

Ethiopia's Human Rights Violations in connection with the Lega Dembi Gold Mine

Presented by Ashagrie Abdi on behalf of

CHEERM: Coalition of NGOs for UPR-Ethiopia, in Support of Health-Focused, Effective Environmental Regulation of Mining

My statement is on behalf of a coalition of two Ethiopian NGOs, Development by Unity and Brotherly Love and Girja Integrated Rural Development Association, and Northwestern University's Center for International Human Rights, an NGO in consultative status with United Nations Economic and Social Council (ECOSOC).

The Lega Dembi mine is a large, privately-owned gold mine. This mine has poisoned the water, soil and air in the rural area that is home to the indigenous, agro-pastoral Guji people. Ethiopia licensed the Lega Dembi mine and allowed it to operate for 20 years, without any community consultation and without any effective environmental oversight or regulation. Many people have suffered serious health problems, many women have lost babies to miscarriage, and many children have been born with profound physical and developmental disabilities. Livestock and wildlife have died and crops have suffered, threatening the community's food supply.

I will give two Examples: -

1. Five-year-old Caaltuu can hardly walk because she was born with deformed legs. She can't go to school because it's a long walk away. Her parents and brother have health problems, and her mother suffered two late-term miscarriages. Their crops have done poorly and their oxen are now too weak to plow. Her parents now must do day labor to buy food.
2. Kedija was born with paralysis. Now nine, she cannot use her hands, feed herself, or walk; one of her parents must constantly be with her. Her little brother has a tumor on his back, and her parents also have health problems. They have lost more than half of their livestock, their crops of maize and teff have suffered, and eating the food they grow causes stomach problems.

Despite widespread community opposition, in April 2018 the State renewed the mine's license for another ten years. This decision sparked massive protests, which led the State to do the right thing

– it suspended the mine’s license and closed the mine, pending an assessment of its environmental and health impacts, which is ongoing. While these are positive developments, the community remains deeply concerned about the conduct of the environmental assessment and what the State will do next.

There are reasons for this concern.

1. **Lack of transparency:** The State has a long history of refusing to make public information on the mine’s environmental impact. It is widely believed that an environmental study was done before the 2018 license renewal decision, but the results of that study remain a State secret. The State has not disclosed how the current environmental assessment team was selected or whether its members have financial ties to the mining company or the State, and it has refused to make public the Terms of Reference for the study.

2. **Lack of Independence**

Although the environmental assessment was supposed to be independently performed by a team of Canadian consultants, the Canadian team has never visited the mine or the surrounding community to obtain soil and water samples or for any other purpose. It is believed that the study was only a desk study, based on documents provided by either the State or the mining company, raising serious concerns regarding the quality and independence of the environmental assessment. Furthermore, information has been received indicating that the State is reviewing and may alter the results and conclusions of the environmental and health assessments, compromising the independence of those assessments.

3. **Financial consideration:** Because the country receives a small share of the mine’s profits, the State has an economic incentive to reopen the mine, which is a source of much needed hard currency. It therefore is feared that the State may be inclined to “look the other way” at any problems disclosed by the environmental and health assessment
In this context, Ethiopia’s upcoming UPR comes at a critical time.

During its two prior UPR reviews, Ethiopia supported three recommendations relating to the environment. However, the country has not done enough to protect the environment.

Last month, Committee on the Elimination of Discrimination against Women (CEDAW) expressed its concern “at the grave health, environmental and socioeconomic impacts of the operation of the Lega Dembi mine on Guji rural women and their families.”¹ It urged the State to **“ensure full transparency and independence in the assessment process, publish and share the results with the Guji people; address the environmental and health damages; and provide adequate reparations and compensation to the victims.”**²

We now ask States to use the UPR process to express their concern and to urge Ethiopia to do the following regarding the Lega Dembi mine:

1. Conduct the environmental assessment in an independent, impartial, and thorough manner, following best practices for such studies.
2. Commit to complete transparency; promptly make public the assessment results, the data collected, the methodology, and all information as to the independence, impartiality and expertise of the assessment team.
3. Comply with the obligation of free, prior and informed consent, so that the indigenous Guji people have a voice in deciding whether and under what conditions the mine should be allowed to reopen.
4. Allow resumption of mining only if:
 - a. the State can ensure that the mine will operate safely, without further harm to the environment or people’s health;
 - b. the State or the mining company first remedies the existing environmental damage caused by the mine, so that the water, soil and air are no longer contaminated; and
 - c. the victims are paid adequate reparations, including compensation, health care, and, for the disabled children, access to school.

¹ Committee on the Elimination of Discrimination against Women, 1665th and 1666th meetings, Concluding observations on the eighth periodic report of Ethiopia, CEDAW/C/ETH/8, Para. 45, 5 March 2019 (Advance unedited version), available at

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fETH%2fCO%2f8&Lang=en (Last accessed March 13, 2019).

² Committee on the Elimination of Discrimination against Women, 1665th and 1666th meetings, Concluding observations on the eighth periodic report of Ethiopia, CEDAW/C/ETH/8, Para. 46, 5 March 2019 (Advance unedited version), available at

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