

Query response a-6898 of 28 August 2009

Ethiopia: Information on the human rights situation of the Anuak (also: Anyuak, Anywaa, Agnwak) and Nuer populations

This response was commissioned by the UNHCR Status Determination and Protection Information Section. Views expressed in the response are not necessarily those of UNHCR.

This response was prepared after researching publicly accessible information currently available to ACCORD within time constraints and in accordance with ACCORD's methodological standards and the *Common EU Guidelines for processing Country of Origin Information (COI)*.

This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status, asylum or other form of international protection.

Please read in full all documents referred to.

Non-English language information is comprehensively summarised in English. Original language quotations are provided for reference.

Among the sources consulted by ACCORD within time constraints little up-to-date information could be found on the subject. Following sources provide information on conflicts between state actors and Anuak or Nuer ethnic groups, as well as conflict of and among Anuak and Nuer, the current security situation and the situation concerning internal displacement and return.

In a report published in November 2007 by the Small Arms Survey, the author Paul Young states that Gambella region was characterized by five distinctive conflicts, two of which being tensions between the Nuer – the region's largest ethnic group - and the Anuak – being the second largest group – and among the Nuer clans, respectively. Most conflicts reflected disputes over resources and access to power in the local administration:

„Meanwhile, there are major problems within Gambella, which has five distinctive, albeit overlapping, conflicts or tensions: (a) between the indigenous peoples and settler highlanders, largely Oromos, Amhara, and Tigrayans, who have moved to the area; (b) between the Nuer, the largest tribe, and the Anuak, the second largest tribe; (c) between Nuer clans; (d) resentment by some Nuer who dominated the region under the Derg at what they see as their reduced status under the EPRDF; and (e) anger at the EPRDF by Anuak elements because of their perceived declining status in the state (Young, 1999, p. 339). Detailed explanations of the conflicts cannot be given here, except to say that they largely reflect disputes over resources (principally land and water), access to power in the local administration, and—increasingly—the benefits that may accrue should current efforts to find oil prove successful.“ (Small Arms Survey/ Paul Young, November 2007, p. 38)

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According to the same report, struggle over resources and power in Gambella have led to the creation of political groups opposing the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF), many of which have received support from Eritrea and are broadly linked under the Ethiopian Unity Party, which has its headquarters in Asmara:

„Problems remain in Gambella, however, particularly among the Anuak who fear that their position in the state and access to resources are being challenged both by highlanders and by the Nuer—who are moving to an area they consider their homeland. In response, elements among Anuak ranks have continued to challenge EPRDF rule. [...] Many of the anti-EPRDF groups operating along the frontier have received logistical support from Asmara and in some cases had their forces trained in Eritrea. They are also broadly linked under an umbrella organization—the Ethiopian Unity Party, led by Dr Tadesse Juma, which has its headquarters in Asmara.“ (Small Arms Survey/ Paul Young, November 2007, p. 42)

According to a report by the Small Arms Survey of November 2007, the practice of arming local communities continues to the present day:

„The EPLF and the TPLF supported the formation of the Gambella Liberation Front, which later became the Gambella People's Liberation Movement (GPLM), and was largely made up of Anuak. To counter this threat the Derg and the SPLM/A, which had a major base in the UNHCR refugee camps in Gambella, distributed or sold weapons to the indigenous population, further fuelling violent conflicts in the area. This practice of arming local communities continues to the present day and is not restricted to the Ethiopian side of the border.“ (Small Arms Survey/ Paul Young, November 2007, p. 22)

According to a Committee On The Elimination Of Racial Discrimination (CERD) report of June 2007, military and police forces have been systematically targeting Anuak communities:

„The Committee is alarmed at information according to which military and police forces have been systematically targeting certain ethnic groups, in particular the Anuak and the Oromo peoples, and reports of summary executions, rape of women and girls, arbitrary detention, torture, humiliations and destruction of property and crops of members of those communities (articles 5 (b), (d), (e) and (f) and 6 of the Convention).“ (CERD, 20 June 2007, p. 4)

In March 2008, the Minority Rights Group International (MRGI) refers to a report by the United Nations Independent Expert on minority issues, according to which many Anuak were still being held in prison without trial:

„In February 2007, the Independent Expert on Minority Issues, Gay McDougall, published her report on Ethiopia, following a country visit. [...] In a visit to the Gambella, where an estimated 424 people were killed by Ethiopian security forces and other groups in 2003, McDougall found many Anuak still being held in prison without trial.“ (MRG, 11 March 2008, p. 69)

According to a Human Rights Watch (HRW) report of January 2009, the Ethiopian government denies all allegations of abuses by its military and refuses to facilitate independent

investigations. Officers of the Ethiopian National Defense Force (ENDF) or civilian officials have not been held accountable for crimes against humanity that ENDF forces carried out against ethnic Anuak communities during a counterinsurgency campaign in Gambella region in late 2003 and 2004:

„The Ethiopian government denies all allegations of abuses by its military and refuses to facilitate independent investigations. There have been no serious efforts to investigate or ensure accountability for war crimes and crimes against humanity committed in Somali Region and in neighboring Somalia in 2007 and 2008. Nor have ENDF officers or civilian officials been held accountable for crimes against humanity that ENDF forces carried out against ethnic Anuak communities during a counterinsurgency campaign in Gambella region in late 2003 and 2004.“ (HRW, 14 January 2009)

The most recent security incident in Gambella region found among the sources consulted relates to clashes between police forces and villagers. As reported by the US Department of State (USDOS) in February 2009 and the Sudan Tribune in November 2008, fighting ensued between police forces and inhabitants of the villages of Laare and Puldeng, killing nine civilians and wounding 23 others. According to the Sudan Tribune, 30 people were still missing three days after the fighting: (Hier würde ich erwähnen, welcher ethnien nun wer anhehört.)

„On November 22, police forces attempted to force villagers from Laare and Puldeng villages (Gambella Region) to move to a new area. When villagers refused, violence ensued, killing nine civilians and wounding 23 others. Two policemen were killed and six others were wounded. Police also reportedly set fire to homes and killed numerous livestock.“ (USDOS, 25 February 2009, Sec. 1g)

„Special police forces surprised two villages in southwestern Ethiopia on Saturday as the inhabitants slept, launching an attack that burned all the houses, killed nine civilians and wounded 23 others, said an official in Gambella region who requested not to be identified by name. Two attackers were also slain during the events. [...] The regional government was apparently trying to force the villagers of Laare and Puldeng into a new area, but they refused to move out until the dry season, by the end of January or February. A mixed force of Anyua, Nuer and highlander police attacked the villagers, many of whom were Sudanese Nuer who had joined Jikany kin in the area. The Gambella official estimated that some 600 cattle were stolen and more than 200 cattle and 1000 goats and sheep were killed—many of them burned in the houses where they were kept. Thirty men, women and children are still missing, and the villagers fled to the bush.“ (Sudan Tribune, 25 November 2008)

Areas experiencing security problems

According to a Small Arms Survey report of November 2007, albeit improved security conditions by early 2007 the whole Gambella region remained highly unstable, as the key issues that stimulated the conflict had not been resolved. The borderlands between Gambella and eastern Upper Nile were the most volatile:

„The borderlands between Gambella and eastern Upper Nile are the most volatile. With a multi-layered conflict under way, Anuak dissent has been the most destabilizing factor and, in the past four years, Gambella has been under virtual occupation by the Ethiopian army and subject to security shutdowns and armed convoys. A prominent foreign academic doing research in the province claims that the national army serves largely as the bulwark for the highland population that has increasingly moved into the region. By early 2007 security conditions had improved and many of the Anuak refugees who fled to the Pochalla area of Sudan were returning, but the key issues that stimulated the conflict have not been resolved and the situation remains highly unstable. Again, Eritrean support for armed groups in Gambella, notably assistance to Tuat Pal, adds to the instability. This area is likely to remain highly contentious in the future because it has become the focus of oil explorations by China and Malaysia.“ (Small Arms Survey/ Paul Young, November 2007, p. 54)

In June 2007, the Integrated Regional Information Network (IRIN) reports tensions between the Lou Nuer and the Jikany Nuer in Akobo, Southern Sudan, and Tiergol in the Gambella region. Both groups were also suffering from raids by the adjacent Murle ethnic group:

„Authorities in Akobo, Southern Sudan, and Tiergol in the Gambella region of Ethiopia are planning talks to defuse tensions between communities living in the border region, the UN Office for the Coordination of Humanitarian Affairs (OCHA) in Ethiopia reported. The tension around Akobo is between two subgroups of the Nuer ethnic group – who predominantly live in Sudan but also have significant numbers in Gambella – the Lou Nuer and the Jikany Nuer. [...] The two pastoralist Nuer groups have frequently clashed over land, cattle, water and grazing, but in the 1990s were also caught up in opposing southern factions during the Sudan civil war. [...] Apart from tensions between the Nuer groups, both have complained to local authorities of raids by the Murle ethnic group, which lives to the west. The Lou Nuer, say humanitarian sources, crossed into Ethiopia several years ago to avoid conflict in Sudan and access more land in Ethiopia, and in the process pushed Jikany off some of their traditional land.“ (IRIN, 12 June 2007)

According to the UN Security Council (UNSC) of July 2007, the humanitarian situation in the Gambella region deteriorated following the resettlement of some 25,000 Jikany Nuer from southern Ethiopia in Itang back to their places of origin in Tiergol, Akobo and other areas west of the Gambella region:

„During the reporting period, the humanitarian situation in the Gambella region has further deteriorated following the resettlement of some 25,000 individuals of the Jikany Nuer population, from southern Ethiopia in Itang, back to their places of origin in Tiergol, Akobo and other areas west of the Gambella region. The United Nations country team is also concerned about the protection of the affected population, particularly those moving from Itang, as well as those moving to the Sudan.“ (UNSC, 18 July 2007, p. 7)

IDPs in and from Gambella region

According to the US Department of State (USDOS) of February 2009, UNHCR had counted 44.700 IDPs in the Gambella region.:

„UNHCR estimated there were approximately 200,000 IDPs in the country, including an estimated 62,000 in the Tigray Region, 44,700 in the Gambella Region, 30,000 in the Borena area of the Oromiya Region, and 50,000 on the border of the Oromiya and Somali regions. [...] Unlike in the previous year, conflict between ethnic groups in the Gambella Region did not directly interfere with UNHCR's refugee protection activities.“ (USDOS, 25 February 2009, Sec. 2d)

In October 2007, the Internal Displacement Monitoring Centre (IDMC) analysed the IDP situation in the Gambella region as follows:

„The long-running civil war in southern Sudan was another contributing factor to the conflicts in Gambella, with heavily-armed insurgent groups spilling over into Gambella, using Nuer refugee camps in Itang as recruitment sites. The effects of their armament of Nuer populations and refugee camps were still felt in 2006. The pastoralist Nuer have tended to push eastwards, in search of new grazing land including the rich alluvial plains and the fishing grounds of the Baro River. After the situation stabilised briefly around the end of 2006, conflict re-erupted in 2007 with Sudanese Murle carrying out cross-border cattle raids on Ethiopian Anyuak and Jikany Nuer from Akobo woreda, killing and wounding dozens of people and displacing over 12,000 from some eight villages, while burning their belongings and huts. The displaced people have found temporary shelter in Chentua, some six hours walking distance from their villages. Gambella's regional government requested assistance for the population affected by both conflict and flooding in six woredas, asking for food and non-food items, healthcare and seeds for the upcoming planting season. However this assistance proved difficult to provide as the lack of security was compounded by heavy rainfall and flooding. The most recent displacement and return movements have not been quantified yet, but estimates speak of some 60,000 IDPs and recently returned IDPs in need of assistance or reintegration support. Estimates in Gambella vary considerably, partly due to the fact that many people are pastoralists and thus move regularly, and also because of restricted access to parts of the region due to insecurity and difficult travel conditions during rainy seasons. The government was reportedly monitoring and sometimes limiting the passage of relief supplies and access by humanitarian organisations in 2006, arguing that it was doing so for the security of those travelling in the region. Most IDPs live, and at times integrate permanently, in host communities as opposed to separate settlements or camps, putting great strain on them. Humanitarian aid to IDPs should address the development needs of the local population, as suggested, for example, by ZOA Refugee Care. Insecurity and lack of livelihood prospects are believed to be the main reasons for people not returning home. Access to healthcare is often minimal, and the spread of water-borne diseases and AWD is a serious recurring risk in the generally poor sanitary situations. The people displaced by the most recent violence were all in great need of food, water, shelter and healthcare.“ (IDMC, October 2007, p. 22f)

Furthermore, IDMC in October 2007 reports return movements of some 25.000 IDPs from Itang, Jikawo and Wantu woredas to their areas of origin in Tiergol and Akobo woredas in April 2007. However, UN agencies remained concerned about the Akobo returnees' security, as Lou Nuer, who had displaced Jikany Nuer, were still living in the Jikany Nuer's villages. Efforts to return the Lou Nuer were underway:

„In April 2007, an estimated 25,000 IDPs, including communities recently displaced by the Sudanese Murle incursion and others displaced by earlier conflicts, started returning voluntarily from Itang, Jikawo and Wantu woredas to their areas of origin in Tiergol and Akobo woredas. They were assisted by the regional government of Gambella, with some financial aid from the federal government. These large movements, particularly at the onset of the rainy season, raised fears of disease outbreaks along transit routes, after thousands of returnees and their cattle became stranded somewhere along the road, in areas with no infrastructure or services to transport them further. After a request by the regional government, both regional authorities and UN agencies provided humanitarian assistance to the stranded and tried to bring them back to Itang. Some protection response was provided as well, including a response to gender-based violence, but UN agencies remained concerned about the Akobo returnees' security. These concerns centre on the fact that the Lou Nuer, who had displaced the Jikany Nuer, appear still to be living in the villages the Jikany were supposed to return to. As a result, a significant number of Jikany seem to have crossed the border into Sudan. There were also concerns that the return movements of the Jikany Nuer, displaced over the past seven years by the Lou Nuer, were not altogether voluntary. Although the lack of access makes a detailed assessment difficult, there are suggestions that the regional government wanted to return the Jikany Nuer to their villages before the population census to be held at the end of May 2007. Despite this environment of general insecurity, reconciliation efforts between the conflicting parties are still being pursued. As of mid-2007, local authorities and the UN have been successful in bringing representatives of the Lou and Jikany Nuer together for peace talks. Further conflict has so far been avoided and the Lou Nuer have agreed to move back to Sudan after harvesting the crops which they planted in the spring. While the reintegration process has continued, the August 2007 floods have limited the humanitarian access to Akobo and delayed the returnees' agricultural activities. According to OCHA Ethiopia, the Akobo returnees were expected to be in need of food aid for at least another 12 months.“ (IDMC, October 2007, p. 23f)

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