by the researcher in Nuer zone, Majingir zone, Gambella Town and Anuak Zone in the months of August, September, October and November, 2010

communities in the whole region and gives support to the IDP's in Gambella town by providing food and water for them. They also set up a small vocational training centre in Gambella town. Hope Enterprise supports child care. Several organizations carry out activities related to peace building, conflict resolution and civic education. Local organizations active in this area are RCHIE and GPDC (Gambella Peace and Development Council) and the EECMY (Ethiopian Evangelical Church Mekane Yesus)<sup>256</sup>.

Although there are several organizations working in Gambella region, the conflict victims in the region have so far only received short-term assistance from both the government and organizations. Besides, the organizations and government offices working with refugees work somehow separately from the other stakeholders in the region having minimal contact with each other<sup>257</sup>.

## 6. **Conclusion**

In the preceding sections, attempts have been made to examine the “impacts of conflict on the right to development of the peoples of the Gambella region”.

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<sup>256</sup> Supra Note 132, P.12

<sup>257</sup> Ibid, P.15

It identified that the frequent causes of conflict are socio-economic, socio-political, socio-cultural, and environmental factors which are in essence constituents of the right to development. This has been achieved by clarifying the causes of conflict and the interface between conflict and the right to development. Most importantly, however, it has been about how ethnic conflicts in Gambella can be articulated in terms of the right to development and the potential of the right to development to accommodate the interests of ethnic groups by vindicating collective rights.

Conflicts pose serious challenges to the ability and existence of the Gambella region. With the increase in their political consciousness and the ambivalence of the region to attend to demands of the masse, the discontent and resentment of groups towards the region rises. This fosters the incidence of ethnic conflict in Gambella. We therefore find ethnic conflicts in almost all the Gambella areas. It has been noted that in Gambella ethnic conflict is a result of the inter-play of multiple factors and forces. Examined from the perspective of region-ethnic relation, the most important of such forces include socio-economic, socio-political, socio-cultural, and environmental changes. All these are problems inherent in the nature of the region and its structure. The most important feature of these problems, as shown in this study, is that these problems are basically human rights problems.

Moreover, it has been argued that the causes of conflict ultimately centered on the pursuit to enjoy the right to development. Putting it differently, this suggests that ethnic conflict in Gambella is manifestation of the struggle of groups for their right to development. Premised on this argument, the study affirmed that the right to development has the potential to cater for the interest of groups by vindicating group rights. As a natural consequence of this, the study proposed the institutionalization of the right to development as a human rights necessity to ameliorate ethnic conflict in Gambella.

Further more, the workability of this proposition is shown by examining the dimensions and constituent elements of the right to development as articulated. The study further affirmed this proposition by offering an overview of the ways in which the right to development can be institutionalized. It is suggested that in institutionalizing the right to development, to guarantee ethnic groups with group rights to preserve their identities, to

use their languages, to practice and promote their cultures and to administer their internal affairs is essential for ensuring inter-group equality, a sense of belongingness to the region, and genuine ethnic accommodation.

Finally, it is firmly believed by this writer that this study provides good insights into the impact of ethnic conflict on the right to development of the peoples of Gambella, particularly how it can be articulated in terms of human rights norms and institutions. The proposal of the study also helps in reconsidering causes conflict in Gambella and the way the government and organizations would response to conflict by ensuring the right to development of the Gambella people. The study is an important contribution in the field of human rights by its attempt to articulate ethnic conflict in Gambella in terms of human rights norms and by neatly demonstrating the role of human rights norms and institutions in addressing the impacts conflict of Gambella conflict.

## 7. **Recommendations**

The different the impacts of conflict on the right to development of the peoples of the Gambella region and the cause of conflict need both long-term solutions-security, training of local courts, elders, conflict resolution, trauma counseling-as well as immediate, short-term solutions. The government, the NGO's and the themselves have a role to play in this as listed below:

- An inclusive and holistic approach is needed to address the problems of all ethnic groups in Gambella region.
- The government should provide security outside communities but people themselves have to work on security inside their community.
- It is also important to disarm offenders although this should then be done in both Ethiopia and Sudan.
- NGOs should lobby with the government to ensure security in the areas of return and in the areas of settlement.
- Besides lobbying and advocacy and dialogues between communities and police and the defense force, dialogues should be organized between different tribes and clans.



- The government should take measures that increase the opportunity cost of participation in conflict such as increasing formal educational attainment.
- The government needs to increase the income levels and asset endowment of the lower strata of society (most of which are not employed in formal settings and are likely to depend on the environmental resources for their livelihood).
- The government needs to create institutional arrangements that clearly define the legally enforceable responsibilities of governments at all levels to the provision of public goods, social amenities, and employment to local communities.
- There is a need to increase development activities in the region.
- Traditional ways of conflict prevention should likewise be adjusted. For instance, early warning, preventive diplomacy and military deterrence, should make way or at least be complemented by so-called “foundational prevention approaches”, that are directed at resolving horizontal inequalities based on social, religious, cultural and ethnic identities, which are often breeding grounds for violent conflict.

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## 9. **Annex**

### **9.1. RESEARCH INFORMANT/PARTICIPANT CONSENT FORM**

**Details of the Researcher:**

**Name:** Chuol Nyak Tongyik

**Mobile No.:** 0911977305

**Email:** jeremiahnyak@yahoo.com

**Dear Respondent/Informant,**

As you may see above, I'm an **MA Degree prospective graduate student from Addis Ababa University, Institute of Human Rights.**

**Purpose of the Research:** I'm here to conduct a research on the impact of conflict on the right to development of the peoples of the Gambella region.

**What You Will Be Asked to Do in the Research:** You will be asked to give brief response to the questions on the Questionnaire attached with this informant consent form.

**Risks and Discomforts:** I do not foresee any risks or discomfort from your participation in the research.

**Voluntary Participation:** Your participation in the study is completely voluntary and you may choose to stop participating at any time. Your decision not to volunteer will not influence the nature of your relationship with Addis Ababa University either now, or in the future.

**Withdrawal from the Study:** You can stop participating in the study at any time, for any reason, if you so decide.

**Confidentiality:** All information you supply during the research will be held in confidence and unless you specifically indicate your consent, your name will not appear in any report or publication of the research. Your data will be safely stored in a locked facility and only the researcher and the University staffs will have access to this information. Confidentiality will be provided to the fullest extent possible by law.

**Questions About the Research?** If you have questions about the research in general or about your role in the study, please feel free to contact me (the researcher) either by my mobile number or by e-mail written above. Alternatively, contact the **Addis Ababa University, Institute of Human Rights** for more detail at Tel. No.: **0111223783**.

**Legal Rights and Signatures:**

**Informant's/Participant's Declaration**

I \_\_\_\_\_ consent to participate in the research on the impact of conflict on the right to development of the peoples of the Gambella region, conducted by the researcher Chuol Nyak Tongyik. I have understood the nature of this project and wish to participate. I am not waiving any of my legal rights by signing this form. My signature below indicates my consent.

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Informant/Participant**

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Researcher**

**9.2. Questionnaires**

**9.2.1. Questionnaire 1**

1. What do you think are the causes of conflict in Gambella region?
2. What are the patterns of conflict in Gambella Region (between whom and whom)?
3. Do you think conflicts curtail the right to development of the peoples of Gambella?
4. What are the consequences of conflict on the right to development of the peoples of the Gambella region?

5. What are the obstacles to the realization of the right to development associated with conflict in Gambella region?
6. Do conflicts have impact on the right to development of the peoples of the Gambella region? Why/Why not?
7. Do you see any link of the development with conflicts in Gambella? Why/Why not?
8. Would you please list down the major problems associated with conflict that would hamper the right to development of the peoples of Gambella region, if any?
9. What remedies have been taken to prevent conflicts and realize the right to development of the Gambella people?
10. What possible remedies do you suggest for the conflict and the realization of the right to development of the peoples of Gambella?

### **9.2.2. Questionnaire 2**

1. What do you think are the causes of Anywaa-Nuer in conflict?
2. What cause conflict between Nuer sub-clans (intra-Nuer conflicts)?
3. Why were Anywaa and High Landers (other Ethiopians (non-Gambella natives)) in conflict?
4. What caused conflict between Majangir and Anywaa?
5. What caused conflict between Majangir and Keffa (Southern Nations, Nationalities and Peoples State)?
6. What cause conflict between some Gambella ethnic groups and some Sudan ethnic groups, e.g. Murle?
7. What do you think are the negative impacts of conflict on the enjoyment of political rights of the Gambella peoples?
8. Do you think conflict have implications on economic development of the Gambella people, for example, the level of investment? Why/Why not?
9. Do you see any link of the social and cultural development of the peoples of the Gambella region with conflicts in Gambella? For instance, what are the implications of conflict on social services or infrastructures (education,

road, health service development etc.)?

10. Does conflict affect the environmental development in Gambella?

11. What remedies are taken to prevent future conflicts and realize the right to development of the people of Gambella? Alternatively, what are the post-conflict remedies taken?