Rethinking Development Policy In Ethiopia: What Should NGOs Do?

Abstract

Repressive states pose a conundrum for human rights nongovernmental organizations and development advocates alike. Many UN and OECD donors claim that human rights are essential for successful development, but if rights-based conditionality is applied too rigorously, recipient states may refuse aid, resulting in increased hardship for their populations. It is this dilemma that is posed by the case of Ethiopia, one of the world’s top receivers of foreign aid. Western, Japanese, and UN donors have turned a seemingly blind eye to Ethiopian government repression in favor of maintaining the momentum of development projects. Many of these same development projects, however, are being used to repress and control the Ethiopian population. Evidence suggests that foreign aid has limited potential to influence regime behavior and there is a danger that Ethiopia may turn completely to China, which requires no human rights conditions, as an alternative source of development aid if Western, UN, and Japanese sources apply human rights conditionality too strictly. This paper argues that the role of human rights NGOs in this situation is to push donors to include human rights conditionality in their development, but to do so judiciously so that aid is not refused. NGOs can help donors to develop effective and realistic human rights benchmarks to measure progress in recipient states.

Introduction

Development policy and human rights have a common goal: the improvement of the human condition. Development policy is designed to improve the material and social wellbeing of a society, especially for people living in poverty or desperation. Human rights standards lay out the obligations upon governments to guarantee life and a dignified existence, the freedoms and rights that all human beings have by virtue of being human. Numerous government agencies, international agencies, and non-governmental organizations (NGOs) work in both fields.

What happens when development policy and human rights policy come into potential conflict? At a time when development agencies are incorporating human rights principles into their work, they may find themselves in a dilemma in which the only way to feasibly distribute aid to help build societal capability is to work with a government that commits chronic human rights violations. For better or for worse, governments are the “gatekeepers” of their own populations, through which international development aid must pass. On the other hand, distributing aid through such governments can bolster and strengthen their hold on power and tacitly condone their commission of violations, which may in turn detract from the effectiveness of development efforts. Donors may attempt to mitigate this problem by imposing conditions related to governance on the receipt of development aid. Indeed, the UN and OECD member states have declared that democracy and good governance are essential to successful development. If these conditions are too stringent, however, countries may simply refuse the aid, resulting in hardship for the intended recipients. In Africa, this question of aid conditionality is
complicated by the emergence of China as a major player on the development scene. China, unlike Western and UN donors, rejects the attachment of political conditions to foreign aid.

It is this dilemma that it posed by the case of Ethiopia. One of the world’s poorest countries, Ethiopia has been ruled by the Ethiopian People’s Revolutionary Democratic Front (EPRDF) since 1991. When the EPRDF initially came to power, many western policymakers believed that it would foster a new era of democracy and development in Ethiopia. Closer examination of Ethiopia under EPRDF rule reveals an increasingly autocratic government that serves as an instrument of the ruling party’s power and a repressive atmosphere in which dissension is not tolerated. In spite of this constricted political atmosphere, however, Western and UN donors, as well as Japan, continue to give massive amounts of aid to Ethiopia.

The key question that this paper will seek to answer is: what should international human rights NGOs do to pressure international donors to Ethiopia to ensure that aid is not promoting human rights violations? It will be argued that NGOs should continue to push development agencies to incorporate civil and political rights into development policy, but that careful consideration should be given to the consequences of pushing such conditions too hard. Rather, due consideration should be given to establishing realistic yet effective conditions and benchmarks for human rights improvements. NGOs should push for better monitoring mechanisms and political leverage to ensure that development aid is used in a way that does not constrict political space while still being effective at promoting economic and infrastructural growth. They should also recognize the limits of foreign aid in influencing regime behavior and continue to employ other methods of pressure to encourage civil and political rights compliance.

Ethiopia’s Human Rights and Development Obligations

The Ethiopian state is bound by many key human rights obligations; in 1993, the government acceded to both of the major UN human rights conventions, the Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights. These treaties seek to put into practice the human rights principles outlined by the Universal Declaration of Human Rights. Ethiopia’s federal constitution, adopted in 1995, not only references specific human rights contained in both treaties, but also explicitly refers to the treaty obligations themselves.1

The Ethiopian constitution contains the same civil and political rights found in the Civil and Political Covenant, conferring on Ethiopians such rights as the rights to assemble, vote and participate in politics, form political parties, speak their minds in public, and be free from arbitrary detention and torture. Similarly, the constitution recognizes key economic, social and cultural rights, such as the rights to education and adequate living standards. The constitution requires the Ethiopian state to pursue policies that promote these rights, including the allocation of adequate resources to service programs. Table 1 shows a selection of parallel human rights obligations delineated by the constitution and international treaties.

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Table 1 - Selected Human Rights Obligations

<table>
<thead>
<tr>
<th>Right</th>
<th>Description</th>
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<tbody>
<tr>
<td>Equality Before the Law</td>
<td>All persons entitled to equal and effective protection of law without discrimination; prohibited grounds for discrimination include race, sex, religion, and political or other opinion.</td>
</tr>
<tr>
<td>Freedom of Assembly</td>
<td>All persons have the right to peaceably assemble and petition the government.</td>
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<tr>
<td>Freedom of Speech</td>
<td>All persons have the right to hold opinions without interference, including the right to seek and share ideas of all kinds through any media of choice.</td>
</tr>
<tr>
<td>Right to Adequate Standard of Living</td>
<td>All persons have the right to an adequate standard of living, including access to food, water, and shelter.</td>
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<tr>
<td>Right to Education</td>
<td>All persons have the right to access and receive education.</td>
</tr>
<tr>
<td>Right to Health</td>
<td>All persons have the right to the highest attainable standard of health.</td>
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Ethiopia’s constitution also establishes legal obligations to pursue development. Article 43 stipulates that Ethiopians have the Right to Development, defining development in terms of improved living standards and the enhanced capacity of society to meet its basic needs. The article also states that the government must only make international agreements that are conducive to Ethiopia’s development. These stipulations establish an unambiguous legal commitment of the government to state policies that must enhance the material wellbeing of the population.

In the realm of international human rights, however, the right to development is more controversial. Its roots lie in the Universal Declaration of Human Rights, but it was not formally articulated as an independent right until 1986. In that year, the Declaration on the Right to Development was passed by the UN General Assembly, defining development as “a comprehensive economic, social, cultural and political process, which aims at the constant improvement 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 the fair distribution of benefits resulting therefrom.”

In this sense, development can be seen as a collective right, with more of a focus on people than on state institutions.

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3 While development is typically discussed in purely material terms, it is interesting to note that the Declaration on the Right to Development includes provisions for political participation in decision-making (see Thomas W.D. Davis).
Although many observers argue that the Declaration on the Right to Development was an important step in establishing international norms on development, others claim that it is “operationally meaningless.” Furthermore, the Declaration is not legally binding and thus does not have the same kind of authority that human rights treaties do. Industrialized states in the global north have been reluctant to endorse the Declaration and its adoption by the UN has not challenged the global economic order in any substantial fashion.

While the right to development is contentious, more donors and UN agencies have been adopting rights-based approaches to development. There are key differences between the right to development and the rights-based approach. One such difference is that the right to development defines development in terms of human rights legal obligations, while the rights-based approach views human rights as principles to be integrated into the development framework. Some analysts argue that attempting to define development in narrow legal terms through international law, such as through a right to development, does not have the same empowering impact as a broader incorporation of human rights language and principles into existing development structures.

Political scientist Thomas Davis defines the rights-based approach as incorporating three main elements: (1) the use of rights language to reframe development; (2) the connection of human rights language to moral claims on duty bearers (i.e., governments); and (3) the importance of human rights in defining the relationship between citizenship and development. In the human rights-based approach to development, people are not passive recipients of aid, but rather rights-holders who can claim their rights from duty-bearers, that is, their national governments. Development should be aimed at enhancing the capacity of rights-holders to make their claims and of duty bearers to meet their responsibilities, with the ultimate goal being the fulfillment of human rights obligations. In this sense, the rights-based approach is more about reworking existing policies and institutions to use human rights principles in their everyday operations rather than establishing a new right through the international human rights legal regime.

In 2003, the United Nations officially incorporated human rights norms into all of its major program areas, focusing in particular on development initiatives. The UN stipulated that its development agencies should base their programs on standards contained in the Universal Declaration of Human Rights and that, furthermore, such rights-based development considerations would enhance the capacity of aid recipient nations to comply with human rights obligations. Additionally, democracy and good governance practices have been incorporated

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5 Ibid.
6 Ibid.
8 Ibid.
into UN development policy and discourse since the end of the Cold War. For example, the UN Millennium Declaration, the foundational document for the Millennium Development Goals, states that “We [the members of the United Nations] will spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development.”\textsuperscript{11} Furthermore, the United Nations Development Programme (UNDP) identifies democracy as essential to development efforts, declaring that, “Democratic governance is essential to achieving the Millennium Development Goals.”\textsuperscript{12} Although the World Bank does not consider itself a human rights enforcement body, it argues that good governance and respect for human rights are necessary for development to be effective because they reduce corruption and promote accountability.\textsuperscript{13}

Incorporation of human rights standards is generally still weak or non-existent for the larger bilateral donors. Bilateral donors, in general, tend to allocate aid according to strategic importance, historical ties with recipient countries, and their own national political objectives.\textsuperscript{14} USAID and AusAID (the Australian Development Agency), for example, have no formal policy integrating human rights into their work. In bilateral development agencies that have incorporated human rights standards, notably Britain’s Department for International Development (DFID) and the Swedish International Development Agency (SIDA), the right to development is not mentioned as such.\textsuperscript{15} While bilateral donors are decidedly less concerned with human rights compliance, it is not entirely absent from their calculus. OECD member states have stated publicly on numerous occasions that, at least conceptually, there should be some link between foreign aid and human rights.\textsuperscript{16}

An increase in human rights language in development policies does not necessarily translate into practice, and UN and Western donors (as well as Japan) have maintained and expanded aid to Ethiopia in spite of the government’s crackdowns on human rights. There is an apparent contradiction between emerging human rights norms in development policy and the donor community’s unwillingness to confront the Ethiopian government on human rights issues, particularly civil and political rights. To explore these issues further, it is necessary to have a fuller understanding of Ethiopia’s political context.

**Political Repression in Ethiopia**

Politics in Ethiopia are inextricably linked to ethnic identity. Indeed, the current constitution institutionalized ethnicity by establishing an “ethnic federalism” in which constituent states are ethnically based. While a full analysis of ethnic identity and politics in


Ethiopia is beyond the scope of this paper, some basic background helps to illuminate the issues of political repression and resource distribution. There are more than 80 ethnic groups in Ethiopia, with the largest being the Oromo (34.5%), the Amhara (27%), the Somali (6.2%), and the Tigray (6.1%).\(^\text{17}\) The Amhara have been the historically dominant group in Ethiopia, although the Tigray have become politically dominant since the demise of the brutal Stalinist Derg regime. While the Oromo are the largest single ethnic group in Ethiopia, they have been generally marginalized from positions of power since the expansion of the Abyssinian Empire in the 19\(^{\text{th}}\) century.\(^\text{18}\)

The Derg regime was predominantly Amharic in ethnic composition and was overthrown by the Tigray People’s Liberation Front (TPLF) in coalition with other insurgency movements in 1991. The TPLF began as an ethnically based leftist student movement that sought the independence of Tigray from Ethiopia, but formed the ostensibly nationally-focused Ethiopian People’s Revolutionary Democratic Front (EPRDF) coalition in 1989 with the goal of throwing out the Derg. To create the EPRDF, the TPLF established three additional allied parties corresponding to larger ethnic groups or coalitions; the Oromo People’s Democratic Organization, the Amhara National Democratic Movement, and the South Ethiopian People’s Democratic Front. Although these parties are ostensibly independent members of the EPRDF coalition, the EPRDF is dominated by the TPLF in practice.\(^\text{19}\)

When the EPRDF initially came to power, many in the West believed that the new government would bring about a new era of democracy and development in Ethiopia. There were promising initial developments; for example, a parliamentary structure was put in place and the 1995 constitution incorporated a variety of human rights standards. The new federal structure allowed other ethnic groups to use their own languages officially, reversing the practice of enforcing the use of only Amharic.\(^\text{20}\) Unfortunately, the promise of a substantive democracy faded as time went on. The EPRDF’s relationship with its


\(^\text{19}\) John Ishiyama, "Ethnic Partisanship in Ethiopia,” *National and Ethnic Politics* 16, no. 3 (December 2010): 290-310.

anti-Derg coalition allies deteriorated and there was widespread intimidation and violence in district elections in 1992. Since then, the EPRDF has become increasingly authoritarian and intolerant of opposition.

Although repression is an inherently difficult thing to quantify owing to its social and contextual nature, scholars and policy analysts have developed some key measures. The Political Terror Scale represents one attempt to do so. Designed by human rights scholars, the scale assigns a number to annual Amnesty International and U.S. State Department human rights country reports. This number indicates the level of “terror” – that is, repression – in a given society during a given year, where 1 indicates the lowest levels of repression and 5 indicates the highest. Specifically, the Political Terror Scale measures personal integrity rights violations, that is, direct political violence or detention committed against persons. Trained coders use distinct criteria (see Figure 1) to place countries into a number category. While not a perfect indicator, it is useful in gauging the general level of personal integrity violations in a society, as well as a way to track progress over a number of years.

Political Terror Scale data for Ethiopia has been kept consistently since the 1970s and indicates generally high levels of repression, even after the Derg regime was removed from power. The EPRDF government has received consistent ratings of 3 and 4 from both Amnesty International and the U.S. State Department since coming to power in 1991. From 1991 – 2009, Ethiopia received a mean score of 3.9 from Amnesty International and 3.6 from the U.S. State Department. Averaged together, these scores give an aggregate mean of 3.7. The mode from 1991 – 2009 is 4 for both Amnesty and the State Department. While certainly not the most violently oppressive state on Earth or even in Africa, Ethiopia’s ratings nevertheless reveal an atmosphere of repression and fear that stifles the practice of democracy.

The NGO Freedom House has also attempted to quantify repression by measuring political rights and civil liberties in states throughout the world and releasing them in an annual publication. Freedom House uses a 7-point scale to measure both political rights and civil liberties, with 1 indicating the highest levels of compliance with civil and political rights obligations and 7 the worst. The organization defines political rights primarily in terms of political participation, such as the ability of the members of the public to form political parties and influence policy. Civil liberties pertain to rights such as freedom of expression and association.

Ethiopia’s scores since 1991 have indicated a persistent lack of respect for civil and political rights. The mean score for political rights in Ethiopia during the 1991 – 2011 timeframe is 5, while civil liberties only register as marginally better at 4.9. Significantly, Freedom House’s assessment for Ethiopia in 2010 yielded a score of 6 for both political rights and civil liberties, representing a decrease in respect for rights since the previous year, when Ethiopia scored 5 in both categories. This drop in score was “due to national elections [in 2010] that were

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thoroughly tainted by intimidation of opposition supporters and candidates as well as a clampdown on independent media and nongovernmental organizations.\textsuperscript{23}

Both the Political Terror Scale and Freedom House scales show consistent political repression in Ethiopia since the EPRDF came to power. Ethiopia’s most recent national and local elections are illustrative of these trends. In 2005, Ethiopia held the freest elections in its history. The run-up to the 2005 elections was still marred by intimidation and other obstacles to the opposition’s ability to operate, but opposition parties were able to campaign more easily than ever before, and even had access to government-controlled media and public spaces in which to hold rallies. After voting in May, it appeared that, while the EPRDF retained a legislative majority, the opposition parties had made significant gains, including 80% of city council seats in the capital, Addis Ababa.\textsuperscript{24}

After voting and counting processes that were criticized by the European Union’s Election Observation mission as flawed, opposition parties and their supporters held mass demonstrations in June and November. Both protests were met with violence and mass arrests by government forces, especially those in November, which saw the killing of 193 demonstrators and the detention of up to 30,000 people, including all high-ranking members of the opposition Coalition for Unity and Democracy (CUD).\textsuperscript{25} In March 2006, in response to criticism of its actions, the government established a Commission of Inquiry to determine if it had used excessive force in response to the post-election demonstrations. Two of the Commission’s directors fled the country in succession, claiming they had been pressured by the Prime Minister to alter their findings.\textsuperscript{26}

The election violence of 2005 alarmed international donors, many of whom temporarily suspended aid.\textsuperscript{27} Aid soon resumed and Ethiopia held local-level elections in 2008 (which had been postponed due to the 2005 crisis), which were once again marred by violence and intimidation of opposition parties by the EPRDF. Crucially, these local elections were not monitored by international observers and garnered very little international media attention.\textsuperscript{28} After the 2005 elections, the ruling party undertook aggressive recruitment, using coercion and inducements to increase the number of EPRDF members to 4 million by 2008, up from less than 800,000 before the 2005 elections.\textsuperscript{29} Concurrently, the government increased the number of seats on local kebele (village/neighborhood) and woreda (district) councils. Of all of Ethiopia’s political parties, only the EPRDF had the capacity to run candidates in all communities.


\textsuperscript{28} Human Rights Watch, “‘One Hundred Ways of Putting Pressure’: Violations of Freedom of Expression and Association in Ethiopia,” Human Rights Watch (New York, March 2010).

Additionally, opposition parties were subject to harassment, violence, and intimidation. The ultimate result was a massive victory for the EPRDF, which took all but four kebele and eight woreda seats nationally. The EPRDF thus cemented its control of Ethiopia’s government apparatus at every level.

The EPRDF-dominated government has also resorted to more bureaucratic and procedural means of maintaining its power. In 2008 and 2009, the Ethiopian government enacted a series of laws that gave it broad powers to suppress political dissent, mainly by targeting journalists and civil society. The first of these laws was the Mass Media and Freedom of Information Proclamation, passed in 2008. Although the Proclamation forbade the pretrial detention of journalists, a positive development, it also gave the government broad powers to impose stiff financial penalties for violation of libel laws and to deny operating licenses to newspapers based on arbitrary criteria. Additionally, the proclamation also expanded the government’s ability to initiate libel and defamation suits despite any conflicts of interest of government officials who may be party to the suit. Significantly, almost all private newspapers have faced lawsuits since the law’s passage. The new law also sustained the Communications Affairs Office’s unlimited power to restrict media content.

The second such bill, the Anti-Terrorism Proclamation of 2009, defines terrorism broadly and in such a way that can include peaceful acts of expression. As noted by Article 19, which is a non-governmental organization focused on freedom of information, the UN Human Rights Committee has ruled such broad definitions of terrorism to be violations of the Civil and Political Rights Covenant when used by other countries. This broad definition of terrorism has already had a dampening effect on Ethiopia’s beleaguered journalism community. Human Rights Watch reported that several journalists were informed by the security forces that publishing “certain articles” could be construed as promoting terrorism. Journalists faced intense pressure to self-censor and at least 12 journalists fled Ethiopia in 2009 for fear of prosecution.

The Ethiopian government also enacted the Charity and Societies Law in 2009 (“CSO Law”), which established major restrictions on non-governmental organizations. The law forbids foreign-based organizations from doing any work in Ethiopia that relates to democracy or human rights. Domestic organizations are prohibited from doing such work if they receive more than 10% of their funds from abroad. Being that most Ethiopian human rights NGOs receive

34 Ibid.
35 Ibid.
over 10% of their funding from foreign sources, this measure effectively cripples Ethiopia’s human rights sector. The CSO forced many human rights NGOs to change to their missions in order to keep operating.

With complete governmental control from the local level on up, the stage was now set for the EPRDF’s landslide electoral victory in the 2010 national elections. Combining its standard intimidation tactics with the leverage of full political control, the EPRDF had an overwhelming advantage. *Kebeles* are not simply local units of administration; rather, they exercise control of critical resources, many of which are funded by foreign aid. Among other things, *kebele* officials control:

- Access to food assistance;
- Healthcare referrals;
- Access to seeds, fertilizer, and agricultural credit;
- Required recommendations for jobs and post-secondary education;
- Government documentation;
- Local prisons and sometimes local militia;
- Mediation of minor claims.

*Kebele* control is especially evident in rural areas; around 85% of Ethiopia’s population is rural and the country’s economy is predominantly agricultural. Kebele officials control access to rural land and have the power to deprive farmers of access to their land with no viable options for appeal. Furthermore, farmers are dependent on micro-credit access and farming cooperatives for agricultural supplies, both of which are under the de facto control of the ruling party.

Prior to the 2010 elections, a detailed investigation by Human Rights Watch found that the ruling party committed violations of civil and political rights, as well as certain economic, social and cultural rights, by denying government aid and resources to those in the opposition and those whom it perceived to be in the opposition. This kind of discrimination is prohibited under Article 41(3) of Ethiopia’s own constitution and Article 25(c) of the Civil and Political Covenant, both of which stipulate that people have the right to equal access to public service.

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42 Ibid.
Farmers in 38 different kebeles reported being denied seed, fertilizer, and agricultural credit owing to their affiliation or perceived affiliation with opposition parties. This leverage of farming inputs is essential to the EPRDF’s control in rural areas owing farmers’ high degree of need. If farmers are able to receive fertilizer, it often comes at a high price and many farmers incur severe debts. The authorities often imprison farmers who are unable to repay.\(^{45}\) Imprisonment for financial debt is a violation of Ethiopia’s human rights obligations under Article 11 of the International Covenant on Civil and Political Rights.\(^{46}\)

Participation in the Productive Safety Net Program (PSNP), a work-for-food program for vulnerable families, was also highly politicized. Both opposition and EPRDF members, as well as a former PSNP coordinator, told Human Rights Watch that non-EPRDF members were excluded from the benefits of the PSNP. Direct food aid programs also discriminated against those who were in opposition parties or who were not members of the EPRDF. Numerous interviewees reported being told that the EPRDF had struggled on their behalf and should receive their loyalty if they wanted benefits from government programs.\(^{47}\) Resource-based government extortion was by no means confined to rural areas. In Addis Ababa, for example, residents reported door-to-door visits from kebele officials who informed them in no uncertain terms that they would lose their homes or jobs if they did not vote for the ruling party.

The result of the 2010 elections was a 99.6% victory for the EPRDF.\(^{48}\) Unlike the aftermath of the 2005 elections, however, there was no major outbreak of opposition protests. The dependence of many (if not most) Ethiopians on the government for basic needs in conjunction with a harried and disarrayed opposition, made the vote about material survival, the resources for which the EPRDF has monopolized. As Human Rights Watch put it, “[I]t is clear that the government controlled the process differently than it did in 2005, within a tight public space in which voting was explicitly linked to economic survival.”\(^{49}\)

A crucial factor in understanding the context of political repression in Ethiopia is its position as one of the world’s largest recipients of foreign aid; Ethiopia receives US$2-3 billion in annual donor assistance.\(^{50}\) Official Donor Assistance to Ethiopia is channeled through the Donor Assistance Group (DAG), which coordinates the disbursement of aid from all sources, excluding China. Members of the DAG include Australia, European Union institutions, France, Italy, Japan, the United Kingdom, the United States, and the World Bank. Human Rights Watch’s investigation found that donor funds were supporting programs that the regime used as political weapons against opponents, real or perceived. These programs included the above-mentioned Productive Safety Net Program, as well as the Protection of Basic Services Program.

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\(^{48}\) Ibid.


(which supports health, education, water, agriculture, and roads), and the Public Sector Capacity Building Program (which is supposed to improve public service delivery).

Bilateral and multilateral donors are conscious of the government’s conduct and the role that aid plays in facilitating it, but continue to give massive amounts of aid to Ethiopia each year.\textsuperscript{51} The reasons given for sustaining these high levels of aid varied depending on the official interviewed by Human Rights Watch. Some officials argued that economic growth takes precedence over civil and political rights or that democracy is not yet important for Ethiopia. Although some of the data is disputed, there is a general feeling among donors that Ethiopia is making good progress toward several key Millennium Development Goals (MDGs). Ethiopia’s most recent Millennium Development Report for 2009/10 claims that Ethiopia has made impressive gains in several key areas, due in large part to the government’s major commitment of resources to anti-poverty efforts. The report asserts that Ethiopia is on track to meet five out of eight MDGs by 2015. Highlights from the report are described below in Table 2.\textsuperscript{52}

While the Ethiopian government, which has a vested interest in positive reports on aid performance, was the primary author of the report, international donors have generally accepted it as a basis for continuing development aid to Ethiopia. It should be noted that the report is posted on the United Nations Development Programme’s website and was created in consultation with both the UNDP and DAG. Even Human Rights Watch’s reports on the Ethiopian government acknowledge that some legitimate progress has been made in reducing poverty, even if the extent of the progress is debatable.\textsuperscript{53}

| Table 2 – Selected Highlights from Ethiopia’s 2009/10 Millennium Development Report |
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| **Millennium Development Goal** | **Highlights**                      |
| Goal 1: Eradicate Extreme Poverty and Hunger | 11% annual GDP growth since 2003/04 |
| | Decline in percentage of population living below the poverty line from 38.7% in 2004/05 to 29.2% in 2009/10 |
| | Food poverty head count index decline from 38% in 2004/05 to 28.2% in 2009/10 |
| Goal 2: Achieve Universal Primary Education | Gross Enrollment Rate for primary school at 95.9% |
| | Net Enrollment Rate for primary school at 89.3% |
| | Increase in gender parity index, indicating higher enrollment of girls; from 0.87 in 2004/05 to 0.93 in 2009/10 |
| Goal 4: Reduce Child Mortality | 41.5% decline infant mortality rate, from 77/1,000 live births in 2004/05 to 45/1,000 in 2009/10 |
| | 17.9% decline in under-five mortality rate, from 123/1,000 in 2005/06 to 101/1,000 in 2009/10 |
| Goal 6: Combat HIV/AIDS, malaria, and other diseases | Insecticide Treated Net coverage rate in malaria-affected areas has reached 100%, up from 3.5% in 2005 |
| | 55% decline in malaria mortality rate |


In spite of the numbers in Ethiopia's MDG report, other donor officials who were interviewed by Human Right Watch, acknowledged the dangers involved in supporting programs that are used as tools of repression and privately feel that donors should be more careful in how aid is distributed. Indeed, in the aftermath of the 2005 election violence, the World Bank expressed concern that the resumption of aid to Ethiopia could lead to donor funds being used as tools of political control, which may, in turn, detract from development.

In a situation like that of Ethiopia, a stark question of trade-offs confronts donors and human rights NGOs alike; is it possible to promote civil and political rights in Ethiopia without detracting from development programs and the economic, social and cultural rights that they ostensibly work to advance?

The Moral Dilemma

The apparent complicity of donors in civil and political rights violations committed by the Ethiopian government raises a number of issues, starting with the contradiction of donors’ own standards of good governance and rights-based development. On the other hand, the programs are still reaching people; in the case of the Protection of Basic Services Program, recipients are still having their survival needs met, even if they are coerced into joining the EPRDF. When considering which policies to advocate, NGOs are faced with an apparent tension between upholding civil and political rights on the one hand, and economic, social and cultural rights on the other. Important questions that have arisen time and again in the realm of foreign aid are also raised by the Ethiopian case: (1) Should repressive states receive foreign development aid?; and (2) Is aid an effective tool of human rights leverage and enforcement?

Should repressive states receive foreign development aid?

Repressive states pose a dilemma for donors interested in democracy, good governance practices, and human rights. On the one hand, repressive states tend to have higher poverty rates and hence the need for foreign development aid. On the other hand, it will be necessary to work with the government in some way for aid to be disbursed, which may lead the recipient government to use the aid to free up other resources with which to suppress political opposition. As in the case of Ethiopia, such a state may also selectively distribute aid to extort loyalty. Nevertheless, at least some of the aid may still provide effective relief to and build the capacity of that country’s populace. As one aid official serving in Ethiopia told Human Rights Watch,

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55 Ibid.
“Yes, we are feeding people, but we are also supporting the government that is repressing its people, that is using [the program] as an instrument of control.”

In the case of Ethiopia, then, there are two basic alternatives raised by question one: give aid or do not give aid? Since aid is already being given, the withdrawal of aid, or the threat of the withdrawal of aid, would constitute an act designed to punish the Ethiopian government for its oppressive behavior and/or compel it to change. Such a withdrawal would match Chow’s definition of economic sanctions, which is “deliberate, government-directed withdrawal or threat of withdrawal of customary trade or financial relations with a targeted country.”

Withdrawing aid would be, in effect, imposing sanctions on Ethiopia for its anti-democratic behavior.

Putting aside for the moment the inconsistent application of political aid conditionality by Western bilateral and multilateral donors, the central question of imposing sanctions would be, will they be effective? That is, will they compel the Ethiopian government to refrain from repression and implement meaningful reforms to uphold civil and political rights? Evidence gathered during the past 20 or so years indicates that civilian populations suffer the effects of sanctions far worse than the ruling elite. Many authoritarian governments are concerned with acquiring power and wealth for themselves and their clients, thus they will take what they want from the population at large. Meanwhile, historical experience suggests that sanctions will not have a significant effect on the behavior of authoritarian governments, even if they are well coordinated and multilateral. Additionally, as argued by Luard, the danger of completely withdrawing aid is that development agencies may lose their connections and access to the populations who they are trying to serve without altering regime behavior.

In human rights terms, then, while aid may be channeled through an authoritarian government, if it can be demonstrated to still have a positive effect on the welfare of the population, it is still supporting economic, social and cultural rights in some fashion. On the other hand, cutting off such aid will be highly unlikely to have a positive effect on civil and political rights. What may matter more is the level of aid given and the conditions and incentives attached to that aid.

Is Aid an Effective Tool of Human Rights Leverage and Enforcement?

If cutting off aid is unlikely to result in changes in regime behavior, can adjusting levels of aid have a positive effect on human rights compliance? Raising or lowering levels of aid can send a message without disengaging aid efforts entirely from the population. To answer this question, it is useful to first consider if such adjustment is already taking place.

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59 Ibid.
Member states of the Organization for Economic Cooperation and Development (OECD) have publicly declared their support for civil and political rights-based conditionality for aid on multiple occasions. During the 1990s, the World Bank and the UNDP began to incorporate governance concerns into their development schemes. For the World Bank, the purpose of “good governance” was to better facilitate development and trade; the Bank has avoided direct political advocacy, which would violate its constitution. Scholars have conducted numerous empirical studies on this matter and the results are mixed on whether donors respond to human rights violations.

In the initial determination for determining whether a country will receive aid, the evidence is mixed. Neumayer, reviewing a pair of studies that focused on data from 1970 – 1994, found that respect for civil and political rights increased the chances of a country receiving aid from Canada, Japan, or the United States. Civil and political rights respect, on the other hand, was found to have no influence on decisions to give made by Denmark, France, Germany, Italy, Norway, Sweden, and the United Kingdom. In a study of European aid donors using data from 1978 – 2003, Carey found that the existing level of respect for human rights was barely taken into account in the determination of aid eligibility, although she did find that France, Germany, and the European Commission were more likely to select recipients with recent improvements in their human rights records. Using donor data from 1979 – 2002, Lebovic and Voeten found that human rights are, at best, minor predictors of who will receive bilateral foreign aid, but even then only for some donors.

In terms of deciding how much aid to allocate to selected recipient states, the evidence is similarly muddled. Neumayer suggested that, while OECD countries tended to give more aid to countries with a greater level of respect for civil and political rights, personal integrity rights were not a significant consideration. Others simply do not consider human rights abuses at all. In Carey’s study of European donors, only Germany gave a smaller share of its foreign aid distribution to countries with worse human rights records. Significantly, the study indicated that the United Kingdom was more likely to disburse aid to countries with high levels of repression (measured by Political Terror Scale level 5) than countries with fewer rights violations.

In terms of how aid responds to human rights violations, the evidence is even less encouraging. Lebovic and Voeten found that human rights violations do not usually provoke major consequences from bilateral donors, although bilateral aid exhibits some mild, short-term

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responses to changes in civil and political rights. Carey’s findings echoed Lebovic and Voeten’s; increasing levels of human rights violations committed by recipients of British, French, German, or European Commission aid was unlikely to be met with negative consequences. Although Germany allocates lower proportions of foreign aid to countries with worse human rights records, it does not appear to reduce aid levels in direct response to worsening human rights conditions.

Multilateral donors appear to be more sensitive toward human rights and governance concerns than bilateral donors. Lebovic and Voeten found that multilateral donors had a tendency to reduce aid to countries that had been condemned by the UN Commission on Human Rights for major civil and political rights violations. They found that the World Bank was even more sensitive to the Commission’s resolutions than the aggregate of multilateral donors. The World Bank and other multilateral institutions are not, however, immune to political pressure from contributing states; Lebovic and Voeten note that the recipients of World Bank aid in their study sample appeared to be U.S. allies (which they measured by how often countries voted with the United States in the UN General Assembly). Furthermore, the United States has used its overwhelming influence in the World Bank for political purposes; “under pressure from the United States, the [World] Bank has delayed, suspended, withdrew, blocked, or tailored loans to a variety of states because of human rights performance.”

In the Ethiopian case, donor behavior has followed many of the patterns described above in key ways. In the aftermath of the 2005 election violence, donors temporarily suspended aid to the Ethiopian government, but soon resumed it with renewed vigor. Ethiopia is considered a strategically important country in East Africa and a U.S. ally in its anti-terrorism campaign. Bilateral donations to Ethiopia have remained consistently high between 2004 and 2008; Canada, Germany, Ireland, Japan, Norway, Sweden, the United Kingdom, and the United States all gave well over $30 million each annually during that time. The U.K.’s development agency, the Department for International Development (DFID), has been particularly enthusiastic among bilateral donors in pushing for increased aid to the Ethiopian government.

Multilateral donors have also maintained strong support for the EPRDF government, although the World Bank did make an effort to change how it distributed aid after the 2005 election violence. When international aid to Ethiopia resumed in 2006, the World Bank shifted its focus toward governance in the form of capacity-building aid and the routing of aid through local government, that is, at the regional, woreda, and kebele levels. While the World Bank expressed fears that aid could still be used for political purposes, the program went ahead anyway. The results of the 2008 local elections, as described above, only tightened the EPRDF’s

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70 Ibid.
73 Ibid.
grip on power at all levels of government, giving it more control over the distribution of aid from donor-funded program.\textsuperscript{74} Since 2006, overall aid to Ethiopia has increased dramatically, both from multilateral and bilateral donors. Total official development aid to Ethiopia was $1.9 billion (with about 36\% of that coming from multilateral sources) in 2006 and jumped to $3.3 billion in 2008 (with 44\% from multilateral donors).\textsuperscript{75} Donors’ motivation for increasing support appears to be an overriding belief that the development aid is materially effective and that, furthermore, additional aid is required to consolidate these gains. In 2007, DAG issued a report stating that higher levels of aid were needed to achieve the Millennium Development Goals.\textsuperscript{76} Additionally, the World Bank’s Country Assistance Strategy paper for 2006 – 2008 recast the problem of civil and political rights as a technical issue to which the solution was continued engagement and increased aid.\textsuperscript{77}

Aside from the temporary suspension of aid in 2005, the Ethiopian government has not seen any major consequences for its foreign aid levels by committing civil and political rights violations. The temporary suspension of aid in response to post-election violence is consistent with Lebovic and Voeten’s finding that bilateral aid does show minor, short-term reactions to increased civil and political rights violations. Lebovic and Voeten, as well as Carey, note that, in some cases, improvements in a country’s human rights records are met with an increase in aid. In the case of Ethiopia, however, the regime’s human rights record has arguably stagnated or worsened since 2006; nevertheless, foreign aid has increased significantly in that time, suggesting that human rights are not a major consideration among donors in the giving of aid to Ethiopia. Carey argues that foreign aid could be a powerful tool for encouraging human rights compliance, but that in order for it to be so, donors must apply it consistently to send a coherent message.\textsuperscript{78} In the case of Ethiopia, it is, in essence, the opposite message that has been sent by bilateral and multilateral donors alike.

The question then arises of whether using foreign aid as Carey suggests – that is, as human rights leverage – would be effective. In their wide-ranging study of foreign aid disbursements, Collier and Dollar argue that behavior change of a regime should not be a primary consideration in deciding foreign aid and that donors have a limited ability to change recipient country behavior. They do, however, believe that some aid conditionality is warranted, insofar as the conditions applied are aimed at making the aid itself more effective.\textsuperscript{79}

Collier and Dollar take a cautious tone on aid conditionality. Although they cite as their main example countries with “good” macroeconomic policy, they apply the same principles to other types of policy. Giving aid to governments that do not own policy reform efforts will usually exacerbate “bad policy,” while local ownership of reform policies and reforms followed

\textsuperscript{75} Ibid.
\textsuperscript{79} Paul Collier and David Dollar, "Development Effectiveness: What Have We Learnt?", The Economic Journal 114, no. 496 (June 2004): F244-F271.
by increased aid have a better chance of success. They cite the examples of Ghana and Uganda, which saw mostly technical assistance and “policy dialogue” during periods of bad policy, and greater levels of aid after policy had improved. Collier and Dollar further argue that additional aid in response to policy reforms can magnify the benefits gained from the reform. The same principles apply to corruption and democracy-related policies. They argue that, while aid may not be a strong instrument for reducing corruption or promoting democracy in and of itself, some anti-corruption and pro-democracy measures can be incorporated into aid conditionality, specifically such measures as would ensure that the aid is effective.

In the case of Ethiopia, development aid conditionality related to political reforms has not been enforced. While aid has been used for the programs for which it has been earmarked, the programs themselves have turned into political weapons for the EPRDF regime. As noted before, foreign aid levels have increased even while the government undertakes deliberate measures to undercut civil and political rights. Donors have not pushed any further conditionality, such as requiring strict monitoring of programs to ensure that they are carried out without political discrimination against eligible persons. The increasing levels of aid, even while political discrimination increases, sends a message to the EPRDF that such discrimination is not a real concern of donors.

What are the possibilities of aid conditionality leading to an increase in civil and political rights and thus democratic reforms? A 2009 study by Wright tested a theory of democratization incentives against factual information on authoritarian regimes that received foreign aid between 1960 and 2002. He came to the sobering conclusion that imposing democratization as a condition of further development aid only incentivizes authoritarian leaders who have a large patronage base to democratize, since they are likely to win an election and remain in power. Authoritarian governments with small patronage bases, especially personalist or military rulers, are unlikely to be tempted by aid contingent on democratization because they are far more likely to lose elections. Wright also noted that democratization is less likely if the authoritarian state’s economy is growing because there is less need for foreign aid.

The Ethiopian case reveals the limits of Wright’s implied definition of democratization, which seems to be almost purely procedural; that is, the act of setting up a democratic structure and holding elections. Wright does not distinguish between procedural democracy and substantive democracy. While a country can have elected institutions, such institutions may have no real power or be dominated by one-party. On the other hand, procedural democratization may be all that donors can hope to get given that the incentive for democratization in the first place is the ability of the current dictator to hang on to power. Ethiopia has held multiple elections since 1995, but has not seen any change in ruling party, let alone any serious competition. The opposition coalition in the 2005 elections came closest to offering real competition for the EPRDF regime, but the aftermath was government repression and a tightening of local control by the ruling party. Given the amount of pressure on ordinary

81 Ibid.
83 Ibid.
Ethiopians to vote for the ruling party or risk losing access to vital services, the constant intimidation of political opposition, and a state apparatus that blends government and ruling party, procedural democratization makes no substantive difference in the government’s behavior.

The China Factor

Another complication in the promotion of civil and political rights in development aid is the escalation of China’s engagement with Africa. As China’s economy grows, so too does its need for raw materials, both for energy production and manufacturing. China’s trade with Africa topped $120 billion in 2010, over double its $55 billion level of 2008, making it Africa’s largest trading partner. China makes an appealing partner for many of the continent’s patronage-based authoritarian regimes because its trade and investment come with no preconditions related to human rights standards. The Chinese government has adopted a non-interference policy on human rights, stating that human rights is a function of national sovereignty and that it is up to individual nations to decide their own human rights policy. This view clashes with the views of the UN and to a certain extent, the West, who argue that human rights are universal norms.

Part of the appeal of China’s views to African leaders may also be that it is historically rooted in China’s exploitation during the 19th and 20th centuries by invading and colonizing powers. China positions itself as a fellow developing nation to African countries and its non-interference policy has considerable appeal for African leaders. While many scholars and policymakers feel that Western policies, such as structural adjustment, undermined the sovereignty of African countries, China’s aid gives more direct support to African governments, the agents of sovereignty, than conditional or program-based Western aid.

It is not that China’s leaders have no stance on or affinity for human rights. Like many countries, including Western nations, China selects and emphasizes which aspects of the international human rights regime serve its interests best. For China, economic and development rights are far more important than any others. Former Chinese President Jiang Zemin articulated the position clearly when he declared that “development is an absolute principle” at the 15th National Congress of the Chinese Community Party in 1997. African leaders, in general, appear to be very receptive to China’s views on human rights. In 2006, China hosted 48 of 53 African leaders for a conference in Beijing that resulted in the joint Beijing Declaration of the Forum on China-African Cooperation, which restated China’s relativist stance on human rights, but went even further, calling human rights conditionality in foreign aid and investment a violation of human rights in and of itself. Since few governments in Africa lack any element of true consent to their rule, civil and political rights pose a threat to their control. Hence China’s human rights discourse is convenient cover for maintaining a patronage state.

87 Ibid.
88 Ibid.
89 Ibid.
China’s lack of conditionality has invited severe criticisms from human rights groups, such as Amnesty International and Human Rights Watch, for supporting the continent’s worst human rights violators. Indeed, the Chinese government and its state-owned companies have made highly profitable deals with the Bashir regime in Sudan and the Mugabe government of Zimbabwe. China has proven willing to diplomatically protect chronic human rights abusers in the UN and elsewhere, while also receiving diplomatic support from African allies.

This trend has attracted criticism from some key African leaders, most notably former South African President Thabo Mbeki and other architects of the New Partnership for Africa’s Development (NEPAD). While NEPAD focuses heavily on economic development, it also carries critical clauses about the indispensability of democracy and human rights. An African Union official remarked that China’s policies may, however unintentionally, damage the implementation of NEPAD. Additionally, China’s emphasis on sovereignty in human rights contradicts principles explicitly laid out in African multilateral bodies, mainly the African Union and the Economic Community of West African States (ECOWAS). Both bodies support and undertake multilateral intervention, including militarily, in states to stop massive human rights abuses.

It should also be noted that China’s economic presence is not universally welcomed in Africa. Chinese firms have become ubiquitous in Africa and they have become involved not only in extractive industries, but also in infrastructure and finance. Chinese companies have been increasingly moving manufacturing operations to African countries; in Ethiopia, for example, 67% of Chinese firms operating in the country are manufacturers. Many Africans feel as though they are inundated by Chinese economic activity and there has been anti-China political backlash in some countries. African critics complain that Chinese firms are underbidding African firms for contracts, that Chinese construction and goods are of sub-par quality, and that African employees of Chinese firms are mistreated. Former President Mbeki has even gone so far as to refer to the Chinese development and investment model as one that may put Africa on colonial footing if African raw materials are only exchanged for Chinese manufactured goods. Indeed, Chinese investment and development aid are inextricably linked; Chinese loans are usually tied to conditions that force recipients to contract with Chinese firms. (It should be noted that such stipulations have also been used by Western and Japanese donors in the past and were only abandoned recently). There are also concerns that Chinese investment

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93 Ibid.
96 Ibid.
brings with it a business culture full of corruption and disregard for regulations on a level to which even African countries are unaccustomed.  

While the level of Chinese development aid in Africa is currently far lower than that of the West and the UN, it is still viewed by many African leaders as a ready alternative. For example, China’s Import-Export Bank offered a no-strings-attached loan to the Angolan government after the latter’s negotiations with the International Monetary Fund were bogged down over conditions relating to increased transparency. Angola’s government took the Chinese loan in exchange for an oil supply deal, which allowed massive corruption and political capture of state resources to continue. Human Rights Watch documented that, between 1997 and 2002, $4.22 billion went missing, an amount only slightly less than the total spent on social services and humanitarian assistance by the Angolan government and the UN in Angola during that time.  

Chinese investment and development projects have become increasingly common in Ethiopia, raising the possibility that the government may choose to substitute Chinese money for Western, Japanese, and UN money to escape political conditionality. China has become Ethiopia’s largest single trading partner, accounting for 10.87% of Ethiopia’s exports and 14.73% of its imports. The Chinese government views Ethiopia as a major economic partner, reporting $1.38 billion in trade during the first 11 months of 2009 and projecting that trade will reach $3 billion by 2015. China has also been involved in development initiatives in Ethiopia. China has sunk $2.5 billion into Ethiopian infrastructure projects. Other Chinese-built development projects include hospitals, schools, and vocational training institutions. According to the Economist, China offered to make up any lost Western and UN aid to Ethiopia in the aftermath of the 2005 elections before the suspension was lifted. In 2010, China also pledged to cooperate with other donors on official development assistance to Ethiopia.  

With China’s increasing involvement in Ethiopia, Western and UN donors are faced even more starkly with the dilemmas associated with foreign aid and authoritarian regimes. The Chinese government’s views on development and investment have a major appeal for the Ethiopian leadership. Prime Minister Meles Zenawi has publicly expressed disdain for Western neo-liberalism while praising China for its reliability. Furthermore, Meles has argued that free market economics have historically detracted from Africa’s development. His Deputy Prime Minister and Foreign Minister, Hailemariam Desalegn, has publicly urged Ethiopia to look at...
China as a model for development. If political conditionality is imposed too harshly on Ethiopia, the regime may see fit to jettison Western and UN aid altogether. Prime Minister Meles has implied as much in public statements; in 2008, he publicly declared that he did not need Western aid. After the 2010 elections, the Prime Minister stated that “it was ‘fine and we can move on’ if the United States felt that ‘the outcome of the elections are such that we cannot continue our relationship.’”

Should Aid Be Used to Promote Civil and Political Rights in Ethiopia?

The question that ultimately confronts human rights advocates is, can foreign aid be used effectively to encourage human rights compliance in Ethiopia? It seems possible that aid leverage could play a role in that endeavor, but a limited one. In using the “aid lever,” there is much uncertainty and many potentially unintended negative consequences to consider.

Owing to its constitutional requirements on development, it can be argued that the EPRDF government’s legitimacy is partially dependent on its claim that it is developing Ethiopia. Sustaining major losses in development funding for vital services and ongoing projects may cause even the EPRDF’s loyalists to question the wisdom of its decisions, although it could also backfire and encourage nationalist sentiment against the West and the UN. In order for a reduction of aid to have a more meaningful impact, it would need to be well coordinated between all members of the DAG. In the past, aid amounts from individual bilateral donors have gone up and down from year to year, but losses from one donor have been offset by increases from another. To be more likely to be effective, then, a reduction of aid would require consistent application from all DAG donors.

To maximize the effects of reduced aid, though, DAG would have to coordinate with China, which is highly unlikely. Ideologically, reducing aid to Ethiopia to compel improvements in civil and political rights is not feasible for China due to its non-interference principles and its own domestic authoritarianism. Reducing Western and UN aid will likely push Ethiopia to deepen its ties with China, which will have the effect of maintaining if not bolstering the regime’s hold on power. It is not clear if Chinese aid is completely substitutable for Western aid throughout Africa, since China’s aid is usually conditional on contracts with Chinese firms and some countries may be reluctant to receive tied aid. Since the Ethiopian government is eager to facilitate Chinese investment, however, Chinese aid seems to be viewed as a viable alternative.

Because of the overwhelming need of Ethiopian aid recipients, it would be difficult to justify cutting funds to food aid programs, even if they are politically compromised. While World Bank programs are being used to preference EPRDF party members over the opposition, at least some of the aid is reaching many impoverished and needy persons. To punish them for the coercive actions of their government serves no good human rights or development end. If a reduction of aid is to take place, it will be critical to consider from which program(s) such a reduction would come. Under current circumstances, the best that UN and Western donors may

109 Ibid.
be able to do with aid reductions is to target them carefully toward programs that have been deeply politicized but are not vital to the survival of their beneficiaries. It would be best to target programs that actively enhance the capacity of the government bureaucracy to oppress people, but at the same time to avoid cutting people off from basic services. This task would be complicated, however, as the government bureaucracy controls aid distribution.

In short, the question of whether aid should be used to try and improve civil and political rights is a complex one; while it is clear that donor aid is supporting the regime’s bureaucratic repression, it is not clear that withdrawing or even reducing aid would have an effect on the EPRDF’s behavior. A reduction in aid may serve as a powerful symbol, but it would need to be weighed against the potential harm it would do to aid recipients. While the promotion of civil and political rights is an important and legitimate human rights objective, taking action that may or may not promote them at the almost certain expense of the economic, social and cultural rights of aid recipients certainly runs counter to promoting and upholding human rights standards. In order to promote civil and political rights while not substantially harming aid recipients, alternative forms of pressure must be brought to bear, with or without accompanying reductions in foreign aid.

**Conclusion: What Should NGOs Do?**

One of the roles played by human rights NGOs is that of international political conscience. As such, NGOs pressure states and multilateral agencies to uphold their human rights obligations. In the case of development in Ethiopia, two broad strands of human rights seem to be in tension with each other. International donors are helping to promote economic rights by, for example, providing food aid to people in need, but they are also bolstering a repressive regime that discriminates in the distribution of said food aid, which violates civil and political rights, as well as other aspects of economic rights. At the same time, the food aid is keeping many people alive, and the right to life is the most basic of human rights. Human rights NGOs must look for ways to uphold and promote civil and political rights without doing more harm than good.

In many ways, Ethiopia represents a typical problem facing human rights and development advocates. To effectively assist the country’s population, it is necessary to have access to that population, which means some sort of accommodation with the ruling government. At the same time, donors cannot abandon their professed human rights principles, which include the improvement of civil and political rights, which donors claim are integral to successful development. In widely accepted human rights discourse, all human rights are interdependent; that is, economic, social and cultural rights go hand-in-hand with civil and political rights. Populations that are deprived of their civil and political rights are unable to advocate for their economic, social and cultural interests. Economic, social and cultural rights, however, constitute the basic conditions of human survival and material improvement and therefore cannot be abandoned to a purely political view of human rights. As the role of human rights NGOs is to promote and protect human rights, they must carefully consider how to balance human rights obligations in relation to foreign aid in countries like Ethiopia.

This balance is especially tenuous in Ethiopia due to the increasing presence of Chinese development aid and investment. China’s lack of conditionality for foreign aid and investment
poses a risk to the ability of Western and UN donors to positively influence civil and political rights in Ethiopia; if conditionality of aid is a difficult prospect in and of itself, since a recipient may simply refuse aid that has too many strings attached, then the presence of a viable alternative with no such conditions only compounds this problem.

Since the outcomes of the use of foreign aid as leverage for civil and political rights are so uncertain, alternative or additional forms of pressure are needed in order to make successful civil and political rights advocacy more likely. One possibility is to increase the independent monitoring of aid distribution. This is a key recommendation made by Human Rights Watch to address the politicization of aid in Ethiopia. Human Rights Watch called for an independent international investigation into the way development aid is used by the Ethiopian government, as well as provisions for independent monitoring of any future agreements that may be made between Ethiopia and international donors. This additional condition, however, would likely meet with resistance from the Ethiopian government and may even push the Ethiopian government to reject Western aid and tighten its relationship with China. Another recommendation made by Human Rights Watch was to end direct budget support of programs through the Ethiopian government until Ethiopia’s human rights climate improves. Conceivably, this task would be accomplished by converting aid into less fungible forms, such as the direct delivery of food supplies, or bypassing the government to distribute aid through the UN or NGOs. Like the previous proposal, however, it seems unlikely that the EPRDF government would accept such an arrangement.

While cutting off foreign aid is unlikely to influence regime behavior, as noted above, it does remove the resources provided by aid. As cutting off foreign aid severs connections with the recipient country’s population, it should only be used when it is impossible for development aid to be effectively delivered for those in need, such as in a situation such as widespread massacres or high-level civil war. While there is far-reaching repression in Ethiopia, and there is evidence that suggests that serious crimes against humanity are being perpetrated by government operations against a low-level insurgency in the Ogaden region, that level of violence does not appear to be occurring nationwide.

Another problem that human rights NGOs must consider in advocating for international donors to take account of civil and political rights in their aid packages is that of credibility. Western and UN aid donors have not been consistent in their application of conditionality to development aid and are therefore vulnerable to accusations of hypocrisy. Human rights NGOs must therefore push international donors not only to be careful, but also consistent in their application of human rights principles.

In addition to serving as political conscience, human rights NGOs also play the critical role of information sources. Human rights NGOs document human rights violations and use the information to apply political pressure to states to uphold their obligations. In advocating the use of aid leverage by donors to promote civil and political rights, human rights NGOs can play an

important role in helping donors assess a country’s human rights situation by providing an independent source of information and monitoring.

NGOs also develop advocacy strategies through which information on human rights violations and obligations can be used to improve conditions. In addition to gathering and organizing information, NGOs should consider developing creative ways to measure the costs and benefits of aid conditionality while maintaining awareness of possible unintended consequences. Two major questions should be kept in mind: (1) Is the benefit from aid to the population outweighed by the amount of repression it makes possible?; (2) At what point do human rights violations merit reductions in aid or, in the most extreme cases, the suspension of aid altogether? Because human rights and development are inherently social considerations, quantifying them sufficiently for a cost-benefit analysis may be difficult if not impossible. The Political Terror Scale and Freedom House’s Political Rights and Civil Liberties scales are possible measures that could be matched up with economic, social, and cultural rights and other development indicators to assess comprehensively the effects of aid on a country’s human rights conditions.

In pushing for donors to take better account of civil and political rights, NGOs should recommend that personal integrity rights be upheld immediately, since doing so only requires the government to refrain from politically motivated violence. In the case of upholding more governance-oriented civil and political rights, however, NGOs should consider making more judicious recommendations. It may take longer for a repressive system like Ethiopia’s to “wind down” and democratize, so NGOs should advocate a more incremental approach, helping donors to determine realistic benchmarks by which to measure progress, perhaps based on civil and political rights surveys similar to those of the Political Terror Scale or Freedom House.

NGOs can also make recommendations to donors on how to respond to changes in civil and political rights compliance. To consolidate successful reforms, for example, NGOs should advocate policies that reward real improvements in civil and political rights, such as increases in aid levels. In the case of worsening human rights conditions, NGOs should consider carefully how a reduction in aid may affect the population overall, especially if it would have detrimental effects on recipients of programs that provide vital services. It may be better to advocate cutting back support for programs that are easily politicized or making them conditional on independent monitoring.

It is clear that aid alone is an insufficient tool to promote civil and political rights in Ethiopia. Other measures and initiatives must be undertaken in conjunction with any exercise of development aid leverage. While human rights NGOs should recommend that civil and political rights still be factor in development aid packages, they should recognize the limitations of aid conditionality. There are numerous other avenues utilized by human rights NGOs through which international human rights can be promoted, including UN political bodies and the promotion of indigenous civil societies. The case of Ethiopia illustrates that promoting human rights and development in such a way that maximizes human welfare is not a simple question of blind adherence to principles, but also careful consideration of the consequences of actions.