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Put a Stop to Illegal Acts: Arbaminch zuria wereda

105th Special Report

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Article 16 of the FDRE Constitution provides that, “Everyone has the right to protection against bodily harm.” Article 14 of the Constitution also states that everyone has an inviolable and inalienable right to life, the security of person and liberty. Moreover, Article 31 of the Constitution provides, “Every person has the right to freedom of association for any cause or purpose.” Furthermore, Article 41(1) of the Constitution affirms the right of every Ethiopian to engage freely in economic activity and to pursue a livelihood of his/her choice anywhere within the national territory.

Ensuring that the basic rights of persons are not violated without due process of law is a fundamental element of the principle of the rule of law. Although it is the responsibility of all to see to it that the constitutionally recognized rights of citizens are respected and protected, the government bears the primary duty in this regard.

Nevertheless, individuals and groups, whose constitutional rights have been violated without due process of law could not get appropriate remedies although they repeatedly appealed to pertinent government officials both at regional and federal levels. Those individuals were victims various forms of human rights violations including assault and destruction of their property.

In this 105th Special Report, EHRCO presents details of its findings on human rights violations perpetrated against members of the Wolayita ethnic group living in Arbaminch zuria wereda, Lante farmers’ association in the Southern Nations, Nationalities and Peoples Region (SNNPR) by some members of the Ocholo ethnic group who had the official backing of local authorities in the area.

Details

It is to be recalled that an ethnic conflict had flared up in 2000 between members of the Wolayita and Ocholo ethnic groups owing to a dispute over land ownership claims. The conflict had caused loss of lives, destruction of property, and other social problems including expulsion of some members of the Wolayita ethnic group from ‘*edir*’, a traditional self-help association.

Following this, members of the Wolayita ethnic group, who were expelled from the *edir*, set up a new ‘*edir*’ that also constituted members of other ethnic groups. However, on 13 December 2006, officials of the Lante kebele farmers’ association and the self appointed Ocholo cultural norms watchdog group issued an order saying that it is not allowed to form an *edir* other than the one that is formed by members of the Ocholo ethnic group and all other *edirs* should be disbanded immediately. As members of the Wolayita ethnic group did not take heed of the order, the officials tried to forcibly take away property belonging to members of the *edir* on several occasions. The aggrieved *edir* members brought their plight to the attention of regional officials both at Zone and wereda levels but the authorities did not give them any remedies.

Instead, senior officials of the Lante kebele farmers’ association continued harassing and intimidating the minority Wolayita community in the area under the excuse that members of the

Wolayita community refused to abide by cultural norms of the Ocholo's. The officials cited a provision in the manual entitled 'Questions of Good Governance in rural weredas and kebeles' issued by the Ministry of Capacity Building, to justify their illegal acts. The manual, on page 49 states that the community can, without the inference of administrative officials impose any kind of social sanction and punishment on anyone that it found to be guilty of committing an offence.' The local authorities and the cultural norms watchdog group claim that as per the manual, anyone who fails to abide by Ocholo custom could be the subject of sanctions imposed by the community. The sanctions that are imposed on the minority Wolayita community include confiscation of property and denial of burial places.

The local authorities told a gathering that the community should punish those who are resisting the enforcement of the sanctions imposed. They went on saying publicly that the houses and plantations of these members of the Wolayita community should be destroyed and agitated the community to carry out these illegal acts. As a result, members of the Wolayita community were denied access to public services, had their plantations destroyed, suffered from systematic isolation from communal life and their property confiscated. EHRCO had investigated similar previous incidents in the area and issued reports urging all concerned to take timely actions as the problem was of a serious nature.

Nevertheless, the illegal acts have continued unabated. On 16 November 2007 officials of the Lante kebele farmers' association called a meeting of the community and assaulted members of the Wolayita community *edir*. The members went to wereda and zonal officials to petition about their plight but the kebele officials followed them and threatened them to drop their charges or they would face the consequences, which would be being driven out of their homes and from the whole area. Following this, the plantations of members of the Wolayita community whose names are listed below were destroyed on 10 December 2007 on the orders of Lante kebele officials.

Table 1. Assault

No	Name	Injury sustained
1	Mena Chuqalo	Assaulted and sustained injury on his left hand and other body parts
2	Admasu Oncha	Assaulted and escaped gunshots by running away
3	Assefa Kassaye	Same as No.2
4	Fikru Mena	Assaulted and sustained injury on the head
5	Teshale Cholafo	Assaulted and sustained injury on different parts of his body

Table 2. Destruction of plantations

No	Name of victim	Age	Plantation destroyed	Estimated value in Birr
1	Bereta Bala Chakiso	66	Banana, avocado and mango plantation on 1 hectare of land was destroyed	70,000 ETB
2	Manta Aymelo Anebo	60	Banana plantation on 1/4 th of a hectare	20,000 ETB
3	Kafecha Dossa Anjero	60	Banana, mango and avocado plantation on 1/4 th of a hectare	60,000 ETB

4	Ditta Digado Diba	65	Banana, mango, avocado and lemon plantation on 1 hectare	50,000 ETB
5	Elias Libato Geles	40	Banana, mango and avocado plantation on 1 and half hectare	50,000 ETB
Total				250,000 ETB

Conclusion

- As stated above, the local officials are repeatedly subjecting members of the Wolayita ethnic group in Lante kebele farmers' association to various forms of human rights violations by a group they organized and supported. Failing to take action against such illegal acts is tantamount to an utter disregard to the rule of law and encouraging impunity. Thus, EHRCO calls on the government to effectively carry out its duty of protecting the rights and liberties of the Wolayita community in Lante kebele.
- EHRCO also urges the government to bring to justice the perpetrators of the human rights violations stated above as well as those kebele officials who agitated the community to carry out the attacks on members of the Wolayita community in Lante kebele. Woreda and zonal officials who failed to stop the violations despite repeated petitions of the victims should also be brought to justice.
- EHRCO would like to remind all concerned that adequate compensation be given to those whose property were destroyed and confiscated as well as to those who sustained bodily injuries as a result of the attacks.
- Furthermore, EHRCO urges the relevant authorities to make an amendment to the provision of the manual entitled '*The Question of Good Governance in woredas and kebeles*' issued by the Ministry of Capacity Building which seems to entitle the community (without any interference of administrative officials) to impose any kind of social sanction and punishment on anyone that it found to be guilty of committing an offence. We suggest that the provision be amended in such a manner that it clearly gets across the message that no one is entitled to take measures that undermine the constitutionally recognized rights of citizens without due process of law.
- In addition, EHRCO reiterates its appeal that there is a critical need to ensure that a lasting solution that fosters mutual respect and tolerance between the Ocholo and Wolayita communities living in the area is obtained.

In addition, EHRCO urges citizens, national and international organizations, representatives of government and international organizations that stand for the respect of human rights and the rule of law, to put pressure on the Ethiopian government to ensure that the basic rights and freedoms of citizens enshrined in the constitution are respected for all.

CC.

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