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*Federal Democratic Republic of Ethiopia  
Permanent Mission to the United Nations  
Geneva*

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20 August 2013

The Permanent Mission of the Federal Democratic Republic of Ethiopia to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to refer to the a communication from the Special Rapporteur on the rights of indigenous peoples, Mr. James Anaya, dated 21 June 2013 in relation to the agro-pastoralists living in the lower Omo Valley, in Southern Nations, Nationalities and Peoples Regional State.

The Permanente Mission has enclosed herewith a brief response to the observations and recommendations by the Special Rapporteur. Responses to this mandate are without prejudice to the fact that the Ethiopian Constitution enshrines the terms Nations, Nationalities and Peoples of Ethiopia. The Permanent Mission also recalls the Decision of the Assembly of Heads of States and Governments of the African Union, Assembly/AU/Dec. 141(VIII) of January 2007 on the United Nations Declaration on the Rights of Indigenous Peoples to the African Context. The Permanent Mission is also available to meet the Special Rapporteur for a follow-up discussions.

The Permanent Mission of the Federal Democratic Republic of Ethiopia to the United Nations Office at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Enclosure

The Office of the United Nations High Commissioner for Human Rights  
Geneva



## **Response to the Special Rapporteur on the Rights of Indigenous Peoples**

### ***Background***

The Constitution of the Federal Democratic Republic of Ethiopia enshrines that all sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia. It upholds the fundamental rights and freedoms, among others, the right to property, economic, cultural and social rights, the right to development and environmental rights of the Nations, Nationalities and Peoples of Ethiopia. It contains advanced provisions on the right to self-determination, including the right to secession. Every Nation, Nationality and Peoples have the right to a full measure of self-government which includes the right to establish institutions of government in the territories they inhabit and to equitable representation in State and Federal Governments. They have the right to speak, write and develop their own language, express, develop and promote their culture and preserve their history.

Promoting the rights of farmers, agro-pastoralists and pastoralists are central to the Government policy formulation and implementation, including in the ongoing Growth and Transformation Plan (GTP). Since the main source of economic growth in the country is agriculture which is led by small-holder farming, the Government of Ethiopia has given priority to supporting smallholding farmers with better access to improved and sustainable farming methods, inputs, high yield seed and fertilizer.

Moreover, the GTP, in line with the Constitution and international obligations of the country is aimed at improving the well-being of the entire population and ensure the sustainable development of the country.

The various development initiatives of the Government, including the Gilgel Gibe III hydroelectric project and the Kuraz sugar development project in the Omo valley are all aimed at guaranteeing the social welfare of all Ethiopians and ensure sustainable economic development in the country. These projects advance the rights of Nations, Nationalities and Peoples of Ethiopia and meet national and international standards on environment, social impacts and prior consultations.

## *Impact Assessments*

### 1. Kuraz Sugar Development Project

Out of the total fertile land of around the project area, only ten percent was cultivated. The rest was uncultivated and arable land. The cultivated land is not part of the Kuraz sugar development project. The land used by people for agriculture and livestock will not be used for irrigation project to grow sugar cane.

The Government has undertaken adequate environmental, cultural and socio-economic impact assessments of the Kuraz sugar development project to ensure its sustainability and reduce any potential negative impacts. Based on the impact assessment studies, the Government is taking the necessary precautionary measures.

### 2. Gilgel Gibe III Hydroelectric Power Project

The projects under question is implemented in an area that has not been utilized or inhabited. The project area in the lower Omo valley is sparsely populated over large expanses of land. Over the past years, climate change in the lower Omo valley has resulted in the decline of the volume of the river and its irregular flow.

The environmental, socio-economic and others impacts of the Gilgel Gibe III hydroelectric project was thoroughly assessed by local and international independent experts. The impact assessment study was widely disclosed to the public through media. It was also posted on the African Development Bank web-page for further comment.

The conclusions of the study has substantiated that the project, once finalized will have great importance to the people living around the dam and to the ecosystem of the project area. The dam will not dry up or destroy the ecosystems. The study has showed that the dam will not stop the flow of Omo River rather it would contribute positively to the river's flow. It will not affect fishers or pastoralists living in the project area. The discharge and the input of all contributing streams will allow for the maintenance of the downstream ecology. The regulation of the flow will allow for downstream irrigation and play a major role in breaking the cycle of food shortage, droughts, floods and dislocation which have persistently affected the river basin.

The study has further concluded that the project was economically feasible and environmentally friendly. It has also addressed the possible impacts of the Gilgel Gibe III hydroelectric project in detail, to ensure the benefit of the people living around the project area and the development of the region as a whole. (prior responses given by the Government to earlier communications by the mandate holder regarding the Gilgel Gibe III hydroelectric project are still relevant)

### *Consultations*

#### 1. Kuraz Sugar Development Project

The Government has consulted on various fora the people living around the project area (Bodi, Mursi, Nyangatom, Dasensch and other agro-pastoralists) on the project and the resettlement plan. This includes:

- a series of consultations made with the Bodi people living around the project area;
- a regional conference, in which various stakeholders including representatives of the people living around the Kuraz sugar development project area was also held and
- an educational programmes on the need for the project and its benefits for the peoples living around the project area were broadcasted through regional FM radio station using the local languages.

As recently as 8 June 2013, the Ethiopian Sugar Cooperation held consultation at Mizan Town-Aman with the elders of the local communities living around the project area, Head of Pastoralist's Affairs Bureau of the Southern Nations, Nationalities and Peoples Regional State, 4 members of the Ethiopian House of Peoples Representatives and members of the Bench Maji and Keffa Zone Administration. A total of 162 participants were present during the consultation and an extensive explanation was given on the importance of the project.

#### 2. Gilgel Gibe III Hydroelectric Power Project

The Government has consulted the people living around the Gilgel Gibe III hydroelectric project area before and during the construction of the dam. In particular, consultations with 203 local officials, 409 representatives of farmers associations, council members, 869 community

members and heads of 268 randomly selected household were made. In 2006, before the initial phase and from 2008-2010 during implementation phase of the project, a series of public consultations were held with the people living around the project area in order to create awareness on the benefits and probable effects of the project to take their views and concerns into account. NGO representatives, aid organizations and socio-economic activists in lower Omo area have also been consulted about the project and their concerns and suggestions on the study have been taken into account.

The disclosure of the impact assessment study of the Gilgel Gibe III hydroelectric project to the public through media has opened a room for public discourse dialogue on the benefits and impacts of the project.

The abovementioned consultations has enabled the Government to address the concerns of the people living around the project areas. Furthermore, following the consultations, the people living around the projects area have consented to voluntarily resettle, whenever that is necessary, understanding the benefits of the projects and the resettlement plan.

The Government will continue to do the same before undertaking such resettlement plan in accordance with Article 43 sub-Article 2 of the Constitution and international human rights obligations of the country, including in relation with the right to development.

### *Rights of the Agro-Pastoralists*

In line with the Article 40 sub-Article 5 and Article 44 sub-Article 2 of the Constitution, people living around the Kuraz Sugar development project area will be given 1 hectares of irrigable fertile farmland and 0.5 hectares for homes. Clearing of lands for grazing is underway for pastoralists and agro-pastoralists. They are also been given subsidies by the Government until they start production in the resettlement areas.

In general, substitute plots of land, equal to previous holdings in size but better in terms of fertility and accessibility to basic public services, as well as proportional compensation for lost property or earnings will be given to anybody who is resettling.

The Government fully respects the cultures, customs, religions and life styles of all the Nations, Nationalities and Peoples as enshrined in the constitution. At the same time it is determined to continue to registering sustainable economic development and fulfil the socio-economic needs and desires of the Nations, Nationalities and Peoples of Ethiopia.

### *Benefits of the Resettlement Plans*

The people living around the project areas were not beneficiaries from development policies in the past and have been marginalized. They were vulnerable to climate change, drought and food insecurity in the past.

Water and grazing land scarcity in the project areas have been a source of conflict for years. The sparse settlement pattern around the project areas has made the provision of basic services and facilities such as health, education, clean water, sanitation and other services daunting.

Gilgel Gibe III hydroelectric project will benefit the people living around the project area through regulating annual flooding and preventing the excessive floods and; enhancement of clean, green, energy resources, modern fishing, regulation of the river's flow and avoidance of disastrous floods, eco-tourist development and environmental education, flood controlled agriculture, and regulation of the Omo River, and of Lake Turkana.

Kuraz sugar development project has created job opportunities to 6, 695 peoples living around the project area in the year 2012/2013, of which 505 are permanent ones. A total of 232 youths recruited from pastoralist and farmers of Jinka town, Nyangatom and Salamago and other woredas were trained by the Ethiopian Sugar Corporation in tractor operation, masonry, welding, painting, electric installation and plastering up to May 2013.

Furthermore, the Southern Nations, Nationalities and Peoples Regional State has prepared a plan to continue improving the lives of pastoralists in the Kuraz sugar development project area.

The projects once completed will benefit people living around the project areas socially, economically and culturally through creation of large number of job opportunities, infrastructural development and market opportunities. Through the resettlement plans, they will have access to irrigated land, roads, improved social services, community awareness programs, cooperative

support programs, agriculture in-service training programs and support from agricultural experts as well as other infrastructures.

The resettlement plan will further enable the people living around the project areas to benefit from improved access to good quality higher and adult education, very wide access to good quality primary health care halting the spread of HIV/AIDS and other key infectious diseases, new social activities, better access to safe water and sanitation facilities, access to improving food security and nutrition, and improved housing conditions and their living standards.

Such resettlement plan will help in sharing of best technologies and practices of model farmers through the farmer's centers, increasing productivity and production of the agro-pastoralists and pastoralists. It will further enable them to strengthen the conservation and management of natural resources and cope better with the challenges of climate change. They will have better adaptation to climate variability and ensure food security. They will use the water and natural resources of the area in a sustainable manner. And one good example is the priority given to small scale irrigation schemes as contained in the GTP.

Accordingly, the people living in the Project areas have welcomed these projects and are unanimous in their support for these schemes.