

**REPORT OF THE FEDERAL
DEMOCRATIC REPUBLIC OF ETHIOPIA
ON THE IMPLEMENTATION OF THE AU
SOLEMN DECLARATION ON GENDER
EQUALITY IN AFRICA**

AUGUST 2006

Acronyms

ACRWC	African Charter on the Rights and Welfare of the Child
BPAC	Beijing Platform for Action
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CSA	Central Statistical Authority
EPA	Environmental Protection Authority
ESDP	Education Sector Development Program
FDRE	Federal Democratic Republic of Ethiopia
FGM	Female Genital Mutilation
HEP	Health Extension Program
HIV/AIDS	Human Immunodeficiency Virus/ Acquired Immunodeficiency Syndrome
HSDP	Health Sector Development Program
HTP	Harmful Traditional Practice
IOM	International Organization for Migration
MDG	Millennium Development Goal
MOLSA	Ministry of Labor and Social Affairs
MOWA	Ministry of Women's Affairs
NCTPE	National Committee on Traditional Practice of Ethiopia
RBM	Roll Back Malaria
TB	Tuberculosis
TVET	Technical and Vocational Education and Training

INTRODUCTION

Like many African countries, the majority of women in Ethiopia hold low status in the society. They have been denied equal access to education, training and gainful employment opportunities and their involvement in policy formulation and decision-making processes has been minimal. Women play a vital role in the community by taking care of all social activities. However, they do not enjoy the fruits of their labor and suffer from political, economical, social and cultural marginalization.

Although women constitute 49.8% of the population and contribute their share in agricultural production and other household activities, they have not benefited from their labor equally with their male counterparts. The participation of women in qualified jobs and related fields is at its lowest level. For instance, the National Labor Force Survey (CSA, 1999) indicates that women account for only 23.9% in technical and professional fields. The majority of women perform tiresome, low paid and even unpaid jobs. The 1994 census on employment also shows that women represent only 27.3% of the total government employees and 93.2% of them are engaged in low-grade jobs.

The Government of the Federal Democratic Republic of Ethiopia (FDRE) formulated several laws and policies to promote gender equality. Particularly Article 35 of the Constitution of the Federal Democratic Republic of Ethiopia clearly stipulates the rights of women. The government has also been promoting the mainstreaming of gender in all its development policies and strategies to address gender inequality.

Women's National Policy was formulated and adopted in 1993 in order to address gender inequality. National institutional machineries were established at federal, regional and Woreda (district) levels to implement the policy. The Women's Affairs Office has been reestablished as a full-fledged Ministry in October 2005 with the duties and responsibilities of ensuring participation and empowerment of women in political, economical, social and cultural matters.

The Labor proclamation No 42/93 as well as the newly amended labor law 377/2004 stipulates that women shall not be discriminated against employment and equal payment on the basis of their sex. It also prohibits employment of women on a type of work that may be harmful to their health. The criminal code/penal code has been recently revised and amended to address discrimination against women and protect them from criminal acts such as rape, abduction, Female Genital Mutilation (FGM), sexual exploitation and harassment ...etc. The Criminal procedural code has also been revised

and the first draft has been submitted to the Council of Ministers. The document is forwarded to the parliament for further comment and approval.

The 1997 Federal Rural Land Administration Law has provisions on equal rights of women to land. The Federal Government and 3 Regional States have enacted Land Use and Administration Laws that took into account the issue of gender. Proclamation No.9/1995 that established the Environmental Protection Authority (EPA) also ensures women's environmental rights. The Civil Service proclamation No.262/2002 provides equal employment opportunity for both sexes.

Moreover, efforts have been made to address the problem of gender inequality and gender based discrimination in the Education and training policy. Economic Reform policy that was formulated in 1992 also aims to promote economic development and improve the living standard of the most vulnerable sections of the society, particularly women. The economic policy ensured equal rights of agricultural land use, control and participation of women in extension services. The Health Policy, Developmental Social Welfare Policy, Cultural Policy, the Policy on Natural Resources and the Environment, the Civil Service Proclamation, Pension Law, Penal Code...etc. aim to improve the livelihood of women.

HIV/ AIDS and Other Related Infectious Diseases

There are basic supportive legal grounds conducive for combating the HIV/AIDS pandemic and other related infectious diseases, among which, the following are the major ones. Article 34 (4) and article 35 (9) of the Constitution provide the right to health care and the right to protection from harmful customs and practices. Moreover, Article 35 (7) of the Constitution provides equal rights for women with regard to inheritance and property rights. On the other hand, article 514 of the Penal Code makes any deliberate or negligent act to transmit any kind of disease to a person punishable by law. Efforts are underway to enact specific law for HIV/AIDS. The legal provisions regarding gender-based violence are specified in the gender based violence section.

However, there are many challenges with regard to implementation because of lack of awareness and other social barriers. There is also a problem of capacity in the judiciary. The hope is that the Justice Sector Reform Program currently underway will help resolve this problem.

There are a number of measures being undertaken to improve the health conditions of the society in general and that of women in particular. There are

commitments made at international, regional as well as national levels to meet the Millennium Development Goals (MDGS) on health. The government of Ethiopia designs and implements the Health Sector Development Plan (HSDP) every five-years and the third HSDP (2005/6-2010/11) is currently under implementation. Among other components of the HSDP, the Health Extension Program (HEP) aims to effectively address primary health care by focusing on prevention through community participation.

Infectious and communicable diseases account for 60-80% of all diseases in the country. Therefore, to speed up the implementation of HSDP and achieve the health coverage target, training of health agents is being conducted. These health agents in turn will train women extension workers. The major responsibility of health extension agents is to teach and engage the community through door to door visits and teach them about preventable diseases including HIV/AIDS.

A policy on HIV/AIDS was formulated and the major focuses of the strategic plan, which has been prepared for the implementation of the policy include:

- 1) Building the capacity of key sectors such as health, education and civil society organizations in terms of technical knowledge, infrastructure and systems;
- 2) Integrating HIV/AIDS work with health extension program;
- 3) Mobilizing the community;
- 4) Providing multi-sectoral response;
- 5) Giving special focus to vulnerable groups (youth, sex-workers, mobile workers, the army and teachers);
- 6) Involving of the leaders in the planning and implementation process.

The National Council of HIV/AIDS whose members are drawn from governmental, non-governmental, religious and community elders is entrusted with the task of monitoring the implementation of the policy, whereas HIV/AIDS prevention and control offices established at each administrative region are responsible for day-to-day activities.

Efforts are underway to expand health facilities in order to render effective health services. According to Health and Health Related Indicators produced by the Ministry of Health, in the last five years the number of health centers, health posts and private clinics has increased from 382 - 600, 1,023 - 4,211 and 1578 – 1170, respectively. In the 2005/06 report of the HIV/AIDS Prevention and Control Office, it is indicated that volunteer counseling and testing service was provided in 658 health institutions but the number of beneficiaries was only 229,850(female) and 221,537(male) in 2004/05.

HIV/AIDS treatment services were provided in 73 health institutions and about 94% are treated free of charge, of which the majority are female.

These notwithstanding, however, there are a number of cultural and socio-economic barriers including poverty, unemployment, expansion of prostitution, illiteracy, migration, HTP, discrimination...etc. According to the Fifth Report on HIV/ AIDS (2004) issued by the Ministry of Health, the total prevalence rate is 4.4 %. Out of this figure, 54% are female of which 96,000 are less than 15 years of age. The estimated number of orphans who lost their parents due to HIV/AIDS is about 537,000.

Malaria prevention and treatment mechanisms are in place in line with the National Strategic Plan for Control of Malaria in Ethiopia, which is prepared based on the framework of the WHO Global Roll Back Malaria (RBM) Strategy. The objective of the plan is to reduce the burden of malaria, achieve the Abuja RBM target of 50% reduction by the year 2010 and enhance the utilization of ITN to 60% by the end of 2007. So far, early diagnosis and prompt treatment, spraying of houses with insecticides, distribution of ITN and promotion of community participation in the prevention and control of malaria have been identified as priority areas for intervention (HSDP III).

Also part of the HSDP is the TB and Leprosy control Program whose objectives include reducing the incidence and prevalence of TB and Leprosy as well as the occurrence of disability and psychological suffering related to both diseases. Today the mortality resulting from TB is reduced to such extent that both diseases are no longer public health problems.

The constraints that are impeding the effective implementation of both malaria and TB programs, among others, are shortage and high turnover of personnel, inadequate community and private sector participation. The government is committed to improving the health condition of the society in general and that of women in particular, through expansion of health service facilities and increased budget allocation to the sector annually.

Prohibition of the Recruitment of Child Soldiers

There is no child soldier recruitment in Ethiopia and, therefore, no program has been designed to support the rehabilitation of child soldiers as well as campaign to discourage and eliminate the recruitment. There are basic rights to protect children from man-made and natural calamities including hunger, epidemics, armed conflicts and

displacement. The government has demonstrated its commitment to the cause of children by its endorsement and ratification of the Convention on the Rights of the Child in December 1991.

In line with Article 22 (2) of the African Charter on the Rights and Welfare of the Child, “no child shall take a direct part in hostilities and refrain in particular, from recruiting any child”. Article 36 of the Ethiopian Constitution also stipulates that “children are not to be subjected to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to his or her education, health or well being”. The Ethiopian Labor Law forbids employment of a child under the age of 14 years. Children who are over 14 and 18 years of age are categorized by the Labor Law as young workers and protected from dangerous jobs and prohibited to work after certain hours.

The convention protects children from all forms of abuse including physical, emotional and sexual abuse as well as maltreatment. Under the Ethiopian penal code, an offence against a person or a child is a punishable act. Rape is very grave offense under Article 589 & 597 of the Penal Code. The law also prohibits abduction and trafficking of children. Both the UN Convention and the penal code of Ethiopia provide for the protection of children against pornographic performance and materials. In order to monitor the implementation of the Convention, Child Right Committees have been established at various levels. In addition, several workshops and seminars have been conducted to raise awareness, particularly among those who are directly involved with the well being of children.

Gender Based Violence

The constitution has provisions that protect victims of harmful traditional practices, for all its citizens and particularly for Women. Article 35(4) stipulates that the State shall enforce the rights of women and that laws, customs and practices that oppress or cause bodily or mental harm to women are prohibited. Rape, abduction, female genital mutilation and early marriage are some of the main gender based violence perpetrated against women in our society.

In a baseline survey conducted in 1998 by the National Committee on Harmful Traditional Practices on ethnic groups in the country, it was reported that there are some 88 forms of Harmful Traditional Practices (HTPs), 90% of which are found to have negative consequences on the physical and mental health of Women and Children.

Recommendations were made by this and other related studies to formulate a specific law or revise the existing laws to mitigate HTPs against women. Accordingly, different measures have been undertaken in order to amend discriminatory legislations. For instance, the revisions made in the family code, among others, include the following major amendments:

- Whereas the minimum age for marriage which used to be 15 and 18 for female and male, respectively, has been revised to be 18 years for both sexes.
- The revised code came up with a provision that common property shall be administered jointly by the spouses unless there is an agreement, which empowers one of them to administer all or part of the common property.
- It permits divorce by mutual consent of the spouses and it is not classified in serious and other cases unlike the previous provisions, which was considered to be discriminatory against the woman.
- It limited the role of family arbitrators who used to refer divorce cases to be entertained by courts.
- It also states that marriage should be based only on the consent of the spouses.

The criminal code is also revised taking into account the issue of gender. It has the following punishable provisions, which did not feature in the previous code.

- Endangering the lives of pregnant women and children through Harmful Traditional Practices.
- Causing bodily injury to pregnant women and children through Harmful Traditional Practices.
- Violence against a marriage partner or a person cohabiting in an irregular union. Female circumcision and FGM are also punishable. Whoever circumcises a woman of any age and infibulates the genitals of women will be punished.

The previous code has had a provision that criminalizes abduction. The abductor may be punished with rigorous imprisonment not exceeding three years. According to the new criminal code, abduction is a crime notwithstanding conclusion of marriage following the act. The intention of the abductor to conclude marriage with the victim does not have any bearing on his responsibility for the crime. When the abduction is

followed by force, the abductor is liable to the penalty prescribed for rape in addition to the penalty for the crime of abduction. This raises the punishment to twenty years rigorous imprisonment (Article 620).

Early marriage is another form of gender based violence. It is a harmful traditional practice common in most parts of our country. The national rate for early marriage stands at 54%. Although early marriage is not stated in the chapter on HTPs, in the new criminal code it is considered as a punishable act (Article 648). The government has accorded particular attention to the issue of gender based violence and the National committee on Traditional Practices in Ethiopia (NCTPE), the Ministry of Women's Affairs (MoWA) and others government bodies are striving towards the elimination of gender based violence and HTPs. Measures have been taken to enhance the capacity of law enforcement agencies as well as journalists to address gender-based violence through workshops, trainings and symposiums. The National Plan of Action for Gender (2000-2010) particularly addresses gender based violence, FGM and other harmful practices and Sectoral Ministries, Regional Offices and NGOs are implementing it.

Gender Parity

Article 3 of the constitution provides equal opportunity for women to participate in the decision making process by giving them the right to vote and be elected. In this regard, a number of measures have been taken in terms of advocacy, lobbying and awareness creation in order to increase the participation of women in the decision making structures of the country. Though much still remains to be done, there are noticeable achievements in the participation of women particularly in the parliament as well as in regional councils. The ruling party took an important stride by making 30% of its candidates for 2005 election to be women. As a result, the number of women in parliament has increased significantly.

The Civil Service Reform Programs also contributed a lot to women's participation in decision-making. Article 13 (1) of the Civil Service Proclamation No 262/2002 prohibits discrimination among job seeker on the basis of sex. The proclamation also incorporates an affirmative action by stating that preference shall be given to female candidates who have equal or close scores to that of male candidates. The representation of women in the different decision making structures is shown below:

Women's Representation in Federal Parliament

	2000		2005	
	Male	Female	Male	Female
House of People's Representative	502	42	413	117
House of the Federation	110	7	91	21

Source: House of People's Representatives

The number of elected women has also increased at regional level. In Oromiya from 537 seats 199, in Tigray from 157 seats 76, in Afar from 82 seats 8, in Somali from 160 seats 5, in Harari from 36 seats 7, in Amhara from 250 seats 84 and in Southern Nations, Nationalities and Peoples Region (SNNPR) from 347 seats 95 are women.

Women's Representation in the Executive Branch

Positions	2000		2005	
	Male	Female	Male	Female
Ministers	16	1	20	2
Deputy Minister/State Ministers	12	4	30	5
State Ministers			30	5
Ambassadors	16	4	35	3

Source: Federal Civil Service Agency

Human Rights of Women

The Ethiopian government has signed and ratified important regional and international instruments that promote and protect the rights of women. The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was ratified in September 1981 and periodical reports have been submitted on its implementation. The African Charter on the Rights and Welfare of the Child was ratified in December 2002 and the National Action Plan for Children has been prepared for its implementation. The UN Convention on the Rights of the Child (CRC) was ratified in September 1990 and the Ministry of Women's Affairs is given the responsibility of overseeing its effective implementation.

The Human Rights Commission was established in 2000 with the objective of sensitizing the public about human rights, ensuring that they are respected and take

necessary measures where they are found to have been violated. Similarly, the Ombudsman was established in 2000 with the objective of fostering good governance, the rule of law, by way of ensuring that citizen's rights are respected.

Right to Inheritance of Land and Property

The Constitution gives special attention to women's equal economic rights, equal acquisition and inheritance of property including land. According to the Federal Rural Land Administration Law (1997), the land administration law of each Administrative Region shall ensure the equal rights of women in holding, administering, and transferring land. It also provides for women's participation in decision-making on land-related matters.

The following are important steps taken to strengthen women's role in the country's economy:

- Registration of the names of both spouses is undertaken in the rural areas of the country in order to solve the problems women face to access land.
- The National Food Security Program regards women as its priority target group. Specially, women from food insecure households in rural areas of Ethiopia get support through productive safety nets including public works and direct income support.
- The Technical and Vocational Education and Training Program (TVET) of the Ministry of Agriculture and Rural Development take into consideration affirmative action. This has been helpful to increase women's access to services where female agents are responsible for the delivery of extension services.
- Women in Urban areas of Ethiopia have equal access to employment opportunities and are entitled to equal payment for equal work. Ethiopia has ratified international conventions that ensure non-discrimination in employment opportunities. The Constitution and the Civil Service Proclamation give guarantees to this end. Domestic labor laws are also reviewed in such a way to integrate the rights of women.
- The government is taking measures to alleviate the burden of self-employed and other women employees living in urban areas. Credit services rendered by governmental and non-governmental organizations give special attention to poor women. Priority is also given to poor women in the distribution of low cost houses built by government.

In conclusion, it is important to note that despite the government's effort, misconception and lack of awareness towards the issue of gender is a challenge in its effectiveness. The Second National Development Program has taken this situation into consideration and is prepared in such a way that gender issues are fully integrated in the government's efforts to achieve sustainable growth.

Education

The Ethiopian government has committed itself to various national, regional, and international initiatives to eliminate gender-based disparity in terms of access to education. Progress has been made with regard to achieving the MDGs ("Goal 2: Achieve Universal Primary Education" and "Goal 3: Promote Gender Equality and Empower Women) and implementing the Beijing commitments.

The National Education Policy, which is prepared in the spirit of achieving the Universal Primary Education by 2015, recognizes the importance of affirmative action in enhancing girls'/ women's participation in decision-making. Education Sector Development Programs, which are prepared on the basis of the "Education for All" (EFA) initiative formulated at the Jomtien (Thailand) World Conference, are being implemented throughout the country with the objective of achieving gender equality in education by 2015. The government's dedicated efforts have led to progress in reducing gender disparity in education.

The following are some of the major achievements:

- The establishment of women's affairs departments, within the Ministry of Education and at regional level, has facilitated the coordination and follow-up of the implementation of gender mainstreaming. This has not only prevented social and cultural barriers to women's education but has also created a women-friendly environment. Furthermore, it has helped to diffuse curricular textbooks and teaching materials that are free of gender based discrimination.
- Guidelines, which encourage the participation of the community in the decentralized education system, have been drafted and implemented to promote the education of girls. The education board, with members drawn from teachers, parents, women and youth associations, was established at the grass roots level. Guideline for integrating gender issues in the preparation of the teaching-learning

materials has also been developed and the curriculum is being reviewed every two years to ensure that gender issues are included.

- Trainings have been provided to the professionals of the education sector on gender and related matters. This has contributed to the effective implementation of gender mainstreaming.
- Notable sensitization and advocacy activities were undertaken at all levels in order to abolish cultural discriminatory practices. Some types of discriminations, on which greater focus was made, were the preference of sons over daughters and traditional practices like early marriage, widely practiced abduction and rape.
- Different guidelines, checklist and training manuals related to gender mainstreaming, have been prepared and disseminated to schools in order to promote a female-students' friendly environment in schools. Most Regional Administrations have also developed five-year strategic frameworks to increase the enrollment of girls in higher educational institutions. Gender focal points have also been established to assist and encourage girls to join gender-stereotype fields of study such as science.
- Strategy has been formulated to increase the school enrollment of girls in pastoral areas. The committee, which has been set up at the House of Peoples' Representatives to follow up the implementation of the development program undertaken in pastoral areas, has also contributed to girls' education in pastoral areas.
- Efforts were made to encourage women participate in informal education programs. However, participation was lower than expected and women's heavy and tedious workload has been noted as the major factor.
- Activities are underway to provide financial assistance to needy females.

The concerted effort of the government and non-governmental organizations has resulted in an increase in the level of girls' primary school enrollment, which was only 19 % 15 years ago. The following data indicates the growth in girl's enrollment in schools.

Gross Enrollment Ratio in Primary School (1-8)

Indicator	2002/2003		2003/2004		2004/2005	
	Male	Female	Male	Female	Male	Female
GER at Primary (1-8)	74.6	53.8	77.4	50.1	88.00	71.5
GER at Secondary (9-10)	24	14	28.2	15.9	34.6	19.8

Source: Ministry of Education

Education is one of the priority areas of the government and the Third Education Sector Development Program (ESDP III), which was launched recently, continues to give greater attention to gender.

The Protocol on the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

The Ethiopian government has signed the Protocol on the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in June 2004 and the ratification process is underway. As it was mentioned above, Ethiopia has already ratified international instruments such as the CEDAW and remains committed to many of the other regional, continental and international conventions.