Public authorities and Humanitarian Actors: the stakes in a negotiated interdependence. Case study in Gambella.

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Summary

This article sheds light on the issues linked to humanitarian aid in the context of the refugee emergency of the Gambella region, situated in the Southwest of Ethiopia. It underlines the relational and operational difficulties met by international aid actors who struggle with administrative and financial matters, and the Ethiopian authorities seeking to ensure compliance with the strict legal framework of humanitarian aid in Ethiopia. The research explains and demonstrates the administrative difficulties encountered by NGOs and the desire for control and sovereignty of the Ethiopian government. New humanitarian practices in the implementation of programs are therefore necessary to stabilize projects in agreement with Ethiopian institutions.

Keywords: Ethiopia, humanitarian, Gambella, refugees.

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Introduction

Since the famines of the 1970s and 80s, Ethiopia has become one of the major theatres of operations in the collective Western imagination. The media treatment of the famine in 1973-1974 contributed to eroding the legitimacy of the imperial regime, and that of 1984-1985 led to an unprecedented mobilisation of the West (Lefort1981; Clapham 1990). Bob Geldof, a British singer, took action by organising charity concerts, and all eyes were on Ethiopia where impressive levels of funding were arriving, and where NGOs had set down to work. Very quickly, the misappropriation of funds and the instrumentalisation of aid by the *derg* regime (1974-1991) were reported, and the political aspects of the massive influx of aid in the country were highlighted. International humanitarian aid contributed to the organisation of large-scale forced population displacements (Pankhurst and Piguet 2009; Young 2006; Jean 1986). *Médecins Sans Frontières* raised the question of intervention in such a context by asking NGOs to switch from "the register of emotion and seduction to that of argumentation and debate" (Brauman and Backmann 1996) and were expelled from the country at the end of 1985, after provoking much controversy in the world of NGOs.

Since these founding episodes, the question of the political uses of aid has shaped the relationships between humanitarian organisations (and more generally the sponsors and development projects), and the Ethiopian State. It is a classic line of questioning in development studies, which consists in interrogating the role of aid in the perpetuation of "authoritarian" regimes (Hagmann and Reyntjens 2016; Whitfield 2009). The case of Ethiopia is one of a state where, a few lapses aside, aid has always arrived in a relatively major way, and where governments have broadly remained the masters of the use made of it (Furtado and Smith 2009). International aid, and particularly humanitarian aid, is therefore an element of the income of extraversion (Bayart 1999).

This study aims to examine the uses of this instrument of extraversion, in the Ethiopian context, taking as a case study the influx of South Sudanese refugees in the Gambella region since December 2013. It was a question of drawing up a general panorama of the relationships between national authorities (at different levels) and humanitarian organisations, by attempting to examine one particular case study in depth. The unusual situation in Ethiopia over the course of the last twelve months prevented us from completing this study as it was initially planned. Indeed, a revolt in the Oromiya region leading to a tightening of measures by authorities concerning displacements and security, clashes in the Gambella camps, reticence on behalf of officials to grant access for interviews (ARRA and Ethiopian personnel), and a number of administrative constraints, interfered with the research. The investigations carried out nevertheless allowed us to draw up a picture of the landscape of the political and administrative relationships surrounding international humanitarian activities.

Raising the question of the uses of humanitarian aid and the relationships between humanitarian

organisations and the Ethiopian State leads us to try to understand how NGOs and different aid organisations succeed in working with a government which knows how to deploy constraining forms of control over activities in this domain. What are the margins for manoeuvre for NGOs with regard to the State in terms of their work in Ethiopia? What forms does the control exerted on their action by the State take, namely by the agency in charge of refugee policy, the Authority for Refugees and Returnees Affairs (ARRA)? Why do NGOs comply with this situation? Are there differences in the perception of the constraints by different NGOs, and different attitudes? What are the strategies and methods of negotiation elaborated with a view to pursuing their actions in the country? This study sought to answer these questions using a broad panorama of interviews with personnel from humanitarian organisations.

Methodology

Methodology and limitations

This study was carried out by four researchers present in Ethiopia over different periods, which were namely dependent on obtaining visas. Alice Corbet is a doctor in Anthropology, and a Research Fellow at the CNRS (LAM, UMR 5115). Since 2003, she has been working on the theme of humanitarian aid and camps for refugees or displaced persons. Mehdi Labzaé is a doctor in political science at the Université de Paris I, he speaks Amharic and is specialised in the Gambella region (namely on questions of land tenure). Gabrielle Bayle has been undertaking research since 2007 on different aspects of humanitarian diplomacy in Ethiopia, and is writing a thesis at SOAS (London) in political science on the topic of negotiations concerning development aid in Ethiopia. David Ambrosetti is the director of the Centre français d'Etudes éthiopiennes (CFEE), based in Addis Ababa, whose administrative and logistical support was essential to the study.

A review of available literature was carried out ahead of the study, and subsequently completed by research in the Ethiopian press archives of the CFEE, namely with the English-language newspapers *Capital* and *Reporter*[1], as well as in the "grey literature" supplied by the actors we met inside international NGOs or UN instances (employees or heads of mission, often expatriates): reports, executive summaries and internal documents. This archival research allowed us to see the ways in which the difficulties faced by NGOs have been constitutive of Ethiopian working methods for many years.

Field research was limited by a number of constraints: the team's first trip was blocked by demonstrations in the Oromo region, as well as by the Nations, Nationalities and Peoples' celebrations in December 2015, which impeded access to the camps in the Gambella region[2]. In

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[1]*Capital* is a private economic press publication, with a liberal slant. Its critical discourse towards the government especially targets economic policy and above all the numerous ambiguities of the EPRDF concerning the adoption of policies based on the implementation of a market economy. *The Reporter* is one of the main press publications in the country. Its capital is private, and its pages can attain a rather critical dimension with respect to the authorities in place, primarily regarding the respect of fundamental rights and freedoms. This means that *The Reporter* is regularly censored. Whilst criticism can also target economic policy, *The Reporter* does not have the pro-market stance of *Capital*. It is a central source of reliable information on the country in general.
[2]The Ethiopian Nations, Nationalities and Peoples' celebration takes place every year in November/December.

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February, deadly clashes broke out in Gambella, forcing the NGOs present on the ground to suspend their activities for several weeks. These events also had an impact on local NGO personnel, since the Nuer employees were no longer able to leave Gambella town, in the Anuak zone, for security reasons[3]. In April, a security incident in the Jewi camp involving the chauffeur of a big NGO further slowed down the movement of vehicles and personnel. Access to the camps was limited by the security situation on the ground, as well as by difficulty in establishing quality contact with ARRA, with management changed in the month of April following an administrative reorganisation and the retirement of one of its directors. The period of the study was marked by a very particular context: Ethiopia witnessed an intensification of violent uprisings and police and military responses since November 2015 in the Oromo region, which extended to the Amhara region, leading to the declaration of a state of emergency by Ethiopian authorities in October 2016.

Given this climate, the necessary visas and research authorisations were drawn-out and difficult to obtain, access to actors (especially officials) was sometimes compromised when no one replied to our queries, rhetoric was often technical and not reflexive, and difficult to extract from institutional and political constraints.

Faced with these constraints, the study was mainly carried out in Addis Ababa, but Medhi Labzaé was nevertheless able to carry out a field mission in Gambella in December 2015. In general, the interviews carried out with humanitarian leaders of NGOs active in the region, with field coordinators of NGOs in Gambella, of directors and officers from international organisations (NGOs and UN agencies), and of employees of NGOs present in the region, were in-depth and allowed for answers to the questions asked. These interviews were carried out following a pre-established grid, but depending on who was being interviewed, they took on a more or less informal character. 21 interviews were carried out in the presence of one or several researchers from the team. They were re-transcribed and shared, in order to refine our hypotheses and the results. Nevertheless, there will be very few names in this article, confidentiality and anonymity being the primary condition required by all of our respondents in order to express themselves. This enabled them to speak more freely, with regards to the organisation and the Ethiopian State. All of the extracts with quotation marks in this article are quotes from our interviews. We took care to maintain their coherence whilst removing those passages which would have allowed for the identification of our respondents or their organisations.

The main Ethiopian actor in humanitarian aid on the question of refugees is the Administration for Refugee and Returnee Affairs (ARRA), an administration attached to the Ministry of Federal Affairs, which manages the distribution of food, security in the camps, and several programmes linked to health, education, etc. However, ARRA is generally considered by humanitarian actors and Ethiopian State agents alike as subordinate to the National Intelligence & Security Service(an autonomous entity with ministerial status, under the authority of the Prime Minister), testifying to the security

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It is organised in a different region every year, and aims to promote the cultures of the different people of Ethiopia, by highlighting the possibility of full and free expression of cultural differences guaranteed by the Constitution. Dance and presentations of the "traditional" ceremonies of each people make up the centrepiece of the show, with speeches from political figures. The festival celebrates the end of "national" oppression, which coincided with EPRDF's accession to power, that is to say the implementation of ethnic federalism.

[3] Certain NGOs dismissed their Nuer employees for this reason.

framing of refugee and border questions. The opacity surrounding ARRA's decisions contributes to the perception of the organisation as an intelligence agency or an instrument of repression. ARRA is both the implementing partner of UN agencies in the camps, that is, an operational partner without which the projects would not be carried out, and the authority in charge of the regulation of activities in the refugee camps. In spite of numerous official and unofficial requests, in Addis Ababa and Gambella, the heads of ARRA did not answer us.

In general, whilst a number of respondents were somewhat reluctant to express themselves, and others contented themselves with presenting an official version of their role, the interviews supplied enough elements to clarify the functioning of Ethiopian state institutions as perceived by humanitarian actors.

The results presented therefore allow us to highlight the constant compromises between NGOs and the Ethiopian State. These compromises no doubt largely foreshadow international aid organisations' practices in the future.

Presentation of Gambella

Gambella is one of the nine State-regions of Ethiopia, situated on the border with South Sudan[4]. A low-lying zone, and partly swampy, the Gambella region is part of the Ethiopian periphery, integrated by the Ethiopian empire over the course of the 20th century (Markakis 2011; Donham and James 2002; Young 1999). Up until the 1930s, slave raids amongst the Anuak and Nuer populations were one of the main methods of integration of the periphery into Ethiopia (Stauder1971; Young 1999). Since then, the Constitution of 1994 recognised five "nations, nationalities and peoples" as native to Gambella: the Nuer, Anuak, Majangir, Opo and Komo. Official statistics place the Nuer as the majority population (nearly 50% of the 400 000 inhabitants of the region), but largely underestimate the percentage of Ethiopians from other parts of Ethiopia, namely Amhara and Oromo.

Over the course of the second half of the 20th century, migration of Nuer populations from South Sudan greatly altered local demographics, as well as the land distribution between Anuak and Nuer, which led to often deadly conflicts (Dereje 2011). These migrations were mostly due to successive arrivals of refugees fleeing civil wars in the Sudan (Johnson 2011). In the 1980s, the Nuer refugee camps in Gambella were used as back bases by the Sudan People's Liberation Army, who were fighting for Southern access to the government in Khartoum in terms of political representation and access to State services. Itang, situated down-river from Gambella on the Baro river, was then a camp-town of several thousand inhabitants, most of them Nuer. Gradually, the Nuer left the camps, settling namely in central Gambella, which has historically been considered as Anuak territory. Different methods of definition of ethnic origin between Anuak and Nuer led to a growing feeling of marginalisation amongst the Anuak in the Gambella region, reinforced by increased access by Nuer to administrative and political positions in the *Derg* (Dereje2011; Young 1999; Markakis 2011). It was in this context that the new influx of South Sudanese refugees took place (over 98% Nuer), fleeing the civil war in South Sudan from 2013.

According to the UN High Commission for Refugees (HCR), there were, at the time of the study,

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[4] The Ethiopian institutional and administrative hierarchy can be drawn up in this way: Federal state > State region (killil) > zone > wereda > quebelé > lower quebelé or gott.

ten host sites for Sudanese refugees, which could be broken down as follows:

Passing points on the South Sudanese border:
  Akobo, temporary hosting site essentially on the Sudanese side of the border: 4085 people in November 2015;
  Burbiey, transit site: 2869 people on September 11th 2015;
  Pagak, transit site: 379 people on September 5th 2016.

Sites scattered throughout the region:
  Leitchuor, refugee camp: 4488 on May 20th 2016;
  NipNip, (just next to Leitchuor), refugee camp, 243 on September 11th 2015;
  Akula, dispersed rural site: 1588 people on February 19th 2016;
  Tierkidi, refugee camp: 54 982 people on September 5th 2016;
  Kule, refugee camp: 49 628 people on September 5th 2016;
  Jewi, refugee camp: 42 776 people on September 5th 2016. This camp is the nearest to Gambella, situated less than 20kms from the town;
  Pugnido, refugee camp: 63360 people on September 5th 2016. This is the oldest camp, which hosts a greater proportion of non-Nuer.

Hence, on September 5th 2016, refugees from South Sudan numbered 220 568, to which must be added 49285 asylum seekers, for a total of 269 853 people. On August 1st 2016, according to the figures supplied by the HCR and ARRA, 69% of refugees in the Gambella region were hosted in emergency shelters, and 31% in transitional shelters.

Results: the humanitarian response to the Ethiopian context

In the different interviews we carried out, we noticed different attitudes, and several large "groups" could be identified. This distribution led us to present the following sections, which clarify the diversity of actors and methods of action. It also allows us to present extracts from the interviews whilst retaining a certain coherence (that of the respondents' organisational affiliation). It was necessary to construct the study in this way in order to ensure their anonymisation.

We namely distinguish between the operational procedures inside the camps and those from outside.

Beforehand, we begin the presentation of the results of our study by summarily describing how the humanitarian actors which we met tended to situate their role in Ethiopia in their professional (humanitarian) environment and trajectory.

The humanitarian myth of Ethiopia? A professionally attractive context

The people we interviewed were aware, when they left for their missions, of what Ethiopia represents in the history of humanitarian aid: their association has been established for decades in Ethiopia. Two expatriate heads of missions from international NGOs spoke of a "beautiful and

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ancient humanitarian mission", "doing 15 years of humanitarianism and not going to Ethiopia would be too bad!" In 2008, NGO employees interviewed by Gabrielle Bayle were already expressing the same feeling, explaining that because of its history and the media coverage of its famines, Ethiopia offered also a context which made it easier to stir up public opinion.

After more difficult field contexts (Rwanda or Sudan previously, Iraq, Afghanistan or Libya today), which made family expatriation impossible due to security or health and sanitary conditions, Ethiopia appears as "an interesting country" and "safe" (especially for families accompanying expatriates). Of course, in the image of activist backgrounds described by Johanna Siméant (Siméant 2001), a number of international humanitarian workers justified their involvement in the solidarity sector as a vocation: it is a question of saving lives. In general, they have a classic background, having started on missions with NGOs and changing according to opportunities which appeared, thereby accumulating experiences and being able to choose their places of expatriation. In the case of the Ethiopian field, in any event, access to a degree of professional and family comfort appears in interviews with humanitarian actors met in Addis Ababa: they switched from emergency missions to "calmer" missions. It seems important to emphasise this feeling expressed by a majority of our respondents, which contrasts with the daily practice of humanitarian work in Ethiopia, as this article will show.

Summary diagram of agencies handling a humanitarian operation for refugees: ARRA and its UN partners

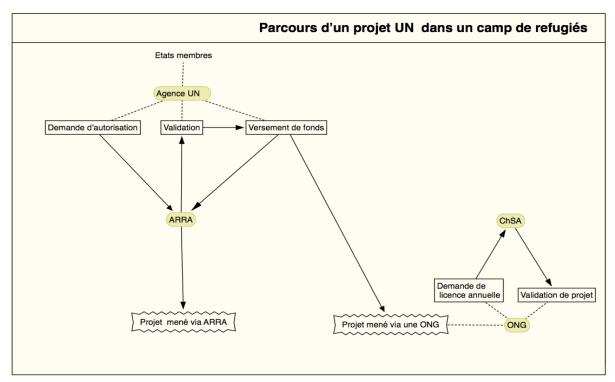Parcours d'un projet UN dans un camp de refugiés

Diagram caption text in English	
French	**English**
Parcours d'un projet UN dans un camp de réfugiés	Steps of a UN project in a refugee camp
Agence UN	UN Agency

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Demande d'autorisation	Request for authorization
Validation	Validation
Versement de fonds	Release of funds
Projet mené via ARRA	Project implemented via ARRA
Projet mené via une ONG	Project implemented via an NGO
Demande de licence annuelle	Request for annual license
Validation de projet	Project validation
ONG	NGO

Ethiopia, which has a policy of open borders for refugees, registered refugee populations in 2016 of mainly Somali origin (essentially situated around Dolo Ado), Eritrean origin (camps in Tigray, Afar and host structures in Addis Ababa), and South Sudanese origin (Gambella and Asosa). Only the Eritreans registered and supported as refugees are allowed to live outside of the camps, and although they do not have the right to work in the formal sector, they nevertheless integrate the informal sector of the Ethiopian economy, supported, amongst others, by training supplied by international NGOs.

As shown in Diagram 1, Ethiopia relies on ARRA for the management of refugee camps. ARRA undertakes supervision as well as the practical management of refugee populations and camps. Hence, it decides which NGOs are authorised to work with beneficiaries and can call upon those selected to encourage them to take charge of programmes which are essential for the functioning of the camps. As a branch of the Ethiopian intelligence services, it sometimes happens, according to people interviewed over the course of this study, that ARRA employs personnel who are often more interested by security issues relating to the territory than by issues of humanitarian aid, although ARRA would like to benefit from greater means and experience in order to single-handedly manage the hosting of refugees, and therefore no longer depend on the work of specialised foreign NGOs.

ARRA's activities are financed by the HCR, its main partner in the coordination of emergency action and the management of refugee camps. ARRA manages projects on health and education. Other projects necessary for the functioning of the camp (WASH - water and sanitation), nutrition, protection and childhood) are managed by the NGOs who are authorised to operate. Whilst the projects are generally proposed by the NGOs and authorised by ARRA, it happens that certain ministers expressedly ask for the expertise of a reputed NGO. Hence, to operate in the refugee camps, NGOs have to juggle with the authorisation requests for ARRA and the financing requests towards sponsors[5].

By way of example, ARRA manages the Pugnido camp, in the Gambella region, and coordinates the different humanitarian actors which are to be found there. It ensures their protection, participates in the registering of refugees, distributes food, and manages primary education and health services. The HCR takes care of the international protection of refugees, and carries out evaluations on services put in place by the NGOs which it finances. The other UN agencies and partner NGOs (International Rescue Committee (IRC), Action contre la faim (ACF), Danish Refugee Council (DRC), International Medical Corps (IMC), PLAN International and Rehabilitation and

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[5] In the current Ethiopian context, the HCR never finances an NGO for 100% of a project. Certain interviewees believe this to be due to ARRA's reluctance to see HCR funding go to NGOs rather than to its own projects.

Development Organization (RaDO, a national NGO)) provide ARRA with goods and services, and dispense some of them directly (under the control of ARRA). A meeting of all humanitarian actors is organised every month by ARRA. Moreover, ARRA organises refugee committees in every camp (*Refugee Central Committee* (RCC)), in order to allow refugees to express themselves. They are made up of a president and his deputy, a secretary, a treasurer, and seven to ten nominated members. The committees can nonetheless be dissolved by ARRA, without clearly defined reasons.

In the camps, certain UN agencies play a mediating role between ARRA and partner NGOs in order to facilitate the latter's access to zones which are deemed "sensitive". This is namely the case for the distributions made to the populations by partner NGOs. We nevertheless note that there is a certain frustration of NGOs who are appalled by the laxity of most UN agencies and deplore a total lack of coordination. During the clashes which broke out in February 2016 in the camps in the Gambella region, the HCR did not ensure any efficient coordination or information exchange, and NGOs had to organise amongst themselves to get their personnel to safety. NGOs also reproach the promiscuity between UN agencies and Ethiopian administrations[6], sometimes at the expense of the beneficiaries. This understanding between the UN and the Ethiopian State explains why UN agencies can work without apparently being subjected to the same constraints as NGOs. This impression was confirmed by the interviews with UN agency heads, who said that ARRA was "not a problem" for them. Moreover, these agencies are not concerned by the Charities and Societies Proclamation[7](Proclamation NO.621/2009 to Provide for the Registration and Regulation of Charities and Societies 2009), which was created following the Charities and Societies Proclamation of 2009, which ensures the respect of the latter's provisions, or by the restrictions it imposes on NGOs. They nevertheless report certain restrictions in terms of personnel hiring, which must be Ethiopian, at least to a certain degree. The diplomatic compromise in Ethiopia seems to imply that, in order to work for an extended period of time, these agencies must obtain the consent of authorities at every level of intervention. Incidentally, the refugees who benefit from the programmes do not clearly distinguish between ARRA and UN agencies. For the beneficiary populations, according to a head of a UN agency, "everything comes from the *mengist"* (Amharic word signifying State, government, regime", and even more broadly, all worldly political power (which distinguishes it from God)).

Focus: The *Productive Safety Net Programme*

Whilst the famines of the 1970s and 80s left a lasting international image of Ethiopia, it would be wrong to speak of scarcity and famine problems as a thing of the past. Ethiopia has experienced other episodes of famine and scarcity over the last few years (2002-2003, again in 2011, 2015-2016). "Food security" remains a goal of public policy on the short and long term, but the country is in chronic need of food aid (Planel 2005). To meet food needs, the government and the World Bank launched a Productive Safety Net Programme in January 2005, which aims to provide the necessary aid to populations in chronic need (Bishop and Hilhorst 2010; Lavers 2013). This programme borrows from the classic logic of "security net" programmes put in place by international institutions in

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[6] A head of a UN agency even stated that she does her work *"for the Ethiopian government".*
[7] Law voted in 2009 to control the work of Ethiopian civil society actors, as well as international NGOs.

former socialist states: in the face of the damage done by economic liberalisation and structural adjustment plans, it was a question of supplying the most deprived persons with the subsistence minimum, namely in terms of food. Food aid is often conditional on work by the beneficiaries, in the framework of programmes called "food for work", sometimes likened to forced labour by the farmers who take part in them (Planel 2012; Planel 2014). Since 2010, 7.9 million farmers have been structurally enrolled in the Safety Net, and the government reevaluates the need every year (Sandford and Hobson 2011). This evaluation is often more the result of bureaucratic games and internal power struggles in the Ethiopian administration than of a "true" study of the food needs of rural populations (Enten 2010). Whilst these statistics are the object of intense political negotiations at the heart of the state apparatus, they also illustrate an acknowledgement on behalf of the Ethiopian government of the structural need for help. In 2015, a drought year in the North-East and East of the country, the Safety Net was extended to more than 15 million people. The UN's World Food Programme took charge of part of the aid delivery. According to certain humanitarian actors, it was the first time that the Ethiopian government had been so inclined to recognise a potential tragedy, and to take the necessary measures for aid delivery even when they compromised the idea of the "African tiger" with strong growth which the Ethiopian government seeks to promote (Lefort 2015; Lefort 2013). In 2002-2003 and again in 2011, aid actors had to negotiate more bitterly in order to gain the acknowledgement of the catastrophes which was necessary for the release of funds and aid delivery.

NGOs' humanitarian operations in camps

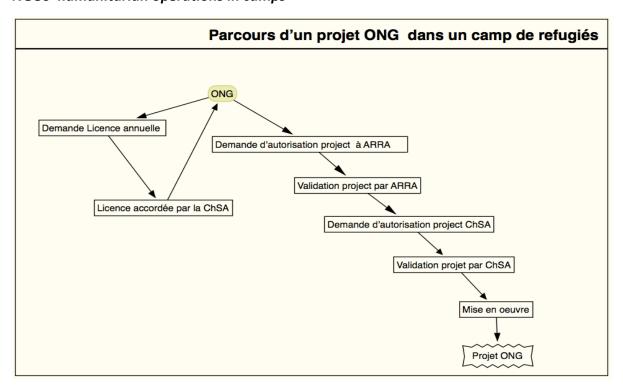**Parcours d'un projet ONG dans un camp de refugiés**

ONG
Demande Licence annuelle
Licence accordée par la ChSA
Demande d'autorisation project à ARRA
Validation project par ARRA
Demande d'autorisation project ChSA
Validation projet par ChSA
Mise en oeuvre
Projet ONG

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Diagram caption text in English	
French	**English**
Parcours d'un projet ONG dans un camp de réfugiés	Steps of an NGO project in a refugee camp
ONG	NGO
Demande licence annuelle	Request for annual license
Licence accordée par la ChSA	License granted by the ChSA
Demande d'autorisation projet à ARRA	Request for project authorization by ARRA
Validation projet par ARRA	Project validation by ARRA
Demande d'autorisation projet ChSA	Request for project authorization by ChSA
Validation projet par ChSA	Project validation by ChSA
Mise en oeuvre	Implementation
Projet ONG	NGO project

In refugee camps, the NGOs' main interlocutor is ARRA, who delivers the visit and work authorisations in the camps. It also happens that ARRA takes projects away from partner NGOs. Whilst some explain this by the fact that ARRA is seeking to limit duplicate projects in the camps, the majority of the people interviewed imagined it was probably rather due to relational problems between ARRA and certain NGOs who might have offended the administration, without necessarily being aware of it. Moreover, as with the projects carried out outside of the refugee camps, NGOs also have to obtain the approval of the Charities and Societies Agency (ChSA) in order to put their project in place.

Operating in Ethiopia outside of refugee camps

With 3,5 billion euros annually (Lefort 2015), Ethiopia is one of the main beneficiaries of Official Development Assistance in the world[8]. The country is also in chronic need of food aid. International NGOs multiply their programmes in most regions of the country, except those where access is complicated by governmental restrictions. The access restrictions seem more significant in sensitive contexts which might convey a negative image of the State, as was the case in Ogaden in 2007. On the other hand, access to the refugee camps in Gambella was sometimes granted to NGOs by simple oral permission, which allows us to measure the extent to which the Ethiopian effort with regard to the South Sudanese since the end of 2013 deserves to be highlighted on the diplomatic level in the eyes of the authorities.

When implementing their projects, NGOs obtain authorisations from regional offices, with whom they work out the content of the projects. Once this stage is completed[9], the NGOs get their projects approved by the ChSA. For the Somali region, where the internal conflict has intensified since 2007, NGOs obtain their authorisations from federal authorities. The processes undertaken at the regional level during the creation of a project can turn out to be lengthier according to the relationship which the NGO has with the region. Some therefore report that over four months are sometimes needed in order to obtain the authorisations for a project in Oromia, whilst others will take only two and a half months. An NGO's image with the authorities is therefore a lot more significant than that with the

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[8] In 2014, Ethiopia was the seventh beneficiary of Official Development Assistance from the Development Aid Committee of the OECD. Source: http://www.oecd.org
[9] It can last up to four months, depending on the region.

beneficiaries themselves.

For several years, NGOs in Ethiopia have been inverting their usual process of project development. Indeed, it is customary to first correspond with the regional authorities for the development of projects which would be relevant in a given context, before meeting with sponsors to request funding. However, NGOs do not wish to run the risk of having their projects refused by sponsors after approval by the Ethiopian authorities, since in this case, the latter would hold it against them and sometimes punish them by restricting their access to the field. This contributes to the idea, held by Ethiopian authorities that NGOs always promise glittering projects which are never put into practice. Several NGOs therefore make the choice to first meet with the sponsors, to whom they present a more theoretical project, and to subsequently meet with the Ethiopian authorities with whom they agree on a project which is perhaps not as adapted, but which has already found funding[10].

The difficulties of aid in Ethiopia

The administrative and operational constraints are numerous for international NGOs whom we qualify as operational, which is to say of more or less limited size and carrying out interventions directly in the field.

The 70/30

In November 2011, the government decided, by way of the Charities and Societies Agency, on a set of regulations aiming to limit the administrative costs of all civil society organisations, including international NGOs, to 30% of their budget (the law applies retroactively from July 2011). Administrative costs include all NGOs' logistical charges: salaries, leasing costs for offices and warehouses, transport and training[11]. The ChSA ensures the respect of the 70/30 rule in the course of the annual submission, by each NGO and civil society organisation, of their activity reports and audit reports. It sometimes happens that the ChSA modifies the budget summary of the year and moves some of the costs, deemed to be operational by the NGO, towards the category of administrative costs. If the total of administrative costs goes over 30%, the NGO receives a verbal warning, then a written warning the following year if the problem repeats itself, and finally a final warning, which can lead to the NGO's expulsion at any moment.

However, the rule is not always applied to the letter and some organisations receive a final warning directly whilst others continue to operate despite repeated warnings. The differences in treatment from one organisation to the other seem to go beyond the 70/30 rule, since they can be observed throughout the administrative procedures, according to those interviewed.

The 70/30 is difficult to respect for smaller structures, and for NGOs whose mandate includes a significant part of advocacy or services. Moreover, it is often necessary to lay off a number of employees at the end of each project, in order to limit the administrative costs. This measure, like the Charities and Societies Proclamation of 2009 before it, provoked deep concern amongst NGOs and donors, who had been dreading an increased muzzling of Ethiopian civil society since 2008.

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[10] This practice seems to have been happening for over a decade.

[11] The importation of vehicles by NGOs (pick-ups and 4x4s) is taxed at 250% of the price of the new vehicle. The procedures to obtain a tax removal are therefore essential.

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Whilst most international NGOs were able to adapt, some of them received letters requesting compliance from the ChSA, and it would appear that 108 organisations, of which 14 international organisations, were threatened with closure by the ChSA in June 2016 (Badwaza and Charetten.d. ; Ethiopian News Agency n.d.).

As was the case with the CSP, humanitarian and development actors paradoxically express the benefits of the 70/30. Indeed, whilst this measure holds them back in their work and requires a number of administrative contortions, some actors believe it contributes to limiting excesses, namely in the *per diem* amounts granted to personnel, and to ensuring that NGOs' money does get to the beneficiaries. The international trend of regulating the humanitarian sector leads a number of aid workers to explain and justify the Ethiopian measures which allow Ethiopia to manifest its sovereignty and its independence. The tense context of aid in Ethiopia often drives humanitarian actors to look for and express advantages which offset the increased requirements which justify a strong presence, an international context in transformation, etc.

Visas and work permits

Expatriate NGO personnel must obtain a business visa[12] to enter the country, followed by a work permit. To obtain the latter, the applicant must be at least a Masters' graduate in order to justify the fact that an Ethiopian could not be recruited instead for the position. The applicant's work contract must then be authenticated by the country where the NGO's headquarters are located (notary, Ministry of Foreign Affairs, then the Ethiopian embassy). Finally, the file is taken up by the Ethiopian authorities. This adds a constraint to the recruitment of new expatriates and to the development of NGOs in the country. Moreover, it sometimes happens that a member of the international personnel does not obtain the necessary authorisations because his/her educational level is less than a Masters, though these skills are essential and no equivalent can be found in Ethiopia. Whilst the issue of work permits is a recurrent one amongst the people interviewed, some nevertheless maintained that they had a "relatively flexible" relationship with the Ethiopian administration: it is not always constraining "to the point of preventing work", and puts up with the lack of permits, thereby placing NGOs in a zone of illegality which it is easy to use against them if expelling is decided. This flexibility therefore seems not to benefit all NGOs, but only those who maintain a good relationship with the Ethiopian administrations.

Aside from the 70/30 law, and the issue of work visas, NGOs' work is permanently constrained by a lack of legibility of the rules to respect and processes to follow, namely in terms of financial supervisions. Whilst in other countries, access to the field or security are recurrent problems, in Ethiopia, as expressed by an expatriate employee working in a management position in a big international medical NGO, "*Access is even a bigger problem, but it is not security, it is much more political* (…) *The Ethiopian partner is a very political institution, not only a partner* (…) *It's a very political institution, rather than a service providing institution*".

The solidarity of humanitarian actors

The differences in treatment of NGOs by the Ethiopian authorities have a negative effect on their

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[12] Since January 2015, the procedure to obtain a business visa is more difficult, with steps to be carried out in Ethiopia, and higher costs.

coordination. Indeed, NGOs fear above all losing their privileged relationship with the authorities by regrouping with other organisations of the same size or with a similar mandate. Furthermore, they prefer to keep the secret of their success to themselves, though they may not fully understand the reasons for it. We can therefore see emerging from the interviews a tendency towards isolation, which some actors deplore, especially when it comes to negotiating access to the field or attracting significant funding which requires a pooling of skills. Hence, the term of "competition" between NGOs is often brought up, beyond that leading to the search for funding: it's also a "competition" in terms of the access to operating modes, to networks, and even to tips enabling access to operations in the field.

Sensitivities linked to the image of the country

The Ethiopian State has been trying to erase the image on the international scene of an extremely poor country that is exposed to droughts and famine, namely by way of developmental economic policies. Furthermore, it is engaged in the struggle against international intervention and for the promotion of its state sovereignty. This gives rise to tensions between Ethiopian authorities and international actors, in the sector of emergency aid, with the former refusing to let themselves be dictated to in terms of crisis management policy, and forbidding the latter from communicating publicly on crisis situations.

Hence, humanitarian actors are not allowed to publicly announce epidemics or risks of famine or scarcity, even if that precludes raising the necessary funds for the management of said crises. The term of "cholera", for example, is implicitly forbidden and replaced by "*acute watery diarrhea*": "*Ethiopia is a fast growing country*, 'famine', 'wars', *are banned from our vocabulary* (…) *There are some words you don't even say to your partners you can have quite open discussion with… 'Cholera ' is one of these words*", specified expatriate employees of a big medical NGO. NGOs often maintain that they come in support of the authorities: they assist them, but do not replace them.

Only one Anglo-Saxon NGO and a European organisation have drawn attention to the critical food situation which recently broke out in certain regions, but they were officially refuted by the authorities. In this respect, their rhetoric is in accordance with that of UN personnel, as a head of a main European organisation stated: "*we are faced, in a schizophrenic way, with two kinds of rhetoric: on the one hand strong growth, schools, clinics, etc., created in the country (it has to be said, we haven't done badly, there are positive things), and on the other hand, there are still fifteen million people to help with the safety net, especially when there will be a hundred million Ethiopians in 2017.*"

All these administrative questions, which NGOs must deal with constantly, come close to the line of non-conformity. They can quickly become symptomatic of government disagreement about their action: in short, the government can always find a loophole in an NGO's conformity to regulations if it wants to see them go, if only because the rules and their interpretations change often, or official spokespeople do not hold the same rhetoric, which once again entertains a feeling of insecurity and instability amongst NGOs. For example, the regional office of the Ministry of Finance (BoFED) checks the budgets the first time around, then the ChSA repeats the exercise on the federal level: hence, a head of a medical NGO intervening in the Gambella region declared, with his colleague's agreement, "*You respect one but then be refused by the other*. (…) *it's very restrictive*." These administrative

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nuisances are permanent hindrances to the work of NGOs, who spend a lot of time trying to understand their (variable) functioning and trying to overcome them, and who can therefore never "settle" in Ethiopia in a secure and stable manner. This is destabilising, and contributes to making them malleable, and dependent on the power of a strong government.

In the end, NGOs have to spend a lot of time and energy on administrative constraints in the implementation of their programmes: "I have a number of projects in the development context… Here, it takes between six and nine months to open up a project. Everything is infiltrated, it's a global context, the staff as well. The staff is not prepared to take risks", said a French head of mission of an international medical NGO. This last remark concerning the relationship with Ethiopian personnel will be developed below.

Generally speaking, we can therefore say that most NGOs have to make concessions in the field, even though they often have the feeling of being manipulated by ARRA. They try to see their objectives through whilst staying within the rules, which requires them to be adaptable, flexible and patient, though they sometimes try to circumvent government pressure, as in the case of MSF France.

The MSF "affair": to stay, to denounce, or to be expelled

Due to the constraints presented above, NGOs sometimes have to make political choices: to stay, to give in to the requirements of the Ethiopian context, to publicly denounce situations which do not conform to the principles which they stand for, to leave and close down their programmes, or to be expelled.

MSF is one of the organisations to have experienced numerous disappointments in Ethiopia. It has been expelled several times, most recently from its mission in Gambella in July 2015, where the NGO was overseeing health programmes in the camps. As is often the case for expulsions in Ethiopia, the reasons for this decision are multiple and imprecise. The community of NGOs on the ground did not hesitate to analyse the possible explanations and rank them in order of plausibility, because the Ethiopian authorities do not clearly formulate the reasons for their decisions. We are basing ourselves here on a number of interviews with a former executive at MSF France and one of its Ethiopian employees, as well as on reflections advanced by several other people from different humanitarian organisations (often in management positions), which held sway after the recent expulsion in 2015.

In the case of MSF France, a substantial part of the NGO's international team did not have valid work permits. Yet the organisation was not the only one in this position: others had similarly failed to complete the process to obtain work permits for short-term secondments, covered by three-month visas. It could therefore be a question of the proportion of the personnel in an irregular situation with regard to labour laws, a proportion which some people amongst interviewees from other NGOs judged to be particularly high in MSF France compared to other organisations. However, MSF France was able to continue its activities in this situation for several months without any official warning, before the sanction of expulsion was delivered. Other commentators suggested that the sanction was justified by the fact that MSF was importing medicine without following Ethiopian supply laws. Lastly, we were told by members from a branch of MSF affiliated to another country that the rejection may be due to the management of wounded soldiers involved in the conflict in South Sudan

by French teams, which may have upset the Ethiopian authorities. Whatever the reason, everyone we spoke to about this situation, be they MSF employees, former employees, or humanitarian workers from other organisations, considered the relationship between Ethiopia and MSF France to have been historically complicated[13].

It is nevertheless interesting to note that MSF France was not officially expelled from the country in 2015, but only ordered to cease activities. This was also the case for the ICRC in 2007 in the Somali region. Accused at the time of a number of mistakes, amongst which having supported ONLF Somali rebels (Ogaden National Liberation Front, a group founded in 1984 and fighting for the self-determination of Somalis in the Somali region, in the East of the country), the ICRC was forced to cease its activities in the region, whilst remaining in Addis Ababa. It would be several years before it was able to take up most of its programmes again, without however regaining authorisation to return to the Somali region[14]. Again in 2007, MSF Switzerland decided to shut down its programme in Fiiq, also in the Somali region, and to leave the country (MSF Halts Operations in Somali Region 2008). A statement by MSF attributed this decision to the impossibility of moving around, as well as to the intimidation which its teams were subjected to, which hampered them in their work. Yet public condemnation in Ethiopia leads to the obligation to leave the country, which is a difficult punishment for NGOs who take these kinds of decisions at headquarters, with regard to their different international activities. Some of them therefore prefer to shut down their programmes due to lack of access, but not to make their decision public, in order to be able to continue working in the country.

Regardless of the decisions taken, the expulsion of NGOs has repercussions on those who remain. They seek even more actively to conform to local rules. Expulsions can also have repercussions on the beneficiaries of aid. Unanimously, the regrets linked to the departure of MSF France in 2015 are due to the abandonment of its programme in Jewi, a camp in the Gambella region. The stabilisation centre put in place by MSF for the treatment of children with medical complications was taken over directly by ARRA. According to several humanitarian workers whom we met, who are still present in Gambella, the quality of the treatment provided by ARRA in this centre is inferior to MSF's treatment, and seen as such by the refugees who have since become reluctant to consult the camp's health services.

According to one of these humanitarian workers involved with a medical NGO, ARRA's strategy was to take over projects which had proved to be efficient, in order to consolidate its position in the field, sometimes at the expense of the beneficiaries of aid: "*ARRA usually waits until the facilities are built. ARRA doesn't really interfere in the hard time. The interference starts when things start to calm down.* (…) *And when ARRA takes over, things start to deteriorate.* (…) *From the very day of the takeover, it deteriorates. ARRA nurses sleep! […] The refugees stop going".*

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[13] Amongst other things, the organisation chose to denounce the forced displacement of populations in the middle of the 1980s, when it was trying to contain the effects of the famine in the north of the country.

[14] The ICRC is moreover known for having helped the rebellion struggling against the *Derg,* like a number of humanitarian organisations at the time. An ICRC employee told Gabrielle Bayle in Addis Ababa in 2008 that Ethiopia did not like the idea of an independent, neutral and impartial organisation.

Recruitment and work with nationals

Relationships between expatriate and local team members seem to present challenges in most humanitarian contexts of intervention. Due to differing cultures and expectations regarding work, differences in salaries and social norms, but also as a result of the relatively limited amount of time that expatriate personnel spend in each operational context, the dynamics of mixed expatriate-national teams are sometimes complicated. In the context of this study, we sometimes noticed reticences expressed by foreign managerial personnel concerning team work with Ethiopian personnel, even though NGOs strongly depend on Ethiopian employees, without whom it would be impossible to ensure the continuity of good relations with the Ethiopian administration in charge of authorising humanitarian work. All the people interviewed admitted to relying (sometimes against their will) on certain members of the personnel, such as the administrator or field officer, to obtain or renew the work permits. These employees play a key role in the good functioning of the NGO and in the relationships which the latter maintains with the administration. The departure of these members from the staff can have disastrous consequences for NGOs wishing to renew their license or get approval for their annual budget.

Some NGOs rely on expatriate but Amharic-speaking personnel, which allows for a better understanding of Ethiopian work culture, and enables more flexibility with regard to administrative procedures. Finally, others keep or hire staff from other organisations, who are expatriate employees benefiting from privileged relationships based on years of working with Ethiopian authorities.

On the other hand, a number of expatriates seem to fail to create relationships of trust with the local personnel, as well as with the Ethiopian administrations. They generally leave the task of managing the administrative procedures to their local administrators, and limit their professional relationships with a team which they do not understand very well. They sometimes speak of an "Ethiopian mentality" which is difficult to manage. This explains for example why certain heads of operations of NGOs seem to misunderstand the process of registering with the ChSA, which amounts to renewing the license for activities every three years, and not every year as they may believe, to which may be added the presentation of the annual report, the auditing report, and the funding plan every year. Others, whilst conscious of the constraints produced by an omnipresent administration, accept to content themselves with the situation in which they are operating as long as they are able to carry out their work, with regard to the substantial humanitarian needs in Ethiopia.

As a general rule, a number of expatriates have an idea of a specifically Ethiopian professional culture, made up of hierarchies, constraints and suspicion. A head of mission for a French NGO therefore insisted: "We have very good executives, but I know that it's not possible [...] Risk-taking, even in fantasy, is not manageable [...] An Ethiopian who is not held by constraints, that's not possible. If there is no escape as soon as he makes a mistake, he's not going to do it [...] The cultural factor really exacerbates this". Ethiopia is therefore seen as a country where the spirit of initiative is hampered by the fear of negative sanctions, itself due to the weight of power structures accepted by just about all. Whilst these ideas are marked by culturalism, they deserve to be understood in a more general intellectual context, shared by development practitioners and the academic world, which sees Ethiopia as a state where hierarchical structures and rigid practices of power are culturally desired and accepted (Vaughan and Tronvoll 2003; Levine 2014). This general perception of social relations in Ethiopia, which it would be wrong to see as being particular to the humanitarian field,

clarifies the relationships between expatriates and Ethiopian employees. The culturalist interpretation of social relations in terms of "Ethiopian power culture" hides the concrete effects of the population guidance mechanisms put in place by the Party-State (Lefort 2010; Lefort 2007; Emmenegger, Sibilo Keno, and Hagmann 2011; Labzaé 2015; Clapham 2002). We should therefore reverse the analysis: rather than attributing the submission to the "culture of power", humanitarian actors and academics alike would benefit from questioning the concrete effects of the guidance structures in which they are situated, and their capacity to model professional practices. The near-absence of Amharic-speaking expatriates ends up exacerbating these culturalist perceptions, by making translation mechanisms more expensive (in terms of time, especially).

Finally, the vagaries of humanitarian missions in Ethiopia, added to the access restrictions to certain fields, justify the shutting down of certain offices. Tensions between expatriate and local personnel subsequently arise when activities develop again and local personnel have lost the habit of working in emergency situations.

Evaluation

In short, NGOs are supervised and measured. Nearly everything must be translated into figures, from the methods of intervention, which are very normative according to international standards such as those of SPHERE (Humanitarian Charter and Minimum Standards in Humanitarian Response, based on a project launched in 1997 by the Red Cross Movement and a number of NGOs), to the reports given to the Ethiopian government specifying the number of "beneficiaries" who had been helped or how the NGO is responding to the 70/30 law. This squares with the practices of the Ethiopian government, where objectification by numbers is seen as a way of ensuring the objectivity of agents' concrete performances, including NGOs: "In terms of SPHERE-type standards, there are no concessions. Humanitarian standards are based on quantity rather than quality. Everything to do with statistics, that's where we're at. The government is very attached to these figures, in terms of statistics!", declared a French head of mission for an international medical NGO, embodying an observation that had often been mentioned by other humanitarian actors.

Conclusion

One of the main conclusions drawn from the analysis of the interviews brings us back to the predominant role of ARRA, which constrains NGOs, and which the latter cannot escape without risk of running into additional problems: "When you say no to ARRA, it's not alright". At the same time, the rules, which are very strict, are often unclear and changing. The impressions often differ from reality: a document sent in order and passing a number of administrative stages can be rejected for a new reason by a new actor. It is the same for evaluations and meetings: "Here, we always come out from meetings feeling positive, and then nothing happens", complained an expatriate NGO executive who has been in the country for a long time.

ARRA, which has become an essential partner for any programme in the refugee camps, also seems to encourage a kind of competitiveness between NGOs who are seeking to obtain funding and work authorisations. "There are needs, and that attracts funding", stated an expatriate head of mission, referring to the fact that this further complexifies work in the country. For example, in Jewi (a camp in the Gambella region created in 2015 following flooding in other camps), there are 31 NGOs present, of which 4 which look after the hospital. For an employee of a big medical NGO

working in Gambella and in various other Ethiopian sites, "*this is, here, a fight for the funding. Most NGOs follow the money* (...) *It's a funding issue, most of the funding for Gambella is really linked to the camps.* (…) *In Gambella, you can feel the sponsors* (...). *The sponsors have a very powerful impact.*" This feeling was often expressed by Country Directors or expatriate executives of international NGOs. We can therefore observe that, beyond the difficulties specific to Ethiopia, the influx of money creates competition between NGOs and contributes to maintaining an unstable climate in an already turbulent humanitarian landscape. One of the interviewees stated that this allowed the government to keep the upper hand on foreigners, namely by having the means to shut down missions, or to dominate NGOs in a permanent manner in order to better control them. A head of mission for a big international NGO specified: "Clearly, the Ethiopian government does not wish for expats to go and see what's happening".

Generally speaking, humanitarian actors allude to the legitimate right of a country to ensure its national sovereignty, to establish itself as a strong state in the face of the "right to intervene", which could leave it without a voice, or criticise it. They observe that this is a strong trend, that a growing number of governments which are beneficiaries of aid want to control NGOs in a stricter way: an expatriate Country Director of an international NGO noted elsewhere that "there is a strong tendency to increase the administrative constraints throughout the country. We have to adapt". We might think here of the cases of Russia, Bangladesh, Uzbekistan, etc. The Ethiopian State's capacity to "use" aid organisations has even regularly aroused a certain admiration: "I've never seen a government exploit the weaknesses of NGOs so well! They're really talented!" exclaimed a French head of mission representing a major medical NGO, after several years' of working in the country. Incidentally, his colleagues maintain on the one hand that "we have no hold on Ethiopia", and that "it's not the most difficult country! It's crude, but there are others [...] Here we can sit on our chairs and wait for things to pass".

Structurally, Ethiopia is still at the top of the bill in the humanitarian field. For the head of mission mentioned previously, "Ethiopia, yes, it's a spot [...] There's an emergency per year, if it's not the refugees, it's the climate, every year, it's the same. [...] Those who left come back, or are unable to! You need real funding. It's a war of the giants". NGOs *must* be present in Ethiopia in order to impose themselves on the global humanitarian scene. This comes at a price, in view of the principle of impartiality. But the alternative is not easy: again, according to the same interviewee: "either we stop working here, and we say "we're not going to intervene in the next crisis, the 300 000 Eritrean, Sudanese, Somalis who are going to arrive here?" Can we say that? Can we, ourselves, say that? Do the others say it? [...] I am very attached to the French NGO spirit, we always say that the wellbeing of the beneficiaries comes first. And they [the government] know that very well. Everyone knows it, but everyone plays the game. They're very talented". Indeed, working in Ethiopia now requires resources and strong investment in administrative procedures, hence the importance, for small NGOs, of not getting thrown out of the country, since they would have a hard time getting back in.

Nevertheless, the Ethiopian government still needs NGOs. According to a head of mission for a major international NGO which has been present in Ethiopia for a long time, "They want to keep the upper hand, but even if there are internal resources in Ethiopia, they are not sufficient nor sufficiently trained" (especially with regard to emergency workers). Moreover, the country is committed to preserving its reputation which means that sponsors, public and private, remain

inclined to finance their aid requests.

There remains the question of the feasibility and quality of the programmes undertaken, which is undermined by the numerous constraints observed in this study. A "country director" of an international NGO based in France told us, "Where I draw a true limit, and where I think French NGOs should draw a true limit, is the capacity to implement quality actions. Today, we're doing better in South Sudan than here!". Yet, he added, it is not a question of doing "what was acceptable in Ethiopia ten years ago. Ethiopia has not moved, but the world has changed. Today, the world of aid has changed, we want to do quality things". This raises the question of transition, the transmission of this professionalised humanitarianism which prioritises quality to the national authorities and their operational agencies, a question which was present throughout this study.

Hence, finally, the issue of recognised status by national authorities for international humanitarian actors: the space for "operational" NGOs, which are efficient but "complying", seems guaranteed in countries like Ethiopia, because of the real needs, and real regional challenges, as well as for reasons of international reputation. Yet it seems that it is a different matter for "advocacy" NGOs. MSF's experience in Ethiopia is interesting because it combines the two aspects, an amply tested and recognised operational capacity in different fields (as it showed in the Jewi camps), whilst preserving the right to speak out to condemn anything that contravenes the principles it upholds (which incidentally allows it to distinguish itself from other more legalistic, cautious NGOs, who have more significant budgets in the field).

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