

**Implementation of the International Convention on the  
Elimination of all Forms of Discrimination against  
Women**

**Combined Sixth and Seventh Periodic Report of State Parties**

**Ethiopia**

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## **Acronyms**

ABEP	Alternative Basic Education Program
AIDS	Acquired Immune deficiency Syndrome
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CERD	Convention on the Elimination of All Forms of Racial Discrimination
EWLA	Ethiopian Women Lawyers Association
ESDP	Educational Sector Development Program
EHRC	Ethiopian Human Rights Commission
FDRE	Federal Democratic Republic of Ethiopia
FGM	Female Genital Mutilation
FMOH	Federal Ministry of Health
FCSA	Federal Civil Service Agency
GER	Gross Enrollment Rate
GPI	Gender Parity Index
HIV	Human Immunodeficiency Virus
HTPs	Harmful Traditional Practices
HSDP	Health Sector Development Program
HSEP	Health Sector Extension Program
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ILO	International Labour Organization
IOM	International Organization for Migration
MDG	Millennium Development Goals
MOLSA	Ministry of Labour and Social Affairs
MSEs	Micro and Small Enterprises
NPAGE	National Plan of Action on Gender Equality
NEBE	The National Electoral Board of Ethiopia
NGOs	Non-governmental Organizations
NEWA	Network of Women Associations
NEPAD	New Partnership for Africa's Development

NER	Net Enrolment Ratio
NLFS	National Labour Force Survey
PASDEP	Plan for Accelerated and Sustained Development to End Poverty
RH	Reproductive Health
SNNPRS	Southern Nations, Nationalities and Peoples Regional State
STIs	Sexually Transmitted Infections
TVET	Technical and Vocational Education and Training
UNICEF	United Nations Children's Fund
UNFPA	United Nations Population Fund
WCI	Women Campaign International

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## **Introduction**

Since the submission of Ethiopia's fourth and fifth periodic report under Article 18 of International Convention on the Elimination of all forms of Discrimination against Women (CEDAW), the Government of the Federal Democratic Republic of Ethiopia has taken several measures to ensure gender equality based on CEDAW, the Millennium Development Goals, the Beijing Declaration and Platform for action and other relevant international instruments along with domestic legislations and policies. The reporting period has witnessed significant achievements towards gender equality and women's empowerment in a multitude of areas. Various affirmative measures and major policy enforcement mechanisms have been introduced and put to use in an effort to address the historical legacies suffered by women due to an age-old discrimination and thereby advance their socio-economic and political position. A special mention should definitely be made here of the establishment of the Ministry of Women's Affairs and the issuance and implementation of the Ethiopian Women's Development and Change Package.

This Report constitutes sixth and seventh periodic submissions under CEDAW. Since the State was able to harmonize its reporting obligations, this report should be considered with the Common Core Document already submitted. This report has been prepared in accordance with the latest reporting guidelines of the Committee on the Elimination of Discrimination against Women. In this respect, concerns which the Committee had raised in its Concluding Observations on the country's last periodic report have been addressed under the relevant sections of this report.

The preparation of this report has substantially benefited from data gathered for the country's overdue reports under CERD, ICESCR, ICCPR and CAT, which the State has already submitted to concerned treaty bodies. When necessary, the relevant sections or paragraphs of these treaty-specific reports are referred to in this report in order to avoid duplication but at the same time ensure adequacy of information. The Government believes that this report, taken together with previous reports under

CEDAW and the Common Core Document, would provide adequate information to show the extent of implementation of CEDAW in the country. The government would like to express its satisfaction in making this report and hope for constructive dialogue with the Committee of CEDAW.

## **Article 2: Gender Equality and Obligation to Eliminate Discrimination**

1. Throughout the reporting period, the government has been exerting its unreserved effort to eliminate discrimination against women in every sector and broaden the scope of their protection from unjustified acts of gender bias through a variety of measures. In addition to mainstreaming gender issues in all the policies and development programs of the country, the government has adopted specific implementation strategies and packages, to that effect.
2. The Development and Change Package of Ethiopian Women prepared by the Women's Affairs Office has the objective of ensuring equal participation of women in all sectors and is designed to overcome difficulties that hamper the on going course of the struggle for the realization of gender equality in the economic, social and political activities of the country. To fulfill the country's commitment to the Beijing plan of action; the MoWA has formulated a National Plan for Gender Equality (2006-2010) (NAPGE). This plan is geared towards the attainment of the MDGs and the objectives of gender equality enshrined in the 1995 Constitution of the FDRE, the 1995 Beijing plat form for action, the 2000 Beijing+5 political declaration and the outcome documents. The National Plan for Gender Equity has, as well, been incorporated in the 5-years development program of the government (PASDEP) with a view to inject gender consideration in the poverty reduction endeavors of the country.
3. The National Poverty Reduction Strategy adopted by the Government was framed in such a way that it accords due recognition to the women's legitimate share in the country's overall development. Their peculiar needs and interests are considered as pillars for the success of the strategy, whose programs are geared towards the improvement of girls' education, provision of clear water supply and raising the standard of basic healthcare for mothers and children with the aim of enhancing the general health condition of women.

4. In view of fulfillment of the women's need for agricultural inputs and technical facilities, it is spelt out in the same strategy that they shall gain access to productive resources such as land and credit services.
5. The initial focus of the Poverty Reduction Strategy has been the unhindered participation of women in the development process. Hence, the Government has taken strong measures in setting gender-responsive goals and targets with a view to reducing the workload of women so as to enable them fully participate in the political and socio-economic decision-making arena.
6. At this stage, it would be worthwhile to specifically mention that considerable progress has been made through the adoption of the new Criminal Code of 2005 which contains strong and comprehensive measures in support of women's rights and interests. Furthermore, protective legislations have been enacted on various occasions in terms of women's access to land, credit facilities and related supplies. Encouraging results have been registered in conducting awareness-raising workshops aimed at introducing gender dynamics into budgetary processes and resources allocation as well as capacity-building efforts to implement the strategy under consideration. PASDEP also prioritizes gender-mainstreaming in all spheres.
7. The principle of equality of men and women is incorporated in the FDRE's Constitution and in the Constitutions of National Regional States. It is also reiterated in all appropriate Federal and Regional laws including the Revised Family Code as well as labor and nationality-oriented legislations.
8. A major challenge in the protection of women's rights has been the lack of knowledge, among public authorities, of gender issues and the prevailing discriminatory attitudes towards them. As a result, emphasis has been given to the promotion of awareness about the role of gender and the rights of women at every level, particularly among public authorities.

9. Constitution provides for the right to equality of women in an unequivocal manner. It also stipulates that each and every governmental institution has the responsibility to enable the implementation of its relevant provisions to that effect. As a result, each government entity is required to combat and eradicate any form of institutional discrimination against women. In order to promote this understanding, awareness-creation and raising activities are vigorously carried out in collaboration with governmental and non-governmental organizations.
10. Although discriminatory laws and policies have been abrogated over time, the challenge to fully and effectively realize gender equality still remains due to the deep-seated attitudes stemming from outdated cultural legacies that customarily look down on women. In the face of such a mounting attitudinal problem to the detriment of women's position in society, a series of trainings have been prepared and rendered to civil servants at all levels with view of enhancing the degree of their general awareness on the issues of human dignity, gender equality and non-discrimination.
11. Of course, such a range of sensitization on gender issues has not been confined to the public sector alone. In an effort to eliminate any form of gender-based discrimination from its origin, awareness- creation activities have also been undertaken at individual and organizational levels. Religions and religious institutions have, for instance, been a major historical source of gender-based discrimination. It is with the hope of overcoming this anomaly that a clear-cut distinction has officially been made between religious and secular laws making it possible for women to resort to their preferred norms and institutions in case of civil matters and family complaints, depending on their respective faiths.
12. It should be underscored here that eliminating discriminatory practices against women is a multi-dimensional task, not solely and wholly given to the government. It requires the unreserved collaboration of various stakeholders at all levels and the entire community.

13. With this perspective in mind, several pieces of research sponsored by governmental and non-governmental organizations have been undertaken with a view to identifying the type, nature and magnitude of customs and practices harmful to the integrity of women. Based on the findings of this research, a wide range of measures has been taken to modify or abolish those customs and practices discriminatory to women and thereby detrimental to their multi-faceted development.
14. Most traditional customs and practices are, unfortunately, found to be overly discriminatory to women and girls, inevitably resulting in an unprecedented development gap between the two sexes. It is in full cognizance of this fact that the National Committee on the Eradication of Harmful Traditional Practices of Ethiopia has been launched with its main objective of identifying harmful traditional practices committed on women and vigorously works towards their elimination. Different HTP-eliminating committees have been established at every level in most regional states. These committees undertake frequent studies on HTPs practiced in their respective jurisdictions and hence try to get rid of same by awareness-creation and promotion campaigns throughout the community concerned.
15. Non-governmental organizations have played important role in these awareness creation programs in an effort to change negative social and traditional perspectives. The Regional Women's Affairs' Bureaus in collaboration with the Ethiopian Women Lawyers' Association (EWLA) has undertaken successive awareness-creation activities through a program designed to combat HTPs such as early marriage and abduction. The program essentially aimed at educating the community on the provisions of the criminal code regulating HTPs, creating awareness on the far-reaching consequences of same, demystifying the widely-accepted traditional and religious beliefs and establishing "watch dog" committee on HTPs that would mobilize the community to denounce the practice.

16. The newly adopted Criminal Code has been made gender-sensitive in order to ensure an enhanced protection for women in case their fundamental rights and freedoms are infringed. In fact, the code has criminalized harmful traditional practices and prescribed severe penalties for the perpetrators of such acts. Mention should also be made here of its innovative provision permitting women to optionally terminate their pregnancy under exceptional conditions such as when it occurs due to the perpetration of rape.
17. Although a lot remains to be done to change the longstanding misperceptions and stereotypes imbedded in the society, the multi-dimensional efforts carried out to improve the situation on the ground have now been starting to bear fruit in every public education campaign, where there is always some discussion going on as to what gender stereotyping constitutes, what its impact is and how it may be addressed.
18. The task of disseminating and making the Convention more available mainly lies with the mandate of the Ethiopian Human Rights' Commission, (EHRC). The Commission is currently in an active process of accomplishing this duty by having the human rights' treaties translated into various languages.

### **Article 3: Ensuring the Full Development and Advancement of Women**

19. The government has placed strong emphasis on the participation of women in the political, economic, social and cultural sectors of the nation. It has embarked on tremendous activities to ensure the development and advancement of women in all fields and guarantees the full and unhindered exercise and enjoyment of their human and fundamental rights on the basis of equality with men. All appropriate measures such as legislative, executive and administrative are taken to protect and promote their human dignity and equality are highlighted and discussed under each Article pertinent thereto.
20. In terms of institutional setup, the Ministry of Women's affairs was established with cabinet status and mandated to take over the functions and responsibilities

of the former Women's Affairs Division under the Office of the Prime Minister in a rather sustained and inclusive engagement. The very purpose of its elevation is to render a comprehensive protection and promotion of the rights of women in equal terms with men.

21. Apart from the Ministry, each and every Federal Ministry has been structured in such a way as to consist of a department designated to take care of women's affairs from the standpoint of its statutory mandate. The special divisions of our national human rights' institutions, formally responsible for monitoring the implementation of human rights and fundamental freedoms in favor of women and children also form part and parcel of the institutional framework that we have put in place. This does not preclude a broad spectrum of women's affairs' structures of similar fashion at the Regional, Zonal, Woreda and Kebele Administrative levels. Obviously, all are designed and set up to work for the full development and advancement of women.
22. The majority of staff members currently working for women's affairs at both the Federal Ministries and Regional States (78% and 84.4% respectively) have taken short-term and updated trainings relating to gender mainstreaming as part of capacity- building programs. In fact, there still exists a striking knowledge gap in both the Federal and Regional governmental organs, considerably calling for more short-term and enhanced training on women and children-related agenda.
23. As far as the provision and fulfillment of technical expertise and office facilities is concerned, women's affairs departments fortunately attached to the already-developing Federal Ministries and Regional Bureaus are somehow well off (68% and 84% respectively) as compared with the newly-established independent Ministry and Bureaus of Women's Affairs themselves which are less resourced and less equipped under the circumstances. Undoubtedly, the shortage is acute in those least-developed regions inaccessible from the center.

24. A number of measures have been taken to accommodate a gender perspective in the formulation and refinement of various policies and programs with the view to promote and protect the human rights of women and girls. (See core document 201-206). From the very outset, gender has been mainstreamed in the Constitution of the FDRE and those of the regional States as well as the county's subsequent policies and legislations. In addition different regions and federal ministries use their own gender main streaming guideline. Moreover, currently, preparation is underway by the Ministry of Women's Affairs to produce a draft National Gender mainstreaming document, the issuance of which is to serve the facilitation of women's participation in the formulation and implementation of policies, programs and strategies. By virtue of its capacity to participate in the executive Council of Ministers, the Ministry does, in particular, play a pivotal role in the preparation of various government policies and other similar instruments by effectively mainstreaming gender equality.

25. Although the Government has made tremendous efforts to ensure the full development and advancement of women in all fields, it has to be admitted that much remains to be done if the full and effective exercise and enjoyment by half the populace of all human and democratic rights is to be realized without any form of distinction or exclusion on the basis of sex. Resource constraints, traditional harmful practices and the low-level of knowledge and awareness on human and democratic rights of women on the part of our ordinary citizens and institutions still constitute the major factors and difficulties that substantially hamper their desired progress and transformation.

#### **Article 4: Acceleration of *De facto* Equality between Men and Women**

26. The official recognition of *de jure* equality between men and women in our legal system does not automatically guarantee that women will in reality be treated in the same way as their counterparts. To that end, special measures have

been devised with the view to accelerate their actual equality both in society and the workplace.

27. First and foremost, the Federal Constitution explicitly provides for the historical legacies of inequality and discrimination suffered by women in Ethiopia to be taken into account while measuring the level of human rights' protection and enjoyment due to them at the time. In order to remedy this age-old legacy, women are henceforth entitled to a wide range of affirmative measures whose purpose shall be to give special attention to and thereby enable them to compete for and participate in political, social and economic life both in public and private institutions on an equal basis with men. The use of temporary special measures such as positive action, preferential treatment or the quota system in an effort to advance women's integration into education, economy, politics and the like are thoroughly articulated under the relevant national legislations and subsidiary rules.

#### **Article 5: Gender Roles and Stereotypes**

28. The Constitution has assigned a specific provision capable of guaranteeing the equality of men and women. It also urges the Government to enforce the ideals of gender equality by doing away with the negative influences of harmful laws, customs, beliefs and practices that oppress and or cause bodily or mental injury to women. The Revised Family Code also contains detailed stipulations on the common and shared responsibility of both spouses as regards the upbringing and development of their children.
29. The Criminal Code of 2005, unlike its predecessor, provides for a set of Articles instrumental to sanction violence against women such as FGM, early marriage, abduction and domestic violence in a more specific formulation by incorporating newer stipulations with heavier penalties.
30. Harmful traditional practices such as early marriage, FGM and abduction compounded with forced marriage are the most common forms of violence against women to which girls and women in Ethiopia are subjected. A research

conducted in six Regional States indicates that acts of FGM are widely practiced throughout the country. However, the number of cases reported may not be representative. Entrenched social convention and difficulty to find witnesses willing to assist the administration of justice by attesting to the facts or occurrences may have contributed to this situation.

31. According to the result of the population survey conducted in 2005, the nationwide prevalence of FGM was 74%, the highest rate being in Afar and the Somali Regional States (91.6% and 79 % respectively). However, the practice has shown a decrease; a baseline study conducted by the EDLDAM in 2008 indicated that FGM has come down to 56%. The most substantial decrease has been recorded in Tigray, SNNP, Oromia and Amhara Regional States. On the whole, the acceptance rate of the practice by the community has dropped from 60% to 31%.
32. Early marriage is another harmful traditional practice deep-rooted in the Ethiopian society. Despite substantial variations, it is prevalent throughout the country. The 1997 national prevalence rate was 31.1%. It is reported that over 61% of girls were forced to marry under 15 years of age in the Amhara Region alone. However, the prevalence has now dropped to 21.4% nationwide, according to the 2007 records. Although reliable statistical data is rarely available, succession of marriages is present in some rural pockets of the country.
33. Abduction of girls for marriage is a longstanding tradition in most parts of Western and Southern Ethiopia. Being cognizant of this fact, the new Criminal Code of 2005 has repealed the notorious article of its preceding Penal Code of 1957 which absolves the abductor of criminal responsibility in case he has concluded marriage with the victim. The code also prescribes heavier penalties along with aggravating circumstances, whenever abduction is accompanied by rape. There now seems to be a substantial decrease at the national level in the

prevalence of marriage by abduction. While it was 23.3% at the national level in 1997, the prevalence has dropped to 12.7% in 2007, showing a 47% decrease.

34. Domestic violence is another pervasive problem in Ethiopia. It has, of course, been made a punishable offence under the Ethiopian criminal code. What is striking here is that complete and comprehensive data is unavailable and the crime continues to be underreported since research in the area is still in its infancy.
35. The Government through the Ministry of Women's Affairs has waged a notable campaign against FGM in which non-governmental organizations have also joined through a tripartite project financed by the UNICEF. In the light of intensified efforts being carried out to curb the practices, Ethiopia is one of the 17 countries in which the UNFPA has been implementing a project launched to eliminate FGM.
36. The National Committee on the Eradication of Harmful Traditional Practices and other actors concerned are making their own organized efforts to bring about behavioral changes in the society with the overwhelming participation of the mass media, religious and traditional leaders in dispelling the myth around Female Genital Mutilation. The revision of the criminal code and the renewal of the family law enactments by most of our Regional States have also immensely contributed to combat the practices infringing upon women's rights.
37. Within the Ministry of Justice organizational structure there exists the Women's Affairs Department exclusively entrusted with the task of promoting and protecting the rights of women. The Department has taken several initiatives in combating violence against women including the provision of free legal advice at the community level for women organizations and NGOs, establishing a national coordinating body composed of ministers, commissioners, and other higher officials of government bodies and NGOs. The Ministry in collaboration with the Ministry of Health and other coordinating body members is on the way to establishing a one stop multi-sectoral victim support service for victims of

violence. Victims would get medical support, psychological and social support and an investigating police officer and prosecutors in a coordinated and victim friendly manner.

38. The Ministry of Justice has established a special unit for the investigation and prosecution of violence with due emphasis on sexual violence. The Ministry has plans to expand such kind of centers to Dire Dawa city administration and has undertaken the task of lobbying the officials and assignment of prosecutors exclusively for such purpose. Steps are being taken to share the same experience with other regional states.

39. A number of workshops on contemporary ideals have been delivered to numerous social groups with the aim of sensitizing the wider community on the role of women and girls in society as well as their inherent equality with men and boys. Such a concerted campaign supported by the media has been helping to gradually minimize the adverse influences of age-old customs and persistent prejudices against half the human population.

#### **Article 6: Suppressing the Exploitation of Women**

40. Ethiopia has ratified most of the basic human rights' instruments and the major conventions regarding the rights of women and children both at the international and regional levels. It has also been a state-party to a range of ILO's Conventions that directly address the issues of trafficking in women and children.

41. In addition to these general protective provisions applicable for women and children, the Federal Constitution specifically stipulates an explicit prohibition of trafficking in human beings. This has naturally been followed by a series of separate provisions in the country's domestic legal system with a wider and elaborate protection in that aspect.

42. A broad spectrum of new provisions penalizing acts of trafficking in women and children are included in the new Criminal Code. Hence, the act of trafficking in women and children for the purpose of forced labor is a punishable offence regardless of its territorial and cross-border manifestations. Equally punishable under the law is the notorious act of illicit trafficking in teenagers or keeping such persons of tender age for the purpose of prostitution or similar ills.
43. Another innovation of the new Criminal Code is that it also punishes the unlawful sending of Ethiopians abroad to engage in unsafe or unprotected work with imprisonment or a fine. In other words, any arrangement for the procurement of or trafficking in women or minors is an offence punishable under the Criminal Code. Though the Code severally criminalizes and denounces the acts of traffickers and other persons involved in the perpetration of the crime; it lacks clear and specific provisions stipulating support systems with the view to rehabilitating the victims concerned.
44. The Criminal Code of 2005 further criminalizes the acts of those who engage themselves in the habitual exploitation or the prostitutions of others, who let their houses either as a whole or in part for such purposes or who benefit from prostitution in any other way. The law also criminalizes the acts of a person who makes arrangements or provisions of any kind for the procurement of or trafficking in minors. In connection with this, a National Action Plan on Sexual Abuse and Exploitation of Children (2006-2010) was adopted by the Ministry of Labor and Social Affairs (MOLSA).
45. Trafficking in children as well as their exploitation through prostitution and sexual abuse in various forms are reported to exist across the country. Trafficking in women and children from rural to urban areas is particularly widespread. Yet, reliable and comprehensive data as to its emergence and prevalence rate is not available.

- The inflow of men and women from rural to urban areas looking for a better life is prevalent. It is reported that a significant proportion of women and children working as prostitutes and domestic labor in Addis Ababa are from rural areas. Girls are trafficked for prostitution.
47. With regard to external trafficking, the Middle East stands out to be the primary destination for Ethiopian young women. Socio-economic problems are the main factors responsible for the vulnerability of victims.
  48. A National Task Force was organized in 2004 to take coordinated action with the view to tackle trafficking in women and children from the country. MOLSA and the Ministry of Education have worked in partnership with the International Organization for Migration (IOM) in several counter-trafficking activities with a special focus on the prevention aspect. A Women and Children's Trafficking Monitoring Directorate was also established at the Ministry of Foreign Affairs which has also agreed to designate Labor Attaches with in Ethiopian Embassies abroad to deal with the growing problem. The National Steering Committee on Sexual Abuse and Exploitation of Children is also established in 2005 comprising both governmental and non-governmental actors to assist in combating the social catastrophe.
  49. In the Regional States of Amhara, SNNPRs and in the capital city Addis Ababa, where trafficking is prevalent by comparative standards, the Government has established trafficking checkpoints in selected bus stations. This control mechanism is effected by having offices set up and operated to detain and reunite trafficked children on the move with their families.
  50. With regard to the reported cases of trafficking starting from January 2007 through December 2008, the number of clandestine cases was 489, out of which only two have been investigated and tried with a punishment of jail terms with fine. 7 of them were dropped by the prosecutor and one by the trial court, whereas the remaining still appears to be pending. There is also a tendency by

the victims to negotiate a deal with the traffickers and block several offenders from being brought to justice expeditiously.

51. On the whole, dramatic increase in girls' education, the concerted effort to minimize early marriage, the promotion of women for employment positions in governmental and non-governmental organizations are some of the critical measures taken by the government to curtail the prevalence of both trafficking in women and prostitution with special focus on rural women. Consequently, external trafficking seems to show a decreasing trend. Finally, the Government has also been promoting those women engaging themselves in prostitution to be trained and benefit from micro and small-scale enterprises enabling them to address their basic economic needs.

#### **Article 7: Participation of Women in Political and Public Life**

52. Ethiopia ranks 3<sup>rd</sup> among African country in the number of women parliamentarians. In an effort to encourage women to take full part in the political life of the country, special attention has been given to empowering women in all spheres of life so that they can be decision-makers at all levels of governance. Women's participation in the parliament is also highly encouraged in order to promote development, democratization and good governance. The number of seats held by women in the first parliament (1995-2000), starting from the time Ethiopia had become a Federal Democratic Republic, were 13 out of 547 seats. In the second parliament (2000-2005), the number of seats occupied by women tripled to 42. In the third parliament, the number of women holding seats rose to 117(22%). During the third election the government had strived to increase the number of women legislators to 30-50% of the house through different measures. The number of seats held by women in the House of Federation has reached 21(18.75%). *(See Appendix 2)*

53. The Women Affairs Standing Committee in the House of People's Representatives actively participates in the legislative process, performs its

oversight duties on the executive body and participates in constituency outreach so as to address the concerns of society. The deputy speaker's and one assistant government whip's positions, were held by women (2007/2008) in the House of Peoples' Representatives. Moreover, women are very active members holding leadership positions in the 14 Standing Committees within the House. Two chairpersons and two deputy chairpersons of the standing committees are women. Fifty-one women are members of standing committees. Additionally, in the advisory committee that is charged with the affairs of the House, and which is chaired by the speaker, there are six women out of a total of 27 members. Out of the five members of the Pan African Parliament (PAP), two are women and the group leader is also a woman. (*See Appendix 3*)

54. The Women Affairs Standing Committee has the mandate to monitor the Ministry of Women's Affairs, the Women Affairs Departments in the different ministries, and the Ethiopian Women's Development Fund. Moreover, this Committee plays the role of checking gender sensitivity of proclamations and laws before their promulgation. The Committee has been active in its legislative and oversight functions and has revised several laws that adversely impacted women in the past by working closely with the Legal Affairs and Social Affairs Standing Committees. In order to increase the participation of women in regional councils, a positive action in the form of quota is implemented. The number of women parliamentarians in the Regional Councils has shown a significant and notable increase through time. In some regional states such as Tigray, Oromia, Harari, and SNNP, the representation of women in the State Councils has reached an encouraging figure of 50%, 37.7%, 33.3 and 28% respectively.

55. Attention was given not only to increasing the number of women parliamentarians but also their responsibilities in the executive branch. Due to different constraints this effort does not seem to have bear much fruit when we consider indicators like number of women who are at the decision making level

and in higher positions such as ministers and state ministers. Data from the Federal Civil Service Agency for the year 2004 shows the low representation of women at the decision-making level. In the judiciary organ of the government all over the country, the number of women judges in federal and regional courts was limited to 16.9% for the same year. However, currently this number has shown an increase. (*Refer core document annex*)

56. Apart from political empowerment of women, training women on leadership is the major mechanism undertaken to strengthen women's capacity in decision making. It is believed that women's education and economic empowerment play a pivotal role in the enhancement of the decision-making capacity of women. Hence, the government has been taking steps at different levels to enable women to attain economic freedom and enhance their number in the education sector.
57. One of the three main objectives of the Ethiopian Women Development and Change Package is enabling women to have equal political participation and decision making power at each level and to enable them to become active participants and beneficiaries in the democratic system building.
58. Research has been carried out in the economic, social and political problems that women are facing in order to identify specific impediments that women face in these areas. This research has covered women living in rural and urban areas of different regional states of the country. The result of the study has been an important input to the package since it clearly identified the main problems women are coping with. In the political sphere the package seeks to create an opportunity whereby women could organize themselves in order to reinforce their participation. In addition the package deals with escalating the participation of women in the decision making arena, strengthening the channels by which women get the protection of the law, and creating a synergy among

media channels by which they accord focus on the priorities of women. (*See Appendix 4*)

59. Researches show that the participation of women in the political arena has increased and the number of women candidates for election has increased. Yet, the traditional perception of the public that women are not competent enough to make decisions remains a problem.
60. The Constitution guarantees the enjoyment of all the rights and protections provided therein by women on the basis of equality with men. Accordingly, women have the right to take part in the conduct of public affairs, directly and through freely chosen representatives; the right to vote and to be elected to any level of the government; to be a member of any political organization, labor union, trade organization, or employers' or professional association of their will. Laws governing the above political and public activities in the country also do not set any discriminatory provisions which impair the recognition, exercise and enjoyment of the rights. For instance, the electoral law proclamation sets identical requirements for both men and women. In addition, Ethiopia has been a state party to the Convention on Political Rights of Women since Jan 21, 1969, which broadens the scope of rights women could enjoy in the political sphere.
61. The NEBE has been making considerable efforts in order to expand the provision of teachings related to Civic and Voter Education that will enable women to participate attentively in elections. With this objective in view, the Board has extended its support to civic associations working on a project with the aim of enhancing the participation of women on matters related with elections. In addition, the Board is on the verge of implementing a project by which it will take measures to encourage the increased participation of women in elections. (*See Appendix 1*).

62. The government has taken many initiatives to implement the objectives of the National Women Policy goals to facilitate conditions conducive to the realization of *de facto* equality between men and women in the political sphere. The National Action Plan for Gender Equality, which is currently being implemented, encloses the contribution towards the attainment of equality between men and women in the political arena as one of its goals. One of the objectives contained in the document which is to increase access of women to all levels of decision-making, in particular in political and public spheres has been adopted in order to alleviate the problems women face in the sector. The plan enumerates the following strategic objectives under this specific goal: -

- Enact gender sensitive electoral law
- Implement constitutionally guaranteed affirmative action measures to rectify gender imbalances in political representation and decision making
- Build women's and girls' capacity in leadership and managerial skills and in exercising their rights
- Initiate specific measures to increase gender balanced representation within the political and public sphere

63. To achieve the aforementioned objectives, activities will be undertaken, *inter alia*, to develop a revised gender sensitive electoral legislation and to advocate and lobby for the enactment of the revised law. To change negative attitudes on women's role in political and public arena, systematic and continuous awareness creation campaigns, and building interest and capacity of women to enter political and public sphere through leadership training and exposure trips are other activities enumerated for the achievement of the objective.

64. Lack of awareness among other factors has remained a major problem for Ethiopian women to expand their participation in the political and public life of the country. Accordingly, the government in collaboration with other stakeholders has been endeavoring to change this scenario by providing forums

for creation of awareness and to bring equal participation of women in the political arena.

65. In regard to the work performed by NGOs deserves special mention. EWLA for instance developed a “Women’s Manifesto” that is geared towards assisting voters and candidates to be aware of women right and women’s concerns at the time of the 2005 election. The Manifesto covered issues of health, law, rural development, education, women in decision-making and employment. There were series of public forums to debate about these issues and candidates were able to address voters on their program towards the issues raised in the Manifesto. The Manifesto was aimed at raising awareness of voters relating to the concerns of women and calling for the electorate to vote for those who can work for betterment of the lives of women.
  
66. Women Campaign International (WCI), in partnership with the Ethiopian Network of Women Associations (NEWA), held a national training in all regions for women candidates, irrespective of party affiliation, for the local election (March 2008). The training aimed at helping women candidates share experience with previous candidates (to share campaigning skills) and helping them devise methods to make their presence felt in the voter community and in their respective work after the election. All training materials were translated into local languages and the training was conducted using the local language.
  
67. The right of women to full consultation in the formulation of national developmental policies, the designing and execution of projects, and particularly in case of projects affecting the interests of women is guaranteed by the Constitution. This right has been further elaborated in the national policy on women. Modifying or abolishing existing laws, regulations customs and practices which aggravates discrimination against women and facilitating conditions conducive to their participation in the decision-making process at all levels is one of the contents of the national women policy.

68. Moreover, ensuring that women participate in the formulation of government policies, laws, regulations, programmes, plans and projects that directly or indirectly benefit and concern women as well as in the implementation thereof is another content of the national policy on women. Elaborating on the policy, the DCPEW obliges the government to make governmental policy, law and plan legislated in each level to take the participation of women and beneficiaries into consideration.
69. The NEBE has been taking measures to encourage political parties to increase the participation of women in their party. The number of women candidates they present has been set as one criterion for the provision of additional material support for political parties at the time of election. The provision of material support for independent women candidates has been made special so as to encourage women.
70. Taking in to consideration that lack of awareness plays a major role for the low level participation of women in the political arena, several awareness promotion measures have been taken in order to ensure that women understand their right to vote, the importance of this right and how to exercise it. The Civic and Voters Education provided to the public has been made to focus on women so as to fill the gap of knowledge in this regard. Moreover, the Election Board is undertaking a research to develop supportive measures to women in order to increase their involvement.
71. Attainment of equality of women in the political and public life of the country has been difficult due to barriers such as illiteracy and poverty in addition to discouraging cultural practices. The government has taken measures to lift these barriers mainstreaming the issue of gender in different sectors. In the education sector the participation of women has increased considerably and it is believed this change will have a significant effect on their participation in the political

and public life of the country. Other barriers like poverty are also being addressed in the poverty reduction strategies of the country. Empowering women in decision-making is one of the priority areas of the National Action Plan on Gender Equality.

72. The following are among the reasons for the lower representation of women in the political and decision-making: -

- The low self esteem of women and their low status in the society which impedes the participation of women on decision-making at all level;
- Different harmful traditional practices prevailing in different cultures that discourage women to take part in decision making in their societies;
- Low education and training, mistaken traditional attitudes, lack of role models, non-assertiveness and limited access to information.

#### **Article 8: Representation at the International Level**

73. Major measures have been taken to ensure the opportunity for women to represent the Government at the international level and to participate in the work of international organizations on equal terms with men and without any discrimination. Rigorous training and education have been offered in order to boost their capacity and build their confidence.

74. Many steps have been undertaken to disseminate information widely on the government's international commitments affecting women and official documents issued by multilateral forums, in particular, to both governmental and non-governmental bodies responsible for the advancement of women. International instruments and documents are made at the disposal of various bodies and trainings have been delivered to enlighten the core contents of the instruments.

## **Article 9: Women and Nationality**

75. The Constitution provides that any person of either sex shall be an Ethiopian national where both or either parent is Ethiopian. Ethiopian Nationality Proclamation reiterates that any person shall be an Ethiopian national by descent where both or either of his parents is Ethiopian. Hence an Ethiopian woman married to a non-Ethiopian man has the right to pass on her nationality to her children. No Ethiopian national may be extradited to another state.

76. All Ethiopian nationals shall have equal rights and obligations of citizenship regardless of the manner in which nationality is obtained. No Ethiopian may be deprived of his nationality by the decision of any government authority unless he loses his Ethiopian nationality in accordance with the law. The loss of Ethiopian nationality shall have no effect on the nationalities of one's spouse and children. Marriage to a foreign national does not result in arbitrary removal of nationality of Ethiopia nor make women stateless.

77. A foreigner who is married to an Ethiopian national may acquire Ethiopian nationality by law: if the marriage is concluded in accordance with the Ethiopian laws or in accordance with the laws of any other country where the marriage is contracted; there is a lapse of at least two years since the conclusion of the marriage; he has lived in Ethiopia for at least one year preceding the submission of his application; has attained the age of majority and is legally capable under the Ethiopian law; is able to show that he has been released from his previous nationality or the possibility of obtaining such a release upon the acquisition of Ethiopian nationality or that he is a stateless person; and is required to take the oath of allegiance.

## **Article 10: Right to Education**

78. The Education and Training Policy adopted in 1994 recognizes the need to give special attention to women and encourage the participation of women in educational management. (Reference is made to paragraphs 377-408 of the

initial and combined reports under the ICESCR on the general frame work about the education system) The Ministry of Education launched a series of Education Sector Development Programs ESDP I, ESDP II and ESDP III. These programs aim at improving educational quality, relevance, efficiency and equity. The programs mainly target to ensure equality of female participation in all education and training programs and increase their role and participation in development. The implementation of the program lead to expanded access to education with special emphasis on primary education in rural and underserved areas, as well as the promotion of education for girls, as a first step to achieving universal primary education by 2015.

79. The Ministry of Education and Education Bureaus are mandated to oversee the implementation of the right to education at federal and regional level respectively. Understanding the importance of educating girls, the Ministry of Education works to ensure gender equality in curricula and to eradicate any stereotyped concept of men and women. The Civic and Ethical Education curriculum is also focused on transforming traditional values that affect women adversely.

### **Affirmative Measures**

80. Affirmative measures aimed at increasing the enrollment rate of women in higher education and in scholarships and in relation to choice of discipline have been taken by the Government. In teaching, 50 per cent of positions are reserved for women and they can compete based on their merit for the rest of the per cent. Tutorial classes for female students in higher education have been launched with the aim of decreasing dropout rate in higher education. (Reference is made to paragraph 335 and 336 of the initial and combined report under the ICESCR in relation to the specific affirmative measures taken).

### **Literacy Rate**

81. The literacy rate is still low in the country. According to the survey made in 2000, literacy rate at the national level is 29.2% and this has grown to 37.91% in 2004. Of this, female literacy shows an increase; hence it ranges from 19.4% in 2002 to 26.6% in 2004. A higher literacy rate is reported for the male population in comparison with the female. Literacy rate in rural areas in 2004 is 30.88 while in urban is 74.21. Hence it is evident that women literacy rate in rural areas is very less. Data in this area is outdated. However, currently, after the measures taken by the government, the literacy rate, including female literacy rate is expected to show significant progress.

### **Primary Education**

82. Gross enrollment rate (GER) in primary education at national level shows a continuous increase. The gross enrollment rate of women in primary education in 2002/03 was 53.8% and it augmented to 85.1% in 2006/07. Where as boys enrollment in primary education is reached to 98.0% in 2006/07. Net enrollment rate in women in 2002/03 was 47.2% and in 2006/07 it reached 75.5%. The gender gap by GER shows a decrease.

### **Gender Parity Index**

83. The disparity in the enrollment rate of male and female can be shown in gender parity index; in a situation of equality between boys and girls enrollment rate, GPI is 1 while zero indicated the highest disparity. The GPI at the national level was 0.7 in 2001/02 showing that girl's participation was lower than boys. This is true for all regions except Addis Ababa and Tigray region for which the GPI is 1. This has improved progressively and reached to 0.87 in 2006/07 nationally. Gender parity Index is highest in Addis Ababa, Tigray and Amhara and lowest in Somali, Afar and Gambela. (*See Appendix 5-9*)

### **Primary Drop out rate**

84. High dropout rate remains a challenge in primary education. The drop-out rate at the primary level nationally has been going downward. Female dropout rate is a little higher than male dropout rate standing at 17.8% in 2001/02. This

reduced to 12.1% in 2005/06, but still remains a challenge in the primary education sector. Repetition rate in primary education for girls in 2001/02 was 11.7 higher than boys; however by 2005/06 it had decreased to 5.7, lower than boys (6.4%). (See Appendix 10 -12)

### **Alternative Basic Education Program**

85. Alternative Basic Education Program (ABE) designed under ESDP, aims at providing basic education through alternative modes of delivery for pastoralist and semi-pastoralist areas of the state. (Reference is made to paragraph 345 of Ethiopia's report under the ICESCR on the details about the alternative basic education program). Female enrollment in alternative basic education is growing with an average annual growth rate of 11.6% higher than boys enrollment which is increasing by 10.5%. This program has helped to narrow the gender gap.

### **Adult and Non Formal Education**

86. The Government launched Adult and Non Formal Education for children and adults whose age exceeds the primary school attendance ages (7-14), a literacy program for youth and adults who are older than 15, and basic skill training for youth and adults in community skill training centers in order to raise literacy and consciousness-building, to enhance the skills and develop problem-solving abilities. Under this program female total enrollment is 46,012 while male enrollment is 60,816. The community skill training centers offer training programs related to the specific needs of the rural community. (Reference is made to paragraph 360 of Ethiopia's Initial and Combined report under the ICESCR).

### **Secondary Education**

87. The Net Enrolment Ratio (NER) of female students in the first cycle of secondary school shows an increase from 6.75% in 2002/03 to 12.6% in 2006/07 but still it is lower than boys. Secondary, second cycle education shows an increase with an average annual growth rate of 26.7% for girls and for boys 19.9%. However, female enrollment is still less in number than boys.

### **TVET**

88. The number of TVET institutions, both governmental and non-governmental, has increased considerably. Female enrollment in TVET in 2006/07 is 43.9% of the total enrollment which is slightly down from the last year, indicating a gender balance at the national level. However, a real imbalance can still be observed in certain fields of specialization.

### **Tertiary Education**

89. The Government has been expanding the number of higher education institutions. (*Reference is made to paragraph 535 of ICESCR report for detailed information*). Female enrollment in higher education (undergraduate) indicates an increase. Though, higher education is accessible on the basis of capacity for all, female students benefit from affirmative measures. Female enrollment in higher education in the year 2002/03 is 8,659. This has been increasing through the years and reached to 52,869 in the year 2006/07. Though female undergraduate enrollment has increased for the last five years and reached 41% in 2008/09 but it still remains relatively low when compared with that of their male counterparts. Female enrollment in postgraduate study is very small at about 10 %.

90. The Constitution and the Education Policy demand the need to allocate resources to extend rehabilitation and assistance to persons living with disabilities. Through the program of special needs education program the government has been taking measures to reach women living with disabilities. In this program, female enrolment in the primary level in 2006/7 was over 1,212; whereas, it is 121 in secondary level. However, the special needs

education program faces problems of access, repetition, high dropout rate and shortage of experts of special needs education and many remains to be done.

### **Rural Enrollment**

91. With regard to the enrolment of rural women in primary education trends show that there is an increase. In 2003/04 rural women enrollment in primary education was 41.0 of and reached 45.0% in 2006/07. the proportion of women in higher education (9-10 grads) was 29.9% of in 2003/04 and increased to 45.0% in 2006/07; the proportion of preparatory education (10-11 grads)increased from 31.0% in 2002/03 to 33.7% in 2006/07.
  
92. The limited access to schools requires children in rural areas to travel long distances to schools. This is detrimental for enrollment particularly for girls and it is also a cause for repetition and dropout. Girl's tendency to engage in domestic work is also another factor. Harmful traditional practices such as early marriage, abduction coupled with forced marriage are also major factors that deter girls not to go to school and to quit early. It is to be recalled that abduction and early marriage are major factors for the increasing gender parity between boys and girls in secondary education.
  
93. The Government has constructed low cost schools and class rooms at the nearest possible sits and has continued to do the same to alleviate problems of school drop out. Furthermore, schools give tutorial class to girls.
  
94. Awareness creation programs especially in rural areas were launched to sensitize parents to send their children to school. In some regions parents who send their children have been rewarded by money and by supplying education materials to their children. In higher education girls who score higher grades are rewarded.

95. The implementation of the ESDP and the Education Policy substantially increased school enrollment, improved access to education for girls and reduced levels of school dropout, especially in women and repetition rate. In addition, they have minimized the gender gap in enrollment in rural areas.

#### **Article 11: Employment and Labour Rights**

96. The Constitution guarantees the equal rights of women with men in the enjoyment of rights and protections enshrined under the Constitution. The Constitution also stipulates that women have the rights to equality in employment, promotion, pay, and the transfer of pension entitlements.

97. The right to work is a constitutionally guaranteed right of every Ethiopian. The Constitution provides that any Ethiopian has the right to engage freely in any economic activity.

98. The 2005 National Labour Force Survey (NLFS) reveals that, out of the total employed population, the number of female employees was 14,574,844 while the number of male employees was 16,860,264. During the above year, out of the total work force, 84.7 % of men and 69.0 % of women were employed. (See Common Core Document Annex Table 18 for more information on employment to population ratio).

99. The survey also shows that out of the 1,653,685 unemployed people 1,225,770 were female and 427,915 were male. Urban unemployment rates for men and women are 13.7 % and 27.2 %, respectively. (See Common Core Document Annex Table 16 for more information on unemployment rate).

100. Various activities have been undertaken, during the reporting period, to ensure women enjoy the same employment opportunities as men. Women's access to higher level education and vocational and technical training and

education has been enhanced. Women are expressly encouraged to apply for vacant posts at government institutions.

101. The Federal Civil Servants Proclamation prohibits discrimination among job seekers or a civil servant in filling vacancies on the basis of sex. It stipulates that the selection of a candidate for vacant positions will be on the basis of the job applicant's merits and qualification. However, without prejudice to this principle, the Proclamation allows priority to be given during recruitment to female candidates having equal or close qualification to that of other candidates. To ensure gender considerations in recruitment of civil servants, the Directive on Selection and Recruitment provides that, unless the conditions force otherwise, female civil servants should be included in the recruitment committee.
102. There has been a significant increase both in the number and proportion of women in the formal employment sector due to the various measures taken to enhance employment opportunities for women. For instance, over a decade (from 1990/91-2003), the number of women civil servants has increased by 140 percent while that of men increased by 60.
103. The Constitution stipulates the right of an Ethiopian to freely choose his or her means of livelihood, occupation or profession. There can be no compulsion of any kind in the choice of employment.
104. The activities undertaken to enhance access to employment opportunities contributes to the free choice of profession and employment. In this regard, preference is given for female students' choice of profession in the allocation of fields of study in higher education, and vocational and technical training and education.

105. As can be seen from Table 11.1, women make up 25 percent and 18 percent of the Administrative and Professional and Scientific job categories, respectively. The upper and middle level positions in the civil service are dominated by men. Women continue to hold 71 percent of the clerical and fiscal jobs and 51 percent of the custodial and manual jobs.

106. Statistical information shows that women represented in the formal sector hold low level positions, mostly perceived as women’s work. There exists encouraging moves to change the traditional “women’s work” perception. Women are increasingly equipping themselves with advanced education. Regarding social life, a survey by FSCA founds that more men are increasingly sharing family responsibility, although women still disproportionately bear these responsibilities.

Table 11.1 Distribution of Federal Civil Servants Workforce by Job Category 2002/03

Job Classification	Total	Female (%)
Professional and Scientific	4,892	18.3
Administrative	1,132	25.2
Sub-Professional	7,186	33.9
Clerical and Fiscal	8,238	71.3
Trade and Crafts	6,133	35.4
Custodial and Manual	11,765	50.7
Special Classification	150	10.0
Appointee	4,898	20.3
Not stated	1,120	36.4
Total	45,514	41.8

Source: Federal Civil Service Agency, Personal Statistics, 2003

107. (Reference is made to para.86 of the Ethiopia’s initial and combined report under ICESCR for the legal framework on how promotion is conducted.)

108. The Government has issued a draft Performance Appraisal and Time Management Policy in December 2001 under the Human Resource Administration Sub-program of the Civil Service Reform Program. As outlined in the draft policy, job criteria should highlight an employee's knowledge, competence and skills rather relying on the length of service of a person. As women are generally at a disadvantage as far as length of service is concerned, the 'results-oriented performance appraisal system' is likely to speed-up the promotion of women into senior and decision-making positions.
109. The labour law states that a contract of employment may be terminated either for reasons related to the conduct and capacity of the worker or for the operational needs of the undertaking. It also provides that sex, marital status, family responsibilities and pregnancy may not constitute valid reasons for termination. When it comes to pregnancy, it specifically prohibits the employer from terminating the contract of employment of pregnant women up to four months after her confinement. The service of women civil servants may only be terminated due to illness, on grounds of inefficiency, due to *force majeure* situations and retrenchment.
110. The Constitution stipulates that working conditions for women may not be inferior to conditions of work for men. The labour law provides for working condition of women. See the discussion below on healthy and safe working conditions and types of work prohibited for pregnant women.
111. Ethiopian Women Development and Change Package provides for the creation of employment opportunities for unemployed women through provision of vocational training and education. The education system of the country comprises vocational and technical training at a tertiary level of study. Many women have benefited from these studies and have gotten employment opportunities at government and private institutions. Many more have organized themselves in MSEs and are self employed. The latter have benefited from

credit schemes, providing easy access to raw materials and creating market for their products. The Federal Micro and Small Enterprises Development Agency and its counterparts in the regions also provide technical and vocational training for women organized in MSEs. It provides credit schemes for those women with technical and vocational training, consults them on administration of business and facilitates their market access.

112. Workers may receive other payments in addition to standard wages. Wages refers to the regular payment to which the worker is entitled in return for the work that he performs under a contract of employment. The labour law allows for such payments to include over-time pay, amounts received by way of per diem, hardship allowance, transport allowance, transfer expenses, and allowances payable to workers on the occasion of travel or change of his residence, bonuses, commissions, other incentives paid for additional work results, and service charges received from customers. The civil service law also provides for different allowances to be paid to workers in addition to payments of salary.
113. Equality in remuneration is the underlying principle of the labour and civil service law. The former clearly prohibits discrimination against female workers, in matters of remuneration, on the grounds of their sex. The civil service law provides that all positions of equal value deserves an equal base salary. The Constitution also stipulates that women workers have a constitutional guarantee of equal pay for equal work.
114. Civil servant's performance evaluation is conducted in a transparent manner and with collective participation. Such a mechanism ensures equal treatment of women in the evaluation of their performance.
115. Reference is made to paragraphs 115-138, 141-142, 157-159 for the type of social security schemes in the country that women and men enjoy on the

basis of equality and the effort of the Government to expand and strengthen the schemes.

116. There are various types of paid leave under the civil service and the labour laws. For the discussion on the right of annual leave refer to Para. 94- 96 of the country's initial and periodic report on ICESCR. The labour law provides for other paid leave including maternity leave, sickness leave, leave for a family event, union leave and leave for special purpose. The civil service law also provides maternity leave, sickness leave, leave for personal matters and special leave with pay. Maternity leave is discussed below while sickness leave is discussed under the right to social security.
117. A worker shall be entitled to leave with pay for three working days when she concludes marriage or her spouse or descendants or ascendants or another relative, whether by affinity or consanguinity up to the second degree, dies. Leaders of trade unions shall be entitled to leave with pay for the purpose of presenting cases in labour disputes, negotiating collective agreements, attending union meetings, seminars or training courses.
118. A leave for special purpose is granted to a worker who appears at hearings before competent bodies to hear labour disputes or to enforce labour laws or to a worker who exercises his civil rights or duties for the time utilized for the said purpose.
119. Any civil servant is entitled leave for personal matters such as mourning, weddings, examinations and the like for a maximum of seven days within a budget year. Any civil servant is entitled to special leave with pay where she is summoned by a court or any other competent authority, for the time utilized for the same purpose or where she participates in the election of government officials, for the duration of the election.

120. Reference is made to paragraphs 78-85 of the country's combined initial and periodic report on ICESCR for the discussion on occupational health and safety.
121. It is prohibited to employ women on the types of work that are listed by the Minister of Labour and Social Affairs as particularly arduous or harmful to their health. The Minister has issued a list of jobs that are hazardous to the health of women; the maximum amount of weight allowed to be carried by women workers; and a list of works that are harmful to the health of a pregnant woman and her child.
122. No pregnant woman shall be assigned to night work between 10 p.m. and 6 a.m. or be employed on overtime work. No pregnant woman shall be given an assignment outside her permanent place of work, provided, however, she shall be transferred to another place of work if her job is dangerous to her health or pregnancy as ascertained by a medical doctor.
123. Labour (Amendment) Proclamation No. 494/2006 provides that an employer who violates the provisions of the labour proclamation or regulations or directives issued there under relating to the safety of workers and commit an act which exposes the life or health of a worker to a serious danger, or does not give special protection to women workers as provided for in the labour proclamation shall be liable to a fine not exceeding Birr 1, 200 (approximately 110 USD at the exchange rate during February 2009).
124. The labour law provides that an employer may not terminate the contract of employment on the ground of, among other things, sex, marital status, family responsibility, and pregnancy. An employer who violates this provision of the law commits an offence and is subject to a fine not exceeding Birr 1200.

125. With regard to lay offs or a reduction in the workforce, the selection of workers to be affected by a reduction in the workforce should be made on the operational needs of the undertaking but it should also give due weight to the interests of the workers. The labour law provides that whenever a reduction in the workforce takes place, the employer in consultation with trade union representatives, shall give to workers having skills and higher rate of productivity priority of being retained in their posts and, in the case of equal skill and rate of productivity, the workers to be affected last by the reduction shall be expectant mothers.
126. Reference is made to paragraphs 139-140 of Ethiopia's initial and combined and periodic report on ICESCR for the discussion on maternity benefit.
127. MoLSA has issued a directive to determine jobs hazardous to the health or the reproductive function of women. The directive, among other things, exempts pregnant women from works that are deemed to be dangerous to their health or pregnancy. Construction works necessitating the use of scaffolding, asphaltting of roads, cutting and felling of forest trees, supervision of boilers, recharging of batteries, welding, clearing of sewage tunnels and pipes, jobs requiring long periods of standing up and jobs involving extreme temperatures are some of the types of work that specifically fall into this category. Furthermore, pregnant women are exempted from night work, overtime work and are granted job security during pregnancy and for four months after confinement.
128. The civil service law provides that committing sexual violence at the place of work is regarded as an offence entailing rigorous penalties such a fine of up to three month's salary, downgrading up to the period of two years or dismissal. The employer is duty bound under the labour law to respect women worker's dignity. An employer is also prohibited to dismiss women employees on the grounds of their sex. Under the Criminal Code, the act of procuring from a

woman sexual intercourse or any other indecent act by any person by taking advantage of the authority he exercises over her by virtue of his position, function or capacity as master, employer or by virtue of any other like relationship, is punishable, upon complaint, with simple imprisonment.

129. A study conducted by FCSA indicates that a comprehensive approach has to be adopted to meaningfully tackle the problem, including, preventive measures and legal protections. Prevention is regarded as the best tool to eliminate sexual harassment from occurring. The study has concluded that the Federal Civil Service lacks definite directives on prohibiting sexual harassment. FCSA has planned to adopt the policy in 2008/2009. However, such a policy should extend its protection to all women workers in the civil service, private sector and non-governmental organizations.

#### **Article 12: Equality in Access to Health Facilities**

130. The particularly poor health status of women in the country in the past is showing a notable improvement. Though still high, the maternal mortality rate of Ethiopia has declined from 871/100,000 live births in 2000 to 641/100,000 live births in 2005. Limited access to family planning services and high fertility, low reproductive health and emergency obstetric services; poor nutritional status and infections contribute to the mortality and morbidity women face.
131. Constraints like long distance from facilities, lack of financial resources and decision-making on the use of family planning, mismatch between demand and supply, heavy workload, and cultural attitudes were the major causes for limited access of women to health facilities. The government has been taking several measures throughout the reporting period to lift the barriers to access and to improve the health status of women in the country particularly by adopting action plans and guidelines that will address specific health problems that have a disproportional effect on women; and implementing the same and promoting awareness on the need to focus on women's health. The overall

potential health service coverage in the country has reached 86.7 % in 2006/2007 from 72% in 2004/2005. Encouraging developments have been made towards improving the health status of women though constraints such as lack of resource and the deep-rooted cultural practices in the society delayed the full achievement of the goals set in that regard.

132. The Health Sector Extension Program with almost all health extension workers of the country around 24,000 (beyond 80%) being women have been introduced in recognition of the failure of essential services to reach the people at the grass root level. It consists of all the key activities necessary for rapid development particularly primary health care. One of the four main areas included in the program is family health services. This area contains five packages including maternal and child health, family planning and adolescent reproductive health services. This program is supported by the rapid training of health extension workers, two per *kebele*, and the construction and equipping of health posts through the accelerated expansion of PHCs.
133. The Accelerated Expansion of Primary Health Care Coverage Strategy has been endorsed by the government with the aim of achieving universal coverage of primary health care to the rural population. By reducing the distance between facilities and users and improving the physical availability of essential health services, this package has provided a solution to the health problems of rural women for whom distance from health facilities has been a major impediment. The above-illustrated programs combined have increased access and availability of health care facilities to women.
134. The Public Health Proclamation enacted by the government was intended to standardize and strengthen the health service provided to the people. The proclamation contains a principle of medical service rendition, which stipulates that the government health institutions shall render service upon payment; but no person shall be denied medical service in public health institutions due to

inability to pay the fees. Any person who produces a fee waiver certificate issued by the relevant organ is entitled to medical services free of charge. Accordingly, women who do not have financial capacity and who present documents to this effect could avail themselves of this exemption.

135. The proclamation imposes responsibility on all health institutions, public or private, for providing emergency health services without requesting advance payment. Moreover, the proclamation enumerates services the public can use free of charge or which are exempted from payment of fee, including:

- Family planning service in primary health care units
- Prenatal, delivery and post natal services in primary health care services in primary health care units
- Immunization of mothers and children against six childhood illnesses

Accordingly, women could get the above-enumerated services free of charge.

136. A successful effort has been made to increase the coverage of family planning services and education in the country. An integrated action has been taken to expand access to different types of contraceptives and to increase awareness so as to assist women make an informed choice. As a result of this, use of contraceptives by women reached 51%.

137. The National Policy on Women emphasizes women's right to health and imposes an obligation on the government to ensure to women the right to have easy access to health care facilities; and to provide information about traditional and modern family planning methods and other related health services. In addition to the women's policy, the following policies and programs provide for women's right to health and access to health facilities :

- The National Health Policy
- The Health Sector Strategy
- The Developmental Social Welfare Policy

- The National Reproductive Health Strategy
- National Adolescent and Youth Reproductive Health Strategy
- Health Sector Development Program
- Population policy

138. In addition to the above-enumerated instruments, the government has adopted an additional plan of actions and programmes towards ensuring the equal access of women to health services. Improving women and girls reproductive rights, health and HIV/AIDS status is one of the general objectives of the National Action Plan for Gender Equality (2006-2010). The plan sets a number of priorities for action to attain this objective among which are :

- Protecting women's reproductive rights
- Eliminating traditional practices harmful to women's health
- Improving maternal health care services
- Providing/ensuring access to gender sensitive health information by men and women
- Implementing gender sensitive HIV/AIDS prevention
- Improving quality and accessibility of family planning information and services to women, men and adolescents

139. Gender has been identified as one of the crosscutting issues in the HSDP. Mainstreaming gender at all levels of the health system is one of the objectives of the program. Gender Mainstreaming Guideline have been produced and distributed to facilitate the attainment of this objective. Increasing the level of awareness of health workers and support staff on the National Policy on Women and all related aspects of gender issues is one of the targets contained in the program. Several sensitization and training sessions on gender issues with health professionals and the public have been conducted in different parts of the country.

### **Measures to reduce Maternal Mortality**

140. Ethiopia's rate of maternal morbidity and mortality are among the highest in the world. One of the key factors contributing to this situation is the low rate of skilled care during pregnancy and delivery. According to a survey made nation wide by the Ministry of Health in 2005, the majority of pregnant women, almost 60%, never seek any type of antenatal care. Reasons for this include poverty and the low economic status of women, which discourages households from investing resources in skilled prenatal care, delivery assistance, or postnatal care. The low access to primary health coverage, skilled delivery or emergency obstetric care also contributes to the problem.
141. The government has taken several measures to ensure appropriate health services for women and to minimize the high rate of maternal mortality and morbidity in the country. Recently, the countries' policies and strategies towards the protection of maternal health have been formulated within the framework of the fifth MDGs which is improving maternal health. In addressing the shortcomings that hamper the delivery of all health services, especially those pertaining to RH, the government is reinforcing HSDP with a strong community based component centered on the Health Extension Programme, particularly in remote areas.
142. With regard to maternal health services, priority has been given under the HSEP to the provision of safe motherhood services to cater for normal pregnancies, deliveries and referral centers for high-risk pregnancies; post abortion care; addressing sexual and reproductive needs of adolescents; encouraging paternal involvement and discouraging harmful traditional practices; appropriate nutrition education to mothers and children and provision of family planning services. In order to achieve the targets set for maternal health, the government has taken several measures including the distribution of necessary materials free of charge and construction of health centers in different *woredas*. A National Reproductive Health Task Force with technical working group for Making Pregnancy Safer (MPS), family planning, nutrition,

STIs/HIV, logistics and adolescent RH have been formed to assist the Programme with resource mobilization, monitoring and development of appropriate policies and guidelines.

143. 'Making Pregnancy Safer' was launched in 2001 and implemented in four regions on a pilot basis. Health workers were also trained in basic emergency maternal and newborn life saving obstetric services, EOC, cesarean section and anesthesia. Ten hospitals and over 40 health centers were equipped with basic essential equipment and supplies, and vehicles were procured and distributed to enhance the implementation of the program and the referral system. The review of the program taken afterwards revealed improvement in the quality of service and handling of obstetric emergencies that stimulated the rapid scaling up of the Program's coverage.
144. The Reproductive Health Strategy has set targets to reduce maternal mortality and increase the maternal health status of women. One of the targets is ensuring increased access to a core package of maternal and neonatal health services, especially in rural areas where health facilities are limited. This core package will include focused antenatal care, essential obstetric care and neonatal care.
145. The NAYRHS is incorporated within the National Reproductive Health Strategy (2006-2015). This strategy acknowledges that the socio-cultural context of gender inequalities in Ethiopia calls for different programs and interventions to reach both male and female adolescents, with a renewed allocation of resources to meet the needs of the adolescent girls, in rural areas, who are at increased risk of sexual violence including harmful traditional practices. The Strategy aims to work with men and boys on changing their attitudes as a key factor in addressing negative gender norms that keep young women at increased vulnerability of early marriage, harmful traditional practices, and limited agency over their reproductive lives.

146. A number of researches have been conducted by MOH with the objective of enabling women to take an informed decision regarding RH and family planning. The areas of study include Contraceptive and Logistic System, Contraceptive Training Needs, Norplant implementation and community-based distribution, among others. A procedure manual for contraceptive logistic has been developed to implement an effective logistic system; trainings were provided to regional RH managers on contraceptive technologies and MPH courses and short courses to health workers were sponsored by UNFPA.
147. In order to increase the participation of women in the health sector, a decision has been made to recruit women only as health extension workers in the currently implemented health sector extension program. Accordingly, the training and deployment of more than 19,000 health extension workers have been achieved since the year 2004/05. This had a significant impact on empowerment of women as well as the effectiveness of the HSEP on family health services.
148. According to a survey made in 2005 unsafe abortion is the most common cause of maternal mortality, accounting for up to 32% of all maternal deaths in the country. Besides, many more sustain short and long term morbidities, including infertility. With due recognition of the need for an integrated approach to reduce maternal morbidity and mortality , and to ensure that all women obtain standard, consistent, and safe termination of pregnancy as permitted by law, the FMOH has issued a Technical and Procedural Guideline for Safe Abortion Service. The recently revised criminal law sets out a number of reasons why abortion could be legally performed.
149. Harmful Traditional Practices (HTPs) especially FGM, early marriage, and low female literacy, have a direct negative impact on women's health.

Most HTPs bring with them high RH risks, including the increased likelihood of contracting HIV/AIDS and other STIs.

150. HTPs are discouraged in the Health Policy and in the 1994 Constitution, which guarantees women protection against practices that causes bodily or mental harm including FGM. One of the strategies set by the Policy in promoting family health services is identifying and discouraging harmful traditional practices including FGM. Concrete measures to address harmful traditional practices have been taken through the revised Criminal Code by enacting detailed provision on crimes related to female genital cutting/mutilation and other types of HTPs. HTPs are one of the main concerns of the Cultural Policy in addition to that of the health policy.
151. Elimination of traditional practices harmful to women's health is one of the priorities for action to improve the health status of women stated in the National Action Plan for Gender Equality. Female genital cutting/mutilation is strongly associated with negative reproductive health outcomes such as infections, obstructed labor, perineal tears, fistula and infertility.
152. Another HTP contributing to the low social health status of women in the country is early marriage. The age gap between men and women resulting from this tradition are bound to cause pregnancy-related complications since the rate of this occurrence is higher in physically immature women. Other practices having a negative impact on women's health include polygamy, wife inheritance, marriage by abduction, and other forms of forced marriage. These practices not only violate the constitutional rights of women but also make them vulnerable to HIV/AIDS and other STIs.
153. Discouraging HTPs has been one of the priority actions contained in the family health service which is a subcomponent of the HSDP. The National Reproductive Health Strategy in addressing the reproductive rights and needs of

women considers the interrelationship between socio-cultural determinants such as harmful traditional practices and their negative impact on reproductive health. Eliminating the practice of female genital mutilation and other harmful traditional practices has been mainstreamed in every document relating to the improvement of the health status of women. Several researches have been undertaken in order to curb the practice; and based on the findings, several measures ranging from promotion of awareness to criminalizing these practices have been taken. (*See Appendix 16*)

154. HIV/AIDS continues to be a major health challenge to Ethiopian women due to its unbalanced effect on them. Girls aged 15-19 years are seven times more likely to be HIV positive than boys of the same age. Women aged 20-24 years are four times more likely to be infected than men of the same age. In addition to biological factors, young women are at increased risk of HIV transmission as they have earlier sexual debut than their male peers and marry husbands older than them. There are also large differentials between urban and rural women. Urban women are 12 times more likely to be infected than rural women.
155. Taking into account the fact that women are more exposed to HIV/AIDS, the major concern has been protecting them from HIV and rehabilitating those who are affected. In order to avoid any discrimination against women who are living with HIV, separate VCT rooms have been set up in different health stations. Moreover, frequent monitoring measures are taken to ensure the confidentiality of information regarding women voluntary test takers no matter what their result might be. A strong counseling mechanism has been established to give proper counseling for women who have been found to be HIV positive.
156. The Government Organizations Workplace HIV/AIDS Prevention and Control Guideline that has been adopted by the Federal Civil Agency has entrenched the principle of gender equality in the movement to prevent the

epidemic. This has been incorporated taking in to consideration the fact that women are more vulnerable to be infected. The guideline also incorporates in its strategies the designing of gender-centered programs in order to protect women from sexual harassment and to increase the participation of women in combating the epidemic.

### **Article 13: Social and Economic Rights**

157. Though women possess equal rights with men to access bank loans, mortgages and other forms of financial credit, they have not been able to use them effectively for different reasons. First, women have generally limited awareness of the availability of these facilities. Second, women have generally low economic capacity to provide sufficient collateral required by banks and other financial institutions to get the credit service they demand. Third, lack of trust women in the society also makes the financial institutions less interested in making the facilities available to women.

158. The government has attempted to take different measures with a view of addressing some of these problems. There are many micro finance institutions in the country, which provide credit to those who want to start their own businesses and several women are the clients of these institutions. But for reasons outlined in the foregoing paragraph, women have had problems in making the best out of the credit facilities. To address some of the problems women in Ethiopia continue to face in securing loans, the Ministry of Women Affairs is in the process of developing a credit modality which would benefit needy women in the country. It is hoped that this would address some of the problems of women in getting access to credit facilities. Moreover the government in cooperation with international aid organizations like UNICEF has created a mechanism by which credit service is provided to poor households headed by women in different parts of the country with a longer term repayment scheme without interest.

159. In order to solve economic problems of women and to improve their economic power, the government has encouraged women to establish credit associations. Currently, women credit and saving unions have been established in most of the regional states. Women have been using the credit to engage in different income generating activities.

160. The Ministry of Women Affairs has established a capacity building and participation enhancement division which *inter alia* focuses on enhancing the financial and income capacity of women by undertaking researches on problems women face and taking practical measures to address the problems. In addition, the department extends the necessary support to associations and organizations that work to alleviate the problems women encounter in the economic and social arena.

161. Based on an assessment on the challenges of women in benefiting from microfinance institutions carried out at the national level, the Ministry of Women Affairs has been taking different measures and is in the process of framing a strategy to curb the challenges together with other pertinent bodies. The Women Development Initiative Project, coordinated and developed by Women Development Fund provides credit services, technical assistance and capacity building trainings to needy women. By 2005 about 12,000 women have benefited from the project.

162. In addition to the credit facilities women have been made to benefit from the integrated housing program launched by the government. Houses constructed through this program has have been distributed under a scheme that would make 20-30% of the beneficiaries, women. Accordingly since the year 2005, 53.7% women living in the capital city and 47% women living in regional states have been beneficiaries of the housing program.

#### **Article 14: Women in Rural Areas**

163. Research indicates that about 28% of rural landowners are households headed by women who take care of all agricultural related activities and even in case of male headed households the wives contribute greatly in Agriculture. Women's contribution to agricultural production in the country is thus tremendous.

164. Rural women also contribute to the economic wellbeing of their families by engaging in income generating activities as handicraft making, petty trading, brewing and selling traditional beverages, vegetable marketing/gardening and livestock production, processing and selling local pastries, roasted grains and in such service activities as hair dressing and plaiting, traditional healing and ante-natal delivery and post-natal services provided by traditional birth attendants.
165. Though the FDRE Constitution has recognized the equal rights of women with men, there are problems in implementing this right of women across all regions. In some regions women do not enjoy their right over land equally with men and their participation in the designing and implementation of development plans is limited. Though there are achievements in women's access to education and health services including counseling services in family planning, a lot has to be done to make those services widely available to a large number of women particularly in the rural areas.
166. A national study has been conducted to identify the peculiar problems of urban and rural women and to come up with recommendations to address the problems. The findings of the study have been used as an input to develop the Ethiopian Women Development and Change Package. Pastoralist and semi-pastoralist women development package is already drafted and after 2 months , it will be launched by the Ministry of Women's Affairs. Regions with pastoralist and semi-pastoralist populations are also expected to issue women development and change packages which take into consideration their peculiar reality.
167. The Package has identified the problems rural women faces. Accordingly, rural women spent most of their time (about 13-18 hours) with heavy work; they fetch water and collect fire woods from a distance; grind cereals, dig their farm and undertake other activities on farm land. However, they are neither beneficiaries of their labour nor are their efforts recognized by the community.

168. The Constitution prescribes that women have the right to full consultation in the formulation of national development policies, the designing and execution of projects, and particularly in the case of projects affecting the interests of women.
169. Measures have been taken to ensure that the rights, needs and concerns of rural women are given attention and to increase their visibility in the formulation, implementation and evaluation of all sectoral policies and programs. These efforts are guided by the Gender Mainstreaming Guideline developed by the government.
170. Rural women are benefiting from a form of social security program called Productive Safety Net Program which is part of the broad national Food Security Program (FSP) (Details on this program have been given under Para. 230 and 231 of the country's combined initial and periodic report on ICESCR). The Program was started in 2005 with 4.8 million chronically food insecure beneficiaries in Amhara, Oromia, Tigray, SNNP, Harari regions and Dire Dawa administrative council, covering a total of 192 *Woredas* in the above mentioned Regions and administrative councils. The program has had two components - labor-intensive public works and direct support for labor-poor households. Those who are able to work are engaged in public works for which they are paid a minimum amount, while those who are not able are provided the same amount freely.
171. In 2006, the number of program beneficiaries increased to 7.2 million and the same number of beneficiaries was maintained for the 2007 budget year. Out of these beneficiaries 5.8 million have participated in the public works, while 1.3 million were direct support beneficiaries. In 2006 and 2007 Birr 1.0 billion and Birr 1.1 billion cash has been transferred, respectively, and the total amount

of 198,868.6MT and 218,446MT food has been transferred during the same periods, respectively.

172. Even though there is no gender disaggregated information, it is estimated that up to 50 percent of the beneficiaries of the program have been rural women. Since the implementation of the program has started, due attention has been given to ensure that rural women benefit from it. To this end, rural women are represented in any committee established to implement the program. During maternity period the rural women are given direct support without being required to engage in the public works and when they have to work, they will be placed in activities that do not cause any hazard to their health.

173. As noted earlier the country's overall policy document, the PASDEP, has clearly stated that agricultural extension activities should take into account the problems of rural women. The PASDEP has forecasted that by the end of 2009/10, when the five year development program completes, 100 percent of women headed households and 30 percent of women in men headed households will be beneficiaries of agricultural extension services. So far a range of activities have been undertaken to achieve this goal including,

- Providing training to professionals to engage both women headed families and those in men headed household in extension services and evaluating the provision of the training thereto;
- Providing assistance to rural women to engage in such activities as small scale animal husbandry and vegetables production;
- Giving priority for rural women to benefit from many projects especially in credit and saving services;
- Organizing rural women to undertake activities which add value to the agricultural products and thereby enable them to benefit form the income generated from such products;
- Preparation of projects which particularly benefits rural women;

- Gender mainstreaming in the preparation of agricultural extension implementation plans and conducting monitoring and evaluation of the services from a gender perspective;
- Conducting pilot projects and celebrating farmers festivals on women farm land and ensuring women’s participation in these projects and festivals;
- Awarding exemplary and strong women farmers;

174. Measures have also been undertaken to ensure rural women’s access to economic benefit through cooperative societies. The Ethiopian Women and Development Package provide that rural women should be organized into various cooperative societies to ensure their economic benefit. In the same token, it is provided under the directive to organize cooperative societies of which at least one of the members of the management committee must be a women. The participation of women in such societies has increased to 17.4 percent in 2007/08 from 10 percent in 2005/06. One area of priority for the Federal Cooperative Agency and its Regional counterparts is to ensure the membership and economic benefit of rural women in cooperative societies.

175. Rural women have been able to actively participate in 20 types of the 36 cooperative societies. Agricultural, saving and credit, and irrigation users cooperative societies are notable cooperative societies that have attracted most rural women. As of October 2008, there were 647 cooperative societies formed solely by rural women with a capital of Birr 9, 450,170.

Table 14.1 Participation of Rural Women in Cooperative Societies

Cooperative Societies	Number of member rural women
Agricultural cooperative societies	619,412
Saving and credit cooperative societies	158,594
Irrigation users cooperative societies	8,504
Animal marketing cooperative societies	3,623

Animal husbandry cooperative societies	1,901
Milk production and marketing cooperative societies	1,090
Mining cooperative societies	1,011
Others cooperative societies	22,048
Total	816,183

*Source: Cooperative Agency, October 2008*

176. The Ethiopian Women Development and Change Package provides for the provision of credit and loans particularly for rural women. Though there is no full information as to the number of rural women benefiting from credit and loans, some evidence suggest that rural women are benefiting from the credit and loans to a certain extent. For instance, since the Amhara Credit and Saving S.C. has started its operation, 43 percent of its credit receivers have been women.

177. Ensuring market access for agricultural and other products of the rural women is another area which is given due attention in the Ethiopian Women Development and Change Package. The Package specifically states that trainings should be given to rural women to raise their awareness about marketing. The continued development of infrastructures particularly improvements in access to roads and telecommunication services have played a significant role by facilitating access to market by rural women. In addition, when the price for agricultural products fall, the Agricultural Cooperative Societies and Agricultural Products Marketing Enterprise would buy the products for a commensurate market price so as to reduce their vulnerability.

178. In terms of reducing the burden of household work of the rural women, the development program of the Ministry of Energy Development has put great emphasis on introducing appropriate technology such as bio-gas, energy saving stoves etc. Similarly, attempts have been made to provide milk processing technology, modern bee homes and potable water to rural women.

179. The FDRE Constitution provides that women have the right to acquire, administer, control, use and transfer property. In particular, they have equal rights with men with respect to use, transfer, administration and control of land. The Federal Democratic Republic of Ethiopia Rural Land Administration and Land Use Proclamation No. 456/2005 affirms this Constitutional right by stating that rural women who want to engage in agriculture shall have the right to get and use rural land. Similarly, where land is jointly held by a husband and a wife or by other persons, the holding certificate shall be prepared in the name of all the joint holders.

180. Some Regional States have enacted rural land administration and land use law which consists of detailed provisions necessary to implement the Federal Land Administration and Use Proclamation. Accordingly, they have been issuing land holding certificate to rural women. For instance, the Amhara Regional State Agriculture and Rural Development Bureau has issued 485,822 land holding certificates to husbands and wives jointly, 285,325 to women headed households and 191,076 to men headed households. Similarly, the Oromia Regional State Agriculture and Rural Development Bureau has issued 163,599 land holding certificates to rural women and 1,116,904 land holding certificates to rural men while the Southern Nations, Nationalities and Peoples Regional State Agriculture and Rural Development Bureau has issued land holding certificates to 508,627 women and to 822,197 men.

181. Increasingly, rural women are defending their rights of land holding certificate and the acts of unlawful possession of their land by men in a court of law. However, no information is available as to how many of such cases are instituted and how they are being disposed.

182. In relation to water supply and sanitations, the following rural water supply schemes were constructed during 2005/06: 205 deep wells, 824 medium wells,

363 hand dug wells constructed against the planned target of 15,474 (2.3%), 10 soil dams, 447 springs developed (16.1% of the target for 2005/06, i.e. 2,780), and 3 multi-village water utilities. With respect to rehabilitation work, 6,950 existing non-functional or semi-functional water utilities were maintained and rehabilitated during the budget year.

183. In 2006/07, 236 deep boreholes, 1240 shallow boreholes, 2325 hand dug wells, 2001 spring developments, 21 Roof catchments (under construction), 4 multi-village water supplies (under construction) were constructed under the rural water supply and sanitation scheme. During the same time, 2,044 rural water supply/ boreholes have been rehabilitated and maintained. Moreover, 4,298 different maintenance works and replacement of spare parts of rural water supply schemes have been carried out. As a result, the percentage of malfunctioning water supply facilities was reduced to 20% by the end of 2006/07.

#### **Article 15: Equality before the Law**

184. The FDRE Constitution stipulates that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall guarantee to all persons equal and effective protection without discrimination on grounds of sex. Women have the right to acquire, administer, control, use and transfer property. In particular, they have equal rights with men with respect to use, transfer, administration and control of land. They shall also enjoy equal treatment in the inheritance of property.

185. The Civil Code of Ethiopia also stipulates every physical person shall enjoy the rights of personality and the liberties guaranteed by the Ethiopian Constitution and no regard shall be had to the sex of persons. These provisions of the Civil Code accord to women, in civil matters, a legal capacity identical to that of men and ensure the same opportunity to exercise that capacity. The Civil Code does not also discriminate against women in establishing the necessary

conditions for the validity of contracts and entitles women to freely dispose of their personal property without the consent of their husband.

186. The Ethiopian legal system recognizes the equal right of men and women to bring litigation, access to legal advice and the right to seek legal redress and in all legal and civil matters.

#### **Article 16: Equality in Marriage and Family**

187. The Federal Government has issued the Revised Family Law in 2000 which is applicable in Addis Ababa and Dire Dawa cities. Each regional state has the mandate to issue family law consistent with the Constitution and international instruments ratified by Ethiopia. Currently, all regional states have enacted family laws which ensure parity of women with men in all matters relating to marriage and family relations.

188. The laws reiterate the constitutional rights of women to freely enter into marriage and to choose spouses. The spouses shall have equal rights in the management of the family as well.

189. Common property shall be administered conjointly by the spouses unless there is an agreement which empowers one of them to administer all or part of the common property and the spouses should contribute to the household expenses in proportion to their respective means.

190. Women have also equal rights with men during the dissolution of marriage. Among other things, women are entitled to half of the common property during dissolution of their marriage.

191. The family laws recognize an irregular union that is a situation where a man and a woman live together as husband and wife but without entering into a marriage contract. The man and woman living in an irregular union are

expected to contribute to their common expenses in proportion to their respective means and property acquired during such relation shall be the common property of the two provided that the relation has lasted for not less than three years.

192. Several measures are taken to eliminate forced marriage based on custom and religious beliefs. Both the family laws and the criminal law prohibit forced marriage irrespective of the form the marriage has been conducted. With a view to facilitate the enforcement of these laws, traditional and religious leaders received successive training on deleterious effects of forced marriage and the need to ensure consensual marriage. Similarly, education and awareness raising measures on the revised family laws and the new criminal law have been delivered to sensitize the population and to condemn forced marriage. 70, 000 copies of reader friendly booklets were distributed in the different regions of the country. Trainings on the family law have been offered to the judges, prosecutors and police officers at federal and state level. A vast education campaign has been undertaken to sensitize the public on the revised family laws. Newspaper articles dealing with the contents of the federal revised family law have been published. Fliers that describe the changes in the previous and the revised law were under circulation in many of the workshops and training sessions. Various non governmental organizations are also working on promoting the family laws.

193. The government has been taking different measures to combat early marriage which is a common practice in the country. In addition to the legislative and administrative measures, trainings and education campaigns have been undertaken to enhance the consciousness of the public about the harmful consequences of early marriage.

194. The Family Code rose the minimum age of marriage to 18 years and the Criminal Code criminalizes early marriage. A person concluding marriage with

a girl less than 18 years will be criminally liable with rigorous imprisonment, among others.

## Appendices

### **Appendix 1: Registered women electorate and women voters turn out on the National Election for the House of People's Representatives and Regional Councils by Region (2002/2003)**

Region/ Administration	Registered women electorate (%)	Women voters turn out (%)
A.A	47%	90%
Afar	38%	79%
Amara	50%	77%
B/gumuz	46%	90%
Dire Dawa	47%	86%
Gambella	46%	40%
Harari	48%	91%
Oromia	47%	85%
SNNPR	48%	71%
Somali	43%	83%
Tigray	52%	91%
Total	48%	81%

*Source: - NEBE election performance report for the year 2002/2003*

Appendix 2: Representation of women in three successive parliaments

No	Parliamentary period	Political party	Number of house seats compared by gender			
			Male	Female	Total	
					No	%
1	1995-2000	EPRDF	478	15	439	90.29
		Political parties other than EPRDF	45	-	45	8.24
		Independent	8	-	8	8
		Total	531/97.25%	15/2.75%	546	
2	2000-2005	EPRDF	439	42	418	87.93
		Parties loyal to EPRDF	36	-	36	6.58
		Opposing political parties	17	-	17	3.11
		Independent	13	-	13	2.38
				14%		
3	2005-2010	EPRDF	220	107	327	62.17
		Parties loyal to EPRDF	41	3	44	8.37
		Opposing political parties	146	6	152	28.89
		ANDO, SMPDUO & independent	3	-	3	0.57
		Total	410	116/22%	526	

Source: - house of peoples representatives of office of public relations.

Appendix 3: Participation of women in the standing committees of the House of People's Representatives in three successive parliaments.

No	Parliamentary period	Political party	Number of standing committee members compared by gender				Remark
			Male	Female	Total		
					No	%	
1	1995-2000	EPRDF	83	11	94	80.34%	2
		Political parties other than EPRDF	23	-	23	19.66%	
		Total	106/90.6%	11/9.4%	117		
2	2000-2005	EPRDF	127	10	137	88%	2
		Parties loyal to EPRDF	13	-	13	8%	
		Opposing political parties	5	-	5	1%	
		Independent	1	-	1		
		Total	146/94%	10/6%	156		
3	2005-2010	EPRDF	71	38	109	70%	6
		Parties loyal to EPRDF	10	3	13	8%	
		Opposing political parties	33	1	34	22%	
		Total	114/73%	42/27%	156		

Source: - house of peoples representatives of office of public relations.

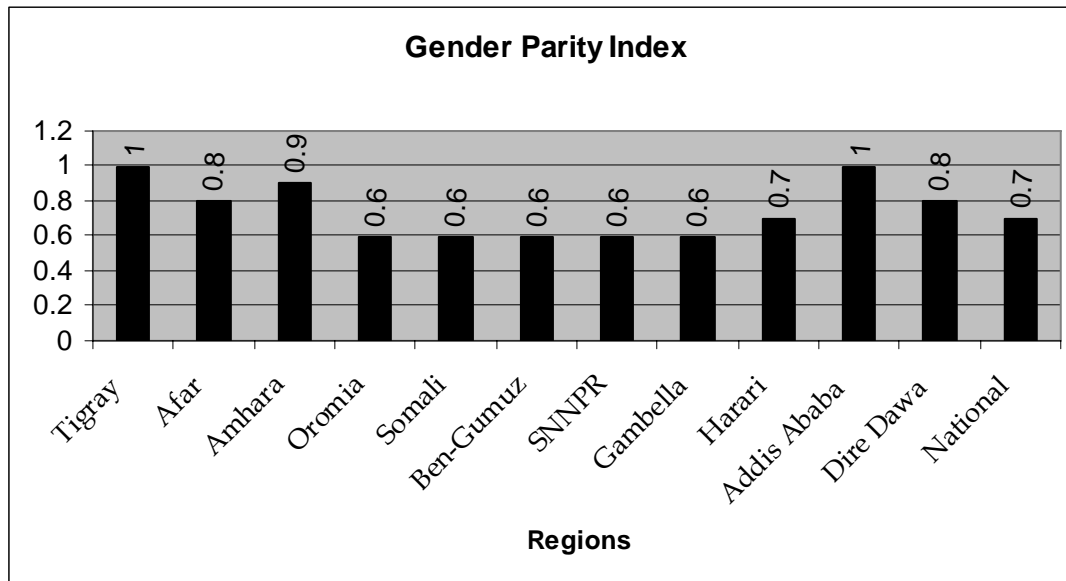
#### Appendix 4: Women's representation in government decision-making

Position	Both sexes	Female	
	Number	Number	Percent
Ministers	18	3	5.6
State ministers	16	3	18.8
Vice ministers	12	1	8.3
Commissioners	4	-	0.0
Ambassador	20	4	20.0
D. General manager	51	9	17.6
General managers	2	1	50.0
Directorate general	26	1	3.8
Department heads	170	26	15.3

Source: - federal civil service agency, March 2004\*

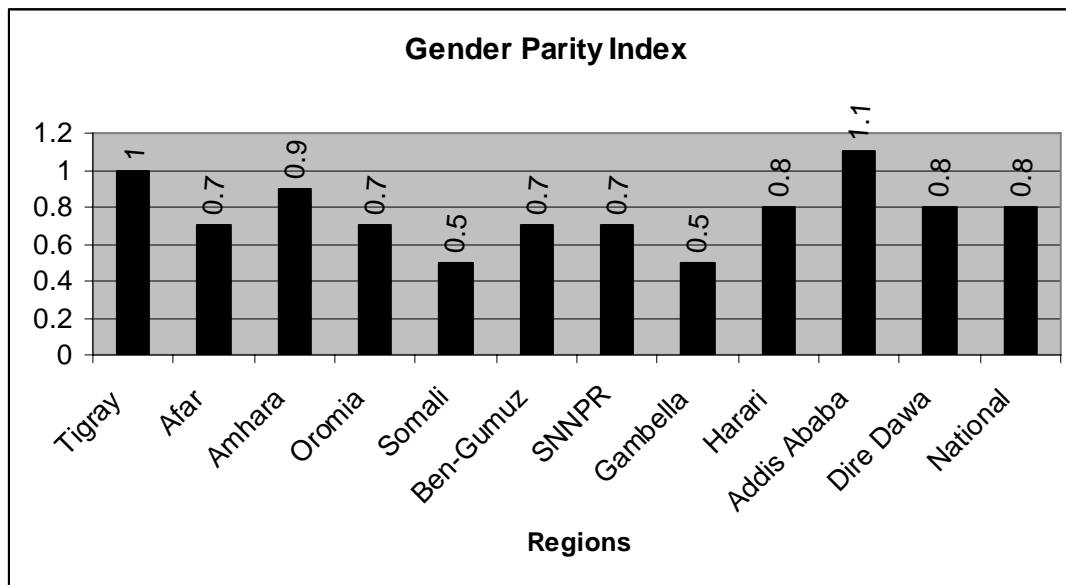
\* According to the federal civil service agency report, which is the recently available (2006/2007), among 28 ministers only 2 are women and among 39 state ministers only 6 are women.

#### Appendix 5: Gender Parity Index (GPI) at Primary level 2001/02



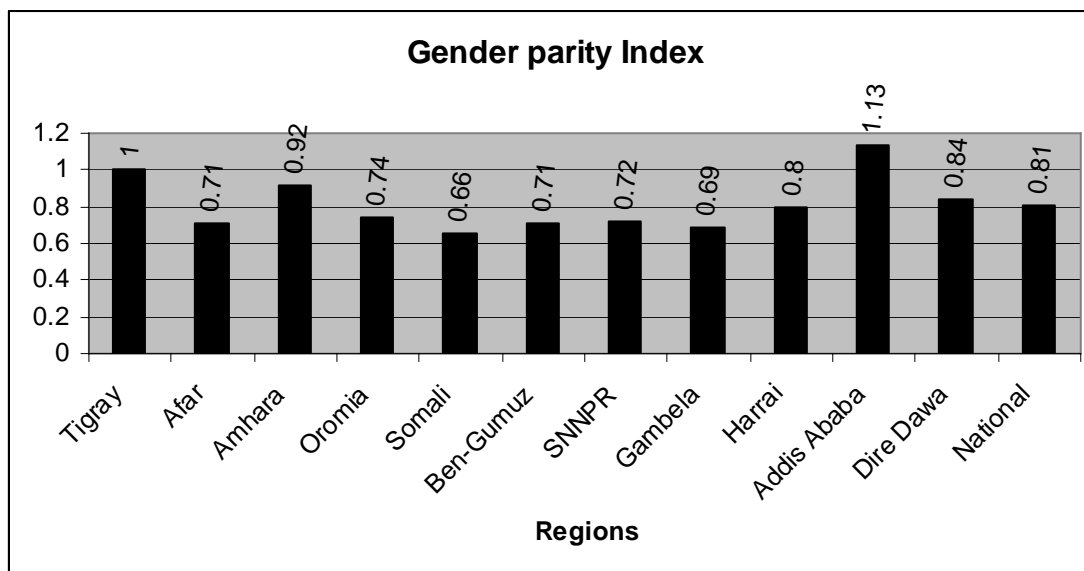
Annual report, Ministry of Education, 2002/03

Appendix 6: Gender Parity Index (GPI) at Primary level 2003/04



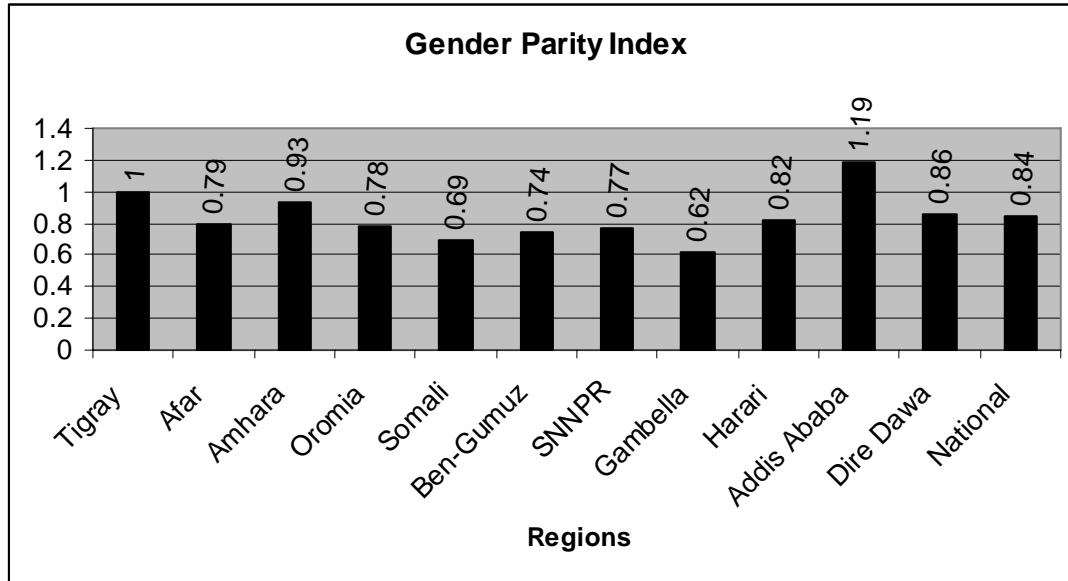
Annual report, Ministry of Education, 2004/05

Appendix 7: Gender Parity Index (GPI) at Primary Level (1-8) 2004/05



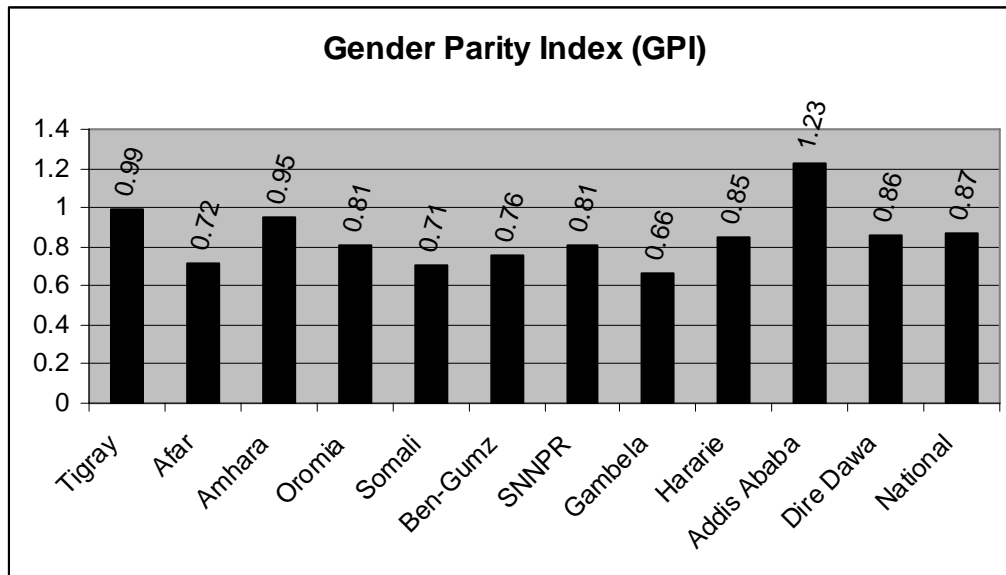
Annual report, Ministry of Education, 2005/06

Appendix 8: Gender Parity Index (GPI) at Primary Level (1-8) 2005/06



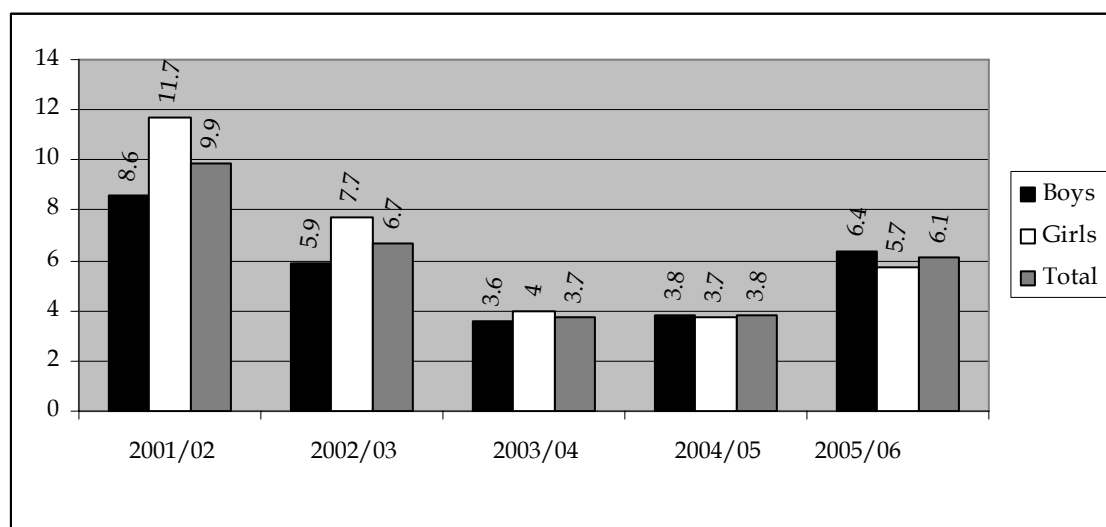
Annual report, Ministry of Education, 2006/07

Appendix 9: Gender Parity Index (GPI) at Primary Level (1-8) 2006/07



Annual report, Ministry of Education, 2007/08

Appendix 10: Repetition rate at primary level by gender (1-8)



Annual report, Ministry of Education, 2007/08

Appendix 11: Primary repetition rate by gender

Year	Repetition rate		
	Boys (%)	Girls (%)	Total (%)
2001/02	8.6	11.7	9.9
2002/03	5.9	7.7	6.7
2003/04	3.6	4.0	3.7
2004/05	3.8	3.7	3.8
2005/06	6.4	5.7	6.1

Annual report, Ministry of Education, 2007/08

Appendix 12: Primary completion rate by gender

Year	Grade 5			Grade 8		
	Male %	Female %	Total%	Male %	Female %	Total%
2001/02	52.2	31.5	42.0	23.5	13.7	18.7
2002/03	56.9	36.4	46.8	30.2	16.5	23.5
2003/04	60.0	42.2	51.3	34.9	19.1	27.1
2004/05	65.2	49.5	57.4	42.1	26.3	34.4
2005/06	69.2	56.0	62.2	50.1	32.9	41.7

Annual report, Ministry of Education, 2007/08

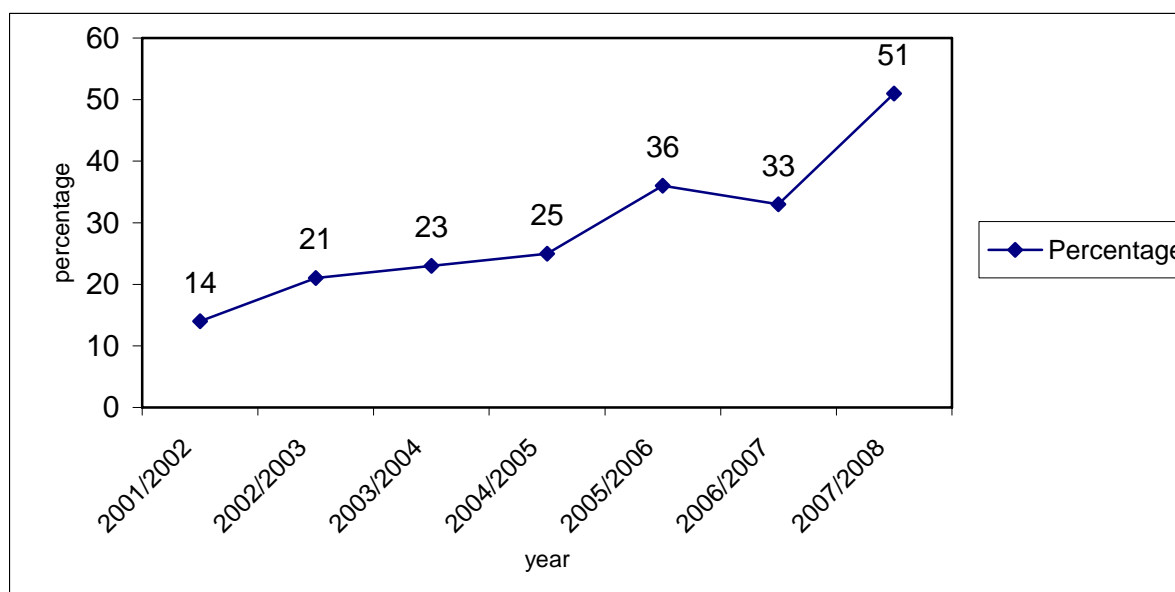
Appendix 12: Maternal health indicators, Ethiopia, 2005/06-2006/07

Indicators	HSDP III Target (Year 2009-2010)	Year 2005/06	Year 2006/07
Contraceptive acceptance rate	45%	36%	34%
Antenatal care coverage	80%	50%	52%
Proportion of deliveries attended by skilled health personnel	32%	15%	16%
Postnatal coverage	31%	16%	19%
TT2 coverage for pregnant women	75%	52%	49%

Source: -annual performance report of HSDP-III for the year 2006/2007

The table above shows the achievements under the two-year implementation of HSDP III compared to the strategy targets for the most common maternal health indicators.

Appendix 13: Trend in contraceptive acceptance rate, Ethiopia, 2001-2001



Source: - annual performance report of HSDP-III

Appendix 14: Beneficiaries of agricultural extension disaggregated by sex and region (2003-2007)

		SNNP	Tigray	Harari	Afar	Gambella	A.A.	B/gumuz	Somali	Dire Dawa	Oromia	Amhara	Total	%
2003	<b>MHF*</b>	1953000	116408					13904				432130	2515442	90.8071
	<b>FHF**</b>	147000	30741				230	1037				75644	254652	9.1929
	<b>Total</b>	2100000	147149				230	14941				507774	2770094	
2004	<b>MHF</b>	1804000	130186					14374	75			33851	1982486	81.6337
	<b>FHF</b>	396000	44370				255	2616	32			2755	446028	18.3663
	<b>Total</b>	2200000	174556				255	16990	107			36606	2428514	
2005	<b>MHF</b>	1794000	38009	9244	127			14957	103			623851	2480291	94.5167
	<b>FHF</b>	50000	11852	915	53		171	2419	55			78427	143892	5.48331
	<b>Total</b>	1844000	49861	10159	180		171	17376	158			702278	2624183	
2006	<b>MHF</b>	1800000	69169	11869	504			13607	205		3298036	1103601	6296991	86.7386
	<b>FHF</b>	600000	20503	1466	91		211	1564	107		201544	137258	962744	13.2614
	<b>Total</b>	2400000	89672	13335	595		211	15171	312		3499580	1240859	7259735	
2007	<b>MHF</b>	1875000	54143	12979	631				7600	12650	2818251	1603229	6384483	83.8296
	<b>FHF</b>	625000	18909	1938	144		190		3765		219200	362397	1231543	16.1704
	<b>Total</b>	2500000	73052	14942	775		190		11365	12650	3037451	1965626	7616021	

Source: Ministry of Agriculture and Rural Development, October 2008

\* Male Headed Household \*\* Female Headed Household

Appendix 15: Data on ATVET Colleges Graduate Students

No.	Year	Data by Sex			
		Male	Female	Total	Average
1.	2003/04	7797	1571	9368	16.8
2.	2004/05	12558	1341	13899	9.6
3.	2005/06	9886	1209	11095	11.0
4.	2006/07	13383	1670	15099	11.1
5.	2007/08	8136	1266	9404	13.5
6.	G/Total	52230	7118	59364	12.0

*Source: Ministry of Agriculture and Rural Development, October 2008*

## **Appendix 16: Excerpts from the Criminal Code of 2005**

### **Article 561: Endangering the Lives of Pregnant Women and Children through Harmful Traditional Practices.**

(1) Whoever causes the death of a pregnant or a delivering woman or that of a newly born child as a result of the application of harmful traditional practice such as:

a) massaging the abdomen of a pregnant woman, or shaking a woman in a prolonged labour; or

b) soiling the umbilical cord of a newly-born child with dung or other similar substances, keeping a newly-born child out of the sun or feeding it butter, excising the uvula of a child or taking out milk teeth or preventing the child from being vaccinated; or

c) through the exercise of other traditional practices known by the medical profession to be harmful, is punishable with fine or simple imprisonment from three months to one year.

(2) Where the death was caused by negligence, the relevant provision of this Code (Art. 543) shall apply.

### **Article 562: Causing Bodily Injury to Pregnant Women and Children Through Harmful Traditional Practices**

(1) Whoever causes bodily injury or mental impairment to a pregnant or delivering woman or to a newly-born child as a result of the application of a harmful traditional practice such as:

a) massaging the abdomen of a pregnant woman, or shaking a woman in a prolonged labour; or

b) soiling the umbilical cord of a newly-born child with dung or other similar substances, keeping a newly-born child out of the sun or feeding it butter, excising the uvula of a child or taking out milk teeth or preventing the child from being vaccinated; or

c) through the exercise of other traditional practices known by the medical profession to be harmful, is punishable with fine or simple imprisonment not exceeding six months.

(2) Where the injury to body, mind or health was caused by negligence, the relevant provision of this Code (Art. 559) shall apply.

**Article 563:- Discretion of the Court.**

In respect of the crimes specified under Articles 561 and 562, the Court, taking into account the age, education, experience or social status of the criminal, may give him only a warning instead of fine or a penalty entailing loss of liberty.

**Article 564:- Violence Against a Marriage Partner or a Person Cohabiting in an Irregular Union.**

The relevant provision of this Code (Arts. 555 - 560) shall apply to a person who, by doing violence to a marriage partner or a person cohabiting in an irregular union, causes grave or common injury to his /her physical or mental health.

**Article 565:- Female Circumcision.**

Whoever circumcises a woman of any age, is punishable with simple imprisonment for not less than three months, or fine not less than five hundred Birr.

**Article 566:- Infibulation of the Female Genitalia**

(1) Whoever infibulates the genitalia of a woman, is punishable with rigorous imprisonment from three years to five years.

(2) Where injury to body or health has resulted due to the act prescribed in sub-article (1) above, subject to the provision of the Criminal Code which provides for a more severe penalty, the punishment shall be rigorous imprisonment from five years to ten years.

**Article 567:-Bodily Injuries Caused Through Other Harmful Traditional Practices**

Whoever, apart from the circumstances specified in this Chapter, inflicts upon another bodily injury or mental impairment through a harmful traditional practice known for its inhumanity and ascertained to be harmful by the medical profession, shall, according to the circumstances of the case, be liable to one of the penalties prescribed under the provisions of Article 561 or Article 562 of this Code.

**Article 568:-Transmission of Disease through Harmful Traditional Practices.**

Where the victim has contracted a communicable disease as a result of one of the harmful traditional practices specified in the above provisions, the penalties prescribed in this Code concerning the spread of communicable diseases shall apply concurrently.

**Article 569:-Participation in Harmful Traditional Practices.**

A parent or any other person, who participates in the commission of one of the crimes specified in this Chapter, is punishable with simple imprisonment not exceeding three months, or fine not exceeding five hundred Birr.

**Article 570:- Incitement Provisions Practices Against the Enforcement of Prohibiting Harmful Traditional**

Any person who publicly or otherwise incites or provokes another to disregard the provisions of this Code prohibiting harmful traditional practices, or organizes a movement to promote such end, or takes part in such a movement, or subscribes to its schemes, is punishable with simple imprisonment for not less than three months, or fine not less than five hundred Birr, or both.

**Article 597:- Trafficking in Women and Children.**

(1) Whoever by violence, threat, deceit, fraud, kidnapping or by the giving of money or other advantage to the person having control over a woman and child, recruits, receives, hides, transports, exports or imports a woman or a minor for the purpose of forced labour, is punishable with rigorous imprisonment from five years to twenty years, and fine not exceeding fifty thousand Birr.

(2) Whoever knowingly carries off, or transports, whether by land, by sea or by air, the victim mentioned in sub article (1), with the purpose stated therein, or conducts, or aids such traffic, is liable to the penalty prescribed under sub-article (1) above.

### **Article 598:- Unlawful Sending of Ethiopians for Work Abroad**

(1) Whoever, without having obtained a license or by any other unlawful means, sends an Ethiopian woman for work abroad, is punishable with rigorous imprisonment from five years to ten years, and fine not exceeding twenty-five thousand Birr.

(2) Where the Ethiopian woman sent abroad, owing to the act mentioned above, suffers an injury to her human rights, or to her life, body or psychological make-up, the sender shall be punishable with rigorous imprisonment from five years to twenty years, and fine not exceeding fifty thousand Birr.

(3) The provisions of this Article shall apply where similar acts are committed against Ethiopian men.

### **Article 634:- Habitual Exploitation for Pecuniary Gain**

Whoever, for gain, makes a profession of or lives by procuring or on the prostitution or immorality of another, or maintains, as a landlord or keeper, a brothel, is punishable with simple imprisonment and fine.

### **Article 635:- Traffic in Women and Minors**

Whoever, for gain, or to gratify the passions of another:

a) traffics in women or minors, whether by seducing them, by enticing them, or by procuring them or otherwise inducing them to engage in prostitution, even with their consent; or

b) keeps such a person in a brothel to let him out to prostitution, is punishable with rigorous imprisonment not exceeding five years, and fine not exceeding ten thousand Birr, subject to the application of more severe provisions, especially where there is concurrent illegal restraint.

### **Article 636:- Aggravation to the Crime.**

In cases of professional procuring or traffic in persons, rigorous imprisonment shall be from three years to ten years, and the fine shall not exceed twenty thousand Birr where:

a) the victim is a minor; or .

- b) the victim is the wife or a descendant of the criminal, his adopted child or the child of his spouse, his brother or his sister, or his ward, or where the victim has been entrusted, on any ground whatsoever, to his custody or care; or
- c) the criminal has taken unfair advantage of the material or mental distress of his victim, or of his position as protector, employer, teacher, landlord or creditor, or of any other like situation; or
- d) the criminal has made use of trickery, fraud, violence, intimidation, coercion, or where he has misused his authority over the victim; or
- e) the victim is intended for a professional procurer, or has been taken abroad or where the victim's whereabouts or place of abode cannot be established; or
- f) the victim has been driven to suicide by shame, distress or despair.

**Article 637:- Organization of Traffic in Women and Minors.**

Whoever makes arrangements or provisions of any kind for the procurement of or traffic in women or minors, is punishable with simple imprisonment, or according to the circumstances of the case, especially where a professional procurer is involved or where the arrangements are fully made and intended to apply to many victims, with rigorous imprisonment not exceeding three years, and a fine Which shall be not less than five hundred Birr in grave cases.