

The Right to Development as Constitutive and Prescriptive Right: The Lower Omo Valley Case of Ethiopia

Authors : Kebene K. Wodajo

Abstract : The right to development (RTD) has gone through different phases of metamorphoses, from the right to economic growth to full human development. Despite the fact that Africa has taken the lead in articulating and recognizing the RTD in a binding multilateral human rights treaty, realization of the right poses a challenge at the operational level. The challenge is worse in Sub-Saharan Africa, mainly because governments often tend to set economic growth as their ultimate goal, with very little consideration to the local peoples' welfare in their territory. Ethiopia is not an exception to this. While recording a fast economic growth, yet this has been accompanied by increasing severity of multidimensional poverty. This paper explores the place of the 'people' in the development trajectory Ethiopia is pursuing and if and how a right-based approach to development could be brought to practice beyond the rhetoric. By inquiring into the place of the 'people', the paper attempts to show whether the people are at the center or at the periphery, beneficiary or victims of the ongoing development. In doing so, it divulges the gulf between the rhetoric and the reality of development practice. By asking/discussing if and how a right-based approach to development could bridge the gap, the paper shows how this approach could translate 'people's' need into right, and recognize them as active subjects and stakeholders of the process of development. As an instance of showing the gap, the paper takes the Lower Omo valley sugar plantation project as a case in point. Through analysis the paper demonstrates that the development trajectory being followed by Ethiopia falls short of fitting into the human development discourse of UN Declaration on the Right to Development (DRD), the African Charter on People and Human Rights (the Charter) and the Ethiopian constitution. The paper argues that Ethiopia's development efforts must take account of both the constitutive and prescriptive nature of the RTD if social equity is to be met.

Keywords : development, Ethiopia, lower Omo valley, right-based approach, right to development, people, people's right

Conference Title : ICIHRL 2016 : International Conference on International Human Rights Law

Conference Location : Seattle, United States

Conference Dates : August 08-09, 2016