**Electoral Participation of Internally Displaced Persons (IDPs) in the Ethiopian National Election of 2021**

This brief report is compiled by the Ethiopian Human Rights Commission (EHRC)[[1]](#footnote-1) in response to the call for inputs for the report of the Special Rapporteur on the Rights of Internally Displaced Persons (IDPs) on the right of IDPs to participate in elections; published on the UN Human Rights Office of the High Commissioner’s website.[[2]](#footnote-2)

This input is mainly based on the participation of IDPs in the Ethiopian National Election of 2021. According, to the International Organization for Migration, there were approximately 4.17 million IDPs in Ethiopia as of July 2021, 82% of which is conflict induced largely related to ethnic and border-based disputes.[[3]](#footnote-3) This estimate has increased drastically since due to the various conflicts in the country.

1. **Measures taken by the Ethiopian Government**

The Constitution of the Federal Democratic Republic of Ethiopia (FDRE) recognized the right of every Ethiopian citizen to participate in conduct of public affairs, to vote and to be elected at any level of government without discrimination of any kind.[[4]](#footnote-4) Ethiopia is also party to all the major international human rights instruments, such as International Covenant on Civil and Political Rights (ICCPR) and the African Convention for the Protection and Assistance of Internally Displaced Persons (Kampala Convention) that give due recognition to the electoral rights of every citizen.

In 2019, Ethiopia passed a new electoral law entitled the Ethiopian Electoral, Political Parties Registration and Election’s Code of Conduct Proclamation No. 1162/2019 (hereafter Electoral Proclamation of 2019), which consolidated three previously separate statutes regulating election procedure, party rules and registration process.[[5]](#footnote-5) Unlike the Electoral Proclamation of 2007[[6]](#footnote-6) (as amended) which failed to guarantee IDPs’ enfranchisement in election, the new Proclamation specifically provides that ‘special polling stations’ may be established at or near the place where internally displaced voters are to be found.[[7]](#footnote-7) While the Electoral Proclamation of 2007 stipulated the establishment of special polling units for members of the society who reside outside their regular constituencies due to study or duty, such as the military and civil personnel, and students, it did not make specific reference to IDPs.[[8]](#footnote-8)

The stipulation of the new electoral framework of 2019 for the establishment of special polling stations at or near the place where internally displaced citizens are to be found, is of paramount significance in ensuring the participation of every Ethiopian, including IDPs, in making elections more inclusive. The provision also guarantees special measures catering for the specific challenges and obstacles faced by IDPs in the context of elections. It affirms that IDPs cannot be stripped of their ability to exercise electoral rights on the account of displacement.

Subsequently, the national election management body - the National Electoral Board of Ethiopia (NEBE) - adopted the Directive on the Establishment of Special Polling Station No. 13/2021, with the intention of enfranchising various members of the community who live outside their electoral district of habitual place of residence, including IDPs.[[9]](#footnote-9) The Directive was progressive as it recognizes alternative means of identity verification, such as testimonies of fellow IDPs or IDP camp management.

1. **Challenges encountered by IDPs as voters and candidates**

Despite the legal reforms discussed above, the new national electoral legislation conditions the right to participate in elections both as voter and candidates upon requirements such as residency and documentation. Restrictive residency and documentation requirements, inadequate provision of absentee voting arrangement, lack of awareness and voters’ education are among some of the obstacles that hindered IDPs from exercising their electoral rights during the National Election held in 2021.

The Ethiopian electoral framework does not guarantee IDPs’ right to elect representatives for districts where they are residing while displaced unless six months of residency within constituency thereof is established. However, casting vote at the constituency of origin is understandably highly problematic for IDPs who fled conflict and other situation from these areas.

The documentation requirement of the electoral framework[[10]](#footnote-10) also means that voters are expected to present personal identification documents such as ID, passport, driving license or residence identification card. Legal and practical barriers made it difficult for IDPs to fulfill such documentation requirements for the National Election of 2021, as personal documentations often get lost in the course of displacement. The law also did not foresee any alternative provisions for IDPs living in protracted displacement situations thereby disenfranchising potentially thousands of people concerned.

On the other hand, the exercise of the right to stand in elections was almost unavailable to IDPs during the 2021 National Elections. Under the Ethiopian law, such form of participation is typically tied up with proof of the individual’s residence or birth in constituency in which s/he wishes to stand for election. Both these conditions prevent participation of IDPs in elections as candidates – either due to physical absence from the constituency or inability to produce documentation required to register as candidates at the place of displacement.

The Directive on the Establishment of Special Polling Stations No.13/2021[[11]](#footnote-11) provides for the establishment of special polling stations for IDPs, among others, to facilitate their registration as voters, to vote in elections held in their constituency of origin. However, it fails to recognize IDPs living outside camp settings, stipulating that in these situations the requirements of Articles 18 and 21 of the Electoral Proclamation of 2019 for residency and documentation would apply.

Lack of engagement by regional authorities meant that the national electoral board was also unable to establish special polling stations or making existing/identified ones accessible to IDPs in time for the National Election of 2021. As a result, IDPs were only registered in small numbers and a majority was not eligible to vote.[[12]](#footnote-12)

Access to civic and voter education was also largely beyond reach for IDPs compounding the challenges to their full participation in the National Election of 2021. Political party campaigns did not extend to constituencies with a significant number of IDPs because either these were too remote or humanitarian assistance and protection services were prioritized.

Women IDPs and IDPs with disability faced additional safety and security concerns.

1. **Election and Durable Solutions**

Despite the legal reform, electoral participation of IDPs was largely overlooked due to practical barriers. In areas where IDPs were able to cast their vote for/at the constituency of displacement, the electoral participation contributed to social cohesion and IDPs’ re-integration into the host community. However, in other places, the right of IDPs to vote has been jeopardized for the simple reason that electoral participation at the current place of displacement may have implication in the durable solution. Thus, casting the ballot at current constituencies may lessen the prospect of return to the place of origin.

1. **The Role of Various Actors in Promoting Electoral Participation of IDPs**

Humanitarian, development, peace and human rights actors can promote and support efforts to ensure IDPs’ participation in election by advocating the adoption of inclusive legislation that enable IDPs’ enfranchisement. Moreover, they can play key roles in raising awareness about IDPs’ electoral rights, voter education, and election monitoring and election-day observation. International partners have essential role to play in promoting IDP enfranchisement through research, and mapping of IDPs in term of number, sex, location and needs.

National human rights institutions could play a pivotal role in advocating for the participation of IDPs. EHRC’s advocacy played an important role in the adoption of the Directive with specific provisions for IDP participation. The Commission mobilized civic society organizations (CSOs) to provide, for the first time, IDP-targeted voter education and awareness raising. In its “Human Rights Agenda for Election 2021”, EHRC made a specific call to “political parties to address human rights protection of vulnerable groups, including IDPs in their manifesto.” The Commission also contributed in creating public awareness on the issue, including by disseminating documentation/resources on IDPs and Election. Through its human rights monitoring of the election, EHRC conducted stakeholders’ discussions highlighting the significance of IDPs’ inclusion in the national election. It also conducted a rapid assessment on IDPs and electoral participation with the underlying objective of identifying major challenges encountered by IDPs while exercising their voting rights in the context of protracted displacement and advocating for remedial measures. Furthermore, EHRC conducted monitoring of human rights situation pre-, during and post-election, with special emphasis on IDPs’ participation in election.

Ethiopia’s strides in recognizing electoral rights of IDPs can be seen in the Electoral Proclamation No. 1162/2019. The Electoral Board’s Directive No.13/2020 is another step in the right direction as it addresses identification concerns of IDPs by circumventing onerous residency and documentation requirements. Even though, it is an encouraging development considering the unprecedented increase of internally displaced population in Ethiopia over recent years, practical barriers remain to be addressed to effectively implement the provisions of the Directive.

Experience has shown that the engagement of regional authorities is crucial to facilitate the establishment of special polling stations or making them accessible for IDPs to effectively address the exclusion of IDPs from political participation. Government authorities could also take additional measures, as they did in some of these areas during the National Election of 2021, such as providing logistics and security support to allow IDPs take part in the election.

1. **Way forward**

Limited availability of data on IDP population in general, and eligible groups of IDPs in particular was one of the factors challenging NEBE’s capacity to design and administered specialized polling stations for IDPs in general and eligible groups in particular.. An IDP focal point or unit within the election management body would still go a long way in facilitating communication and consultation on IDP issues going forward. Issues such as design polling stations that ensure accessibility, safety and privacy for IDP voters should also be addressed. Government and international partners’ interest and support for participation of IDPs in national elections should also remain consistent and persistent.

It is an area that requires additional resources for development of best practices among election authorities and international organizations. International human rights bodies should further give systematic emphasis to the issue of IDPs’ electoral participation in reporting country and recommendations. This is especially relevant given the growing number of IDPs globally.

1. Ethiopian Human Rights Commission (EHRC) is an independent federal state body established as per the Federal Constitution and reporting to House of People’s Representatives, in accordance with Proclamation No. 210/2000 (as amended by Proclamation No. 1224/2020), as a national human rights institution (NHRI) with the mandate for promotion and protection of human rights. see at <https://ehrc.org/> [↑](#footnote-ref-1)
2. As accessed on 02 February 2022 at <https://www.ohchr.org/EN/Issues/IDPersons/Pages/CallforInputs_ReportToParticipatedinElections.aspx> [↑](#footnote-ref-2)
3. Ethiopia National Displacement Report 8, Site Assessment Round 25 & Village Assessment Survey Round 8: March 2021 and April 2021” (June 30 2021) (available at <https://reliefweb.int/report/ethiopia/ethiopia-national-displacement-report-8-site-assessment-round-25-village-assessment>) [↑](#footnote-ref-3)
4. The Constitution of the Federal Democratic Republic of Ethiopia (FDRE Constitution), Proclamation No.1/1995, Fed. Negarit Gazette, 1st Year No.1, 1995. [↑](#footnote-ref-4)
5. Ethiopian Electoral, Political Parties Registration and Election’s Code of Conduct Proclamation No. 1162/2019, Fed. Negarit Gazette, 25th Year No.97, 16 October 2019 (available at <http://almariam.com/wp-content/uploads/2020/01/Ethiopian-Election-Proclamation-1162-2019.pdf>). [↑](#footnote-ref-5)
6. The Amended Electoral Law of Ethiopia Proclamation No.532/2007, Fed. Negarit Gazette, 13th Year No. 54 , 2007 available <https://chilot.me/wp-content/uploads/2011/01/proc-no-532-the-amended-electoral-law.pdf> [↑](#footnote-ref-6)
7. Electoral Proclamation of 2019, *supra* note5, Article 17 (1) [↑](#footnote-ref-7)
8. Amended Proclamation 2007, *supra* note 6, Article 24 [↑](#footnote-ref-8)
9. Directive on the Establishment of Special Polling Stations No 13/2021, Articles 13 & 14. [↑](#footnote-ref-9)
10. Electoral Proclamation of 2019, *supra* note 4, Articles 18 and 21 provide for registration in regular polling stations. [↑](#footnote-ref-10)
11. Directive of 2021, *supra* note 9, Articles 13 and 14. [↑](#footnote-ref-11)
12. IRI-NDI, Ethiopia June 21, 2021 National Elections Report, 5 August 2021, p.23, available at https://www.ndi.org/sites/default/files/leome\_report\_of\_the\_june\_21\_elections\_final\_final.pdf [↑](#footnote-ref-12)