



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

Forty-ninth session

11-29 July 2011

### List of issues and questions with regard to the consideration of periodic reports

#### Ethiopia

The pre-session working group examined the combined sixth and seventh periodic reports of Ethiopia.<sup>1</sup>

#### General

1. Please provide information on the process of preparing the combined sixth and seventh periodic reports, including on the contribution of public institutions at the federal and regional levels and national human rights institutions, and on consultations with non-governmental organizations.<sup>2</sup> Please also indicate whether, following its adoption by the Government, the report was submitted to the House of Peoples' Representatives.

#### Legal status of the Convention and legislative and institutional framework

2. Please provide detailed information on training provided by the State party to judges, lawyers, prosecutors, law enforcement officials and representatives of women's associations on the legally binding character and direct applicability of the Convention and the Committee's general recommendations, as well as on the measures taken to enhance awareness about the Convention among the general public.<sup>3</sup>

3. Please provide information on any mechanisms in place to ensure the enforcement of legislation proscribing discrimination and violence against women such as the revised Criminal Code (2005) and the Federal Family Code;<sup>4</sup> for

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<sup>1</sup> CEDAW/C/ETH/6-7.

<sup>2</sup> See HRI/CORE/ETH/2008, para. 256 et seq.

<sup>3</sup> See CEDAW/C/ETH/CO/4-5, para. 242; see also HRI/CORE/ETH/2008, para. 232, et seq.

<sup>4</sup> See HRI/CORE/ETH/2008, paras. 271-273.



example, suspension, fines and other sanctions for officials who fail to enforce such legislation.

4. Please indicate the achievements of the Ethiopian Human Rights Commission, especially the Commissioner on Children's and Women's Affairs,<sup>5</sup> in promoting and protecting women's rights. Please also provide information on the number of staff and the financial resources of the Women's Affairs Office.<sup>6</sup>

5. In the light of the critical role of women's and human rights NGOs in promoting the advancement of women, please provide information on the impact of the Charities and Societies Proclamation (No. 621/2009) on the work and funding of local women's NGOs working in the field of human rights. Please also explain how the State party plans to ensure a conducive environment for the establishment and operation of women's NGOs and to facilitate their active participation in the implementation of the Convention, in accordance with the Committee's previous concluding observations.<sup>7</sup>

6. Please explain why 90 per cent of the assets of the Ethiopian Women Lawyers Association (EWLA) were frozen by decision of the Charities and Societies Agency upon EWLA's re-registration, forcing it to downsize 80 per cent of its staff and to suspend its legal aid and hotline services. Please indicate how the State party intends to fill the gap resulting from the suspension of those services.

7. Please indicate whether the State party has created a dedicated government agency and adopted a national policy for internally displaced persons, specifically addressing the protection needs of internally displaced women and girls.

#### **Stereotypes and education**

8. Please describe the impact of public awareness-raising campaigns to eliminate discriminatory traditional stereotypes and prejudices about the roles and responsibilities of women in society.<sup>8</sup> Please also provide information on the impact of religious leaders on shaping norms of social conduct that may limit women's space in political, economic and cultural life.

#### **Violence against women**

9. Please indicate whether the State party has adopted a national strategy to combat violence against women, including domestic violence, as recommended in the Committee's previous concluding observations on the State party's fourth and fifth periodic reports.<sup>9</sup> What assistance is being provided to victims of such violence?<sup>10</sup> How effective are the measures described in paragraphs 38 and 39 of the combined sixth and seventh periodic report in encouraging victims to report incidents of domestic violence, increasing prosecution and conviction rates, and reviewing sentencing policies in domestic violence cases?<sup>11</sup>

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<sup>5</sup> See CEDAW/C/ETH/CO/6-7, para. 21; see also HRI/CORE/ETH/2008, paras. 217-218 and 265.

<sup>6</sup> See CEDAW/C/ETH/CO/6-7, paras. 2 and 22-23.

<sup>7</sup> See CEDAW/C/ETH/CO/4-5, para. 270.

<sup>8</sup> See CEDAW/C/ETH/CO/6-7, paras. 10, 39 and 59; see also HRI/CORE/ETH/2008, para. 268.

<sup>9</sup> See CEDAW/C/ETH/CO/4-5, para. 256.

<sup>10</sup> See CEDAW/C/ETH/CO/6-7, para. 37.

<sup>11</sup> See CEDAW/C/ETH/CO/4-5, para. 256

10. Please indicate whether the State party considers amending the revised Criminal Code, with a view to criminalizing spousal rape. What measures are being taken to encourage victims to report cases of rape, especially spousal rape, to the police?

11. What measures is the State party taking to prevent and punish acts of sexual violence against women and girls, including rape, by members of the armed forces, which allegedly occur, in particular, in the Somali and Oromia regions? Please provide information on the number of investigations, convictions and sentences imposed on perpetrators, including senior commanders, since 2005. Please also indicate the assistance provided to victims, in accordance with the Committee's general recommendation No. 19.

12. Please provide more information on the implementation of the revised Criminal Code, which criminalizes harmful traditional practices, such as female genital mutilation, early marriage and abduction of girls. In particular, please indicate whether:

- (a) the relevant criminal law provisions<sup>12</sup> are rigorously enforced;
- (b) abduction of girls is exempted from the application of criminal laws when the perpetrator marries the victim;
- (c) training is provided to judges, prosecutors, police and community leaders on the strict application of the revised Criminal Code and the negative impact of harmful traditional practices on women's and girls' rights.<sup>13</sup>

Please also provide information on the sentences imposed on perpetrators of harmful traditional practices since 2005, and clarify whether all regional states have revised their family laws in conformity with the Federal Family Law in order to prohibit harmful traditional practices.<sup>14</sup>

13. Corporal punishment in schools is explicitly prohibited by article 36 of the Constitution, but is tolerated as a disciplinary measure in childrearing under article 576 (3) of the revised Criminal Code and article 258 of the revised Family Code. Please indicate whether the State party considers prohibiting corporal punishment of girls and boys in all settings, including at home and in alternative care. Please also indicate whether any studies or surveys have been undertaken by the State party on the particular vulnerability of girls to be subjected to corporal punishment and on the specific impact of corporal punishment on girls' development and physical and psychological well-being.

#### **Trafficking and exploitation of prostitution of women**

14. In the light of increasing numbers of women and girls trafficked from and within the State party, please indicate whether:

- (a) the State party considers adopting a national action plan on trafficking;
- (b) the offence of trafficking is subject to ex officio prosecution;<sup>15</sup>

<sup>12</sup> See CEDAW/C/ETH/6-7, appendix 16.

<sup>13</sup> Ibid., paras. 192-193.

<sup>14</sup> Ibid., para. 36.

<sup>15</sup> Ibid., para. 50.

(c) measures are taken to increase prosecution and conviction rates, enhance victim assistance<sup>16</sup> and raise awareness about internal trafficking;<sup>17</sup>

(d) steps are taken to prevent the activities of illegal employment agencies, ensure that women receive information on safe migration prior to departure, and conclude bilateral agreements with receiving countries,<sup>18</sup> in line with the Committee's general recommendation No. 26.

15. In the light of the high proportion of girls among child domestic workers, what measures is the State party taking to prevent and punish sexual abuse of those girls by their employers or by family members of their employers?

### **Participation in political and public life and decision-making**

16. Please provide updated information on the representation of women in the newly composed House of Peoples' Representatives and in all Regional Councils.<sup>19</sup> Please also provide information on the impact of measures, including temporary special measures, to increase the number of women in public office, including in senior ministerial and diplomatic positions, as well as in the judiciary.<sup>20</sup>

17. What measures is the State party taking to ensure that women candidates standing for election, especially those belonging to political opposition parties, are free from harassment and intimidation?

### **Education**

18. Please provide further information on the causes of girls' school absenteeism and drop-out and indicate:

(a) whether the 50 per cent quota for female teaching staff applies to all levels of education;<sup>21</sup>

(b) examples of temporary special measures at the primary and secondary levels aimed at increasing girls' enrolment and reducing their drop-out and repetition rates, especially in rural areas;<sup>22</sup>

(c) the steps taken to increase female literacy rates;<sup>23</sup>

(d) any temporary special measures to increase access by women to higher education;<sup>24</sup>

(e) examples of support schemes and incentives encouraging parents to send girls to school;

(f) the educational opportunities for girls with disabilities.

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<sup>16</sup> Ibid., para. 43.

<sup>17</sup> Ibid., para. 45.

<sup>18</sup> Ibid., para. 266.

<sup>19</sup> Ibid., para. 54.

<sup>20</sup> Ibid., para. 54 et seq. and annex 4; see also HRI/CORE/ETH/2008, table 79.

<sup>21</sup> See CEDAW/C/ETH/CO/6-7, para. 80.

<sup>22</sup> See CEDAW/C/ETH/CO/4-5, para. 250; see also HRI/CORE/ETH/2008, tables 47-52.

<sup>23</sup> See CEDAW/C/ETH/CO/4-5, para. 250; see also CEDAW/C/ETH/6-7, para. 81; and HRI/CORE/ETH/2008, table 53.

<sup>24</sup> See CEDAW/C/ETH/6-7, para. 89 and appendix 16.

## Employment

19. Please provide further information on temporary special measures to ensure equal opportunities for women and men in the labour market,<sup>25</sup> including in senior positions in the formal sector and in the civil service at the federal level.<sup>26</sup> Please also provide detailed information on women's wage levels and their representation in senior positions in the formal and informal labour markets.<sup>27</sup>

20. Please provide information on women's access to pensions and, more generally, to social protection, in particular as regards women engaged in the informal economy and in unpaid work.

21. Does the State party consider including provisions in the Federal Labour Proclamation and the Federal Civil Service Proclamation specifically addressing sexual harassment in the workplace<sup>28</sup> and raising the penalties for dismissals based on gender, marital status, family responsibility and pregnancy, as well as for sexual violence in the workplace.<sup>29</sup>

22. Please provide information on the measures taken to protect girls and boys, including those living in the street, from economic and social exploitation in child labour and to provide victims of such exploitation with material and psychological support and education.

## Health

23. What measures have been taken to increase the coverage of family planning services and education,<sup>30</sup> including affordable access to contraceptives, education on sexual health and rights and training for health extension workers, medical personnel and local women's groups, in particular in rural areas? What has been the impact of such measures on reducing the number of unsafe abortions?<sup>31</sup> Please clarify to what extent early marriage and unsafe abortions contribute to the high maternal mortality rate in the State party.<sup>32</sup>

24. Please describe the impact of the Reproductive Health Strategy, the Health Sector Development Programme and the National Action Plan on Gender Equality on reducing the maternal mortality rate,<sup>33</sup> especially in rural areas, and indicate measures to ensure access to skilled care during pregnancy and childbirth, as well as to emergency obstetric and neonatal care.

25. The report states that HIV/AIDS disproportionately affects women and girls.<sup>34</sup> Please provide detailed information on HIV/AIDS prevention programmes specifically targeting young women and girls, including sex workers, as well as information on any campaigns to destigmatize and eliminate discrimination against women living with HIV/AIDS.

<sup>25</sup> See CEDAW/C/ETH/CO/4-5, para. 262; see also HRI/CORE/ETH/2008, table 16.

<sup>26</sup> See CEDAW/C/ETH/6-7, paras. 102 and 106.

<sup>27</sup> See CEDAW/C/ETH/CO/4-5, para. 262.

<sup>28</sup> See CEDAW/C/ETH/6-7, para. 128.

<sup>29</sup> *Ibid.*, paras. 124 and 128.

<sup>30</sup> *Ibid.*, para. 136.

<sup>31</sup> *Ibid.*, paras. 148 and 154.

<sup>32</sup> *Ibid.*, paras. 140-153 and appendix 13.

<sup>33</sup> See HRI/CORE/ETH/2008, tables 27-28.

<sup>34</sup> See CEDAW/C/ETH/6-7, para. 154; see also HRI/CORE/ETH/2008, para. 21 and tables 30-32.

**Rural women**

26. Please describe the impact of measures to increase access to safe drinking water within the immediate vicinity of households,<sup>35</sup> as well as to adequate sanitation, for rural women and girls who must often walk long distances to collect water, exposing them to an increased risk of sexual violence and preventing girls from attending school.

**Equality before the law**

27. What measures is the State party taking to ensure the free consent of women to have family law matters adjudicated by traditional and Sharia courts applying customary or Islamic law, respectively, prevent bias against women on the part of such courts, enable women's participation in Elders' Councils, and ensure their access to ordinary courts, especially in rural areas?<sup>36</sup>

28. Please provide information on the measures taken to ensure that women and men de facto enjoy equal rights in relation to property, inheritance and control over resources, including land, during or upon dissolution of marriage or on the spouse's death.<sup>37</sup> What measures are being taken to enforce the Rural Land Administration and Land Use Proclamation providing for the joint registration of land by spouses and to strengthen the position of women in land disputes?<sup>38</sup>

**Marriage and family**

29. What steps has the State party taken to revise discriminatory legislation recognizing the husband as the legal head of the family and the sole guardian of children above five years,<sup>39</sup> entitling women to only three months of financial support in case of dissolution of a civil marriage and to no support at all in case of common law marriages, and failing to provide remedies for women to claim child support?

30. Please provide information on the measures taken to combat early marriage and ensure that all regional states adjust to the Federal Family Law, which sets the legal minimum age of marriage at 18 years for both men and women.<sup>40</sup> Please provide sex-disaggregated data on the number of reported early marriages and criminal sanctions, as well as on the prevalence of forced and polygamous marriages.<sup>41</sup>

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<sup>35</sup> See CEDAW/C/ETH/6-7, paras. 182-183.

<sup>36</sup> See HRI/CORE/ETH/2008, paras. 47, 49, 50, 67 and 238.

<sup>37</sup> See CEDAW/C/ETH/6-7, paras. 184, 185, 189 and 191; see also HRI/CORE/ETH/2008, para. 28.

<sup>38</sup> See CEDAW/C/ETH/6-7, paras. 179-181.

<sup>39</sup> Ibid., para. 28.

<sup>40</sup> See CEDAW/C/ETH/CO/4-5, para. 254; see also CEDAW/C/ETH/6-7, para. 193.

<sup>41</sup> See CEDAW/C/ETH/6-7, para. 194.