



Children's Rights in Ethiopia

A Situation Analysis

March 2003

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Our vision is a world in which all children's rights are fulfilled. Save the Children works for:

- o a world which respects and values each child
- o a world which listens to children and learn
- o a world where all children have hope and opportunity

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Author: Henrik Haggstrom with contributions from Abnet Kassa, Alemshay Mulat, Gebregziagher Dori, Hosaenna Addisu, and Dr. Tibebu Bogale.

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Save the Children Sweden
SE-107 88 Stockholm, Sweden
Visiting address: Torsgatan 4
Tel +46 8 698 90 00
Fax +46 8 698 90 12
info@rb.se
www.rb.se/bookshop

Foreword

The past decade began with a genuine optimism for the children of Ethiopia. With the adoption of the UN Convention on the Rights of the Child (UNCRC) in 1991, and the World Summit global plan of action for children in 1990, it appeared that the right of all children to a decent childhood and respect was finally being taken seriously by the Government of Ethiopia and the international community.

Sadly enough, most of the promises were not kept. Reviews of the progress made since the ratification of the Convention, reveals that, in spite of some progress, few of the commitments made in 1991 have led to significant improvements in the everyday lives of children in Ethiopia.

During the past 10 years Ethiopia has faced economic, social and political challenges, due to years of civil war and the transition to democracy. This has led to the existence of urban/rural disparities between regions, in particular with regard to the availability of resources and infrastructure. The problems are reflected on the failure or ineffective functioning of i.e. social services such as health, protection and education on children.

The problems are, however, also reflected on violations of other rights provided for in the UN Convention on the Rights of the Child (CRC), and the African Charter on the Rights and Welfare of the Child (ACRWC), in particular violations of civil, political, economic, social and cultural rights targeting traditional attitudes and harmful practices in Ethiopia.

Our sincere hope with this report is that it will serve as a basis for further discussions with the Government and civil society representatives on how we can take stronger collective action to implement the provisions in the UN Convention on the Rights of the Child, strengthen protections, and fulfill the promises made to the children of Ethiopia.

Henrik Haggström
Country Program Manager

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Part I: Children's Rights in Ethiopia



Jorgen Tetsche

1.1. Introduction

During the past years Ethiopia has faced economic, social and political challenges, due to years of civil war and the transition to democracy. This has led to the existence of urban/rural disparities between regions, in particular with regard to the availability of resources and infrastructure. The problems are reflected in the failure or ineffective functioning of social services such as health and education, as illustrated by the high levels of infant and under-five mortality rates and malnutrition, and at the low levels of school enrolment, education, immunization coverage and health services in general. The country has high illiteracy rates, and the lowest percentage of people who have access to social services amongst poor countries.

The problems are also reflected in violations of other rights provided for in the UN Convention on the Rights of the Child (CRC), and the African Charter on the Rights and Welfare of the Child (ACRWC). In particular there are violations of civil, political, economic, social and cultural rights targeting traditional attitudes and harmful practices in Ethiopia. Female genital mutilation, early marriages, teenage pregnancies and the persistence of discriminatory social attitudes against vulnerable groups of children are examples of such violations. Vulnerable groups include the girl child, disabled children, children born out of wedlock and children occupied in harmful work, living on the street, or in conflict with the law.

1.2. Objective of the analysis

Save the Children - Sweden is in a process of reviewing its programmatic activities in Ethiopia with the ambition to strengthen its focus on the promotion of children's rights. Strategic planning of future programs needs to rely on a consistent and well-documented analysis of the complex situation for children living in Ethiopia in order to be effective. The current report has been developed to facilitate that process.

As a result, the overall objective of this situational analysis is to provide information and analysis of the complex child rights situation in Ethiopia and identify priority needs and existing capacities in the country. Specific objectives of the analysis include:

- Gather information and present a situation of child rights and implications for programming,
- assess and provide information related to the development priorities of the Government of Ethiopia and the donor community,
- Based on findings, provide a broad roadmap of programming options and strategies for development of Save the children Sweden programming in Ethiopia.
- Identify areas for further mapping and research

1.3. Method

The current report was written within the framework of the rights based approach in which the UN Convention on the Rights of the Child (CRC), and the

African Charter on the Rights and Welfare of the Child (ACRWC) serve as cornerstones. The analysis follows the recommendation given in the Save the Children Child Rights Programming Framework. A major focus in the report is the implementation of the CRC and the ACRWC, violations of children's rights and underlying factors affecting the realization of children's rights in Ethiopia. It also scrutinizes actors and duty bearers in the Ethiopian society.

The report is based on secondary sources such as, documents, reports and publications. Some interviews have been conducted with various representatives of the NGO community and decision makers within the government administration as well.

Children have contributed to the report by presenting issues of concern to them in Ethiopia. The children's participation has been facilitated by a series of workshops where children have been given the opportunity to speak up on issues and conditions of concern to them and how they want to participate in the national and regional decision-making process in the future in order to improve these conditions. Approximately 1 500 children have been consulted. The workshops have been organized in preparation to the UN Special Session on Children, which was held in New York on May 2002. The children have not been asked to comment on this final report due to lack of time and resources.

1.4. Structure

The first chapter is the introduction of the report. The second chapter looks at the country context providing a brief presentation of its people, the political system and the economic situation in Ethiopia. The third takes the reader through the Convention on the Rights of the Child, the African Charter on the Rights and Welfare of the Child. Chapter four review the implementation of children's rights in Ethiopia focusing on national legislation and practice. Chapter five focuses on actors and duty bearers responsible for the implementation of the conventions.

1.5. Limitations

It's important to stress that it is virtually impossible to write a child rights analysis on the situation of children in Ethiopia without missing important details. Time constraints and lack of resources have resulted in this report, which, only touches upon the different factors affecting children's rights in Ethiopia. Some sections are more detailed than others, often due to the availability to information. Many of the issues dealt with in this analysis cover subjects that lack accurate information or reliable data. As a result the report sometimes faces the risk of being considered speculative. However, the author has tried as much as possible to make references to existing primary and secondary sources in case of uncertainty. Hopefully the analysis can serve as a document illustrating some of the major issues regarding child right's violations in Ethiopia, and some of the root causes. But more important, it highlights research gaps and needs for further documentation.

Part 2. Country Context



2.1. Ethiopia

The Federal Democratic Republic of Ethiopia (FDRE) covers an area of approximately 1.13 million sq. km, which is equivalent to the combined area of France and England. The Central Statistical Authority estimated the population of Ethiopia at 63.5 million as of 1 July 2000, making it the third-largest country on the African continent behind Nigeria and Egypt. The overwhelming majority of the population lives in rural areas, though growth in urban areas (5.6% annually) is outstripping that in rural areas.

As a multi-ethnic and multi-lingual country, Ethiopia is made up of 260 ethnic groups or sub-groups, speaking over 210 languages or dialects. Amharic, Tigrigna and Oromiffa are the most common, spoken by roughly two-thirds of the population. Although the total number of languages is vast, fourteen are spoken by 93% of the population. Amharic and English remain de facto languages of state.

The Ethiopian population is "young". Nearly 18% of the Ethiopians are below the age of five, and almost half (48,6%) are under the age of 15 years. The overall population density, at 45 people per square kilometer, is not high. However, the pattern of population distribution is uneven and not well matched with the distribution of resources. More than 85% of the population is concentrated in barely 45% of the total territory. Wars, famines and forced resettlement programs have added to this uneven distribution.

2.1.1. Demography and reproductive health

Ethiopia is characterized by very rapid population growth fuelled primarily by high levels of fertility. The population grew by 2.6 percent during 1970-1990, and by 2.7 percent during 1990-1998, extremely high by world standards but roughly equal to the average growth in Sub-Saharan Africa over the same periods. Population projections indicate that the Ethiopian population will double its 1994 level (55 million people) in 2021.

The rapid population growth poses a major underlying challenge to Ethiopia's ability to ensure the rights of children. It adds to the already huge challenge faced by the Ethiopian state in expanding education, health care and other basic services to reach all children. As will be discussed later currently half children have access to health services, and less than half attend school. Rapid population growth means that the economy must attain higher growth rates in order to lift families out of poverty and absorb new job seekers. It means large family sizes and high child dependency rates, and therefore increased strain on limited family resources. And it means increased pressure on scarce natural resources, and food resources in particular, contributing to environmental degradation and food insecurity.

Of Ethiopia's estimated population of about 63.5 million, two-thirds are under the age of 25 years and about a third (34%) are between the ages of 10 and 24. This accounts for the high fertility rate of 5.9 per women per year. Youth, defined here as the population between the ages of 10 and 24, is estimated to be 20 million which is expected to increase to 24 million by 2010 and 29 million by 2015.

Childbearing begins early in Ethiopia, which results in a longer reproductive span and higher level of fertility. According to the DHS in 2000, more than 50% of women aged 30 and above had their first child as a teenager. In Ethiopia, evidence from various studies indicates that sexual activity occurs early, and that this activity is not always within marriage. The 2000 DHS found that 27% of women age 20-29 have had sexual intercourse by the age of 15, 64% by the age of 18 and 88% by the age of 25. The median age for first intercourse for women of this age group was 16.4 years, which is also the median age at first marriage. First sexual activity occurs later for men, with the median age at first intercourse being 20.3 years for men between 25 and 59, which is lower than the median age at first marriage for men, of 23.3 years. Other smaller studies, however, reported a lower mean age for first sexual experience ranging from 14 to 18, with a substantial segment of young women experiencing first sex prior to marriage, while young men are found to initiate sexual activity earlier than young women. These studies also indicated the presence of a significant difference between urban and rural youth; and the literate and illiterate where median ages were higher for urban and literate youth for both sexes. Findings from the literature indicate the presence of considerable time for young people to remain sexually active before marriage, exposing themselves to the risks of STD/HIV/AIDS and unintended pregnancy and abortion.

Adolescent pregnancy, particularly if the girl is very young, are serious health risks to both the mother and the baby. An added risk of pregnancy in young women, especially if unmarried, is illegal and unsafe abortion. According to the 2000 DHS, 16% of women age 15-19 were already mothers or were pregnant at the time of the survey. This was found to be more common in rural areas (18%) compared to urban (9%); and more in those with no education (21%) compared to those with primary education (9%) and secondary education (10%). Unwanted pregnancy is common both in in-school and out of school young women as reported by various studies (8-10). Many of the unintended pregnancies in young women end in abortion.

The 2000 DHS found that in general knowledge of contraceptive methods is high for both men and women, and married and unmarried groups with a relatively lower knowledge among the younger age groups of 15-19 for both men and women. However, despite the high level of knowledge, use of contraceptive methods was found to be very low both in men and women. Ever use rate was lower than 5% and 15% for those between 15-19 and 20-24 respectively.

2.2. The economic policy environment

By almost any measure, Ethiopia is a country that suffers from severe and widespread poverty. Per capita income is estimated locally at USD 167, only one third of the average for sub-Saharan Africa and six lowest in the world. The World Bank estimates that per capita income for Ethiopia is an even lower level of USD 100-110. One third of the population must struggle to make do with less than USD 1 per day.

Poverty may also be defined in social terms as a lack of options and possibilities to affect your own life situation. In Ethiopia children are the most vulnerable to, and often hardest hit by, poverty. It affects the ability of society at all levels to fulfill its obligations to children. Almost all of the manifestations of unmet child rights in Ethiopia, e.g. such as high infant and child mortality, widespread malnutrition, high incidence of communicable disease, low school enrolment, high number of children in situations of special risk, have poverty as a key underlying root. The effects of poverty cause life long damage to children's minds and bodies, making it more likely that they pass on poverty to their own children, thereby perpetuating the poverty cycle.

Ethiopia is largely an agrarian society characterized by over 80% of the population living in rural areas, under conditions of extreme poverty. Agriculture accounted for 44 percent of gross domestic product (GDP) in 1998/99. Agriculture accounts for 85 percent of total employment and more than two-thirds of total earnings from exports. The remainder of the GDP originates from services (44%) and industry (12%).

The country is frequently affected by drought and this often turns to disaster because of the high level of vulnerability among the population. Given that such a large percent of the population is engaged in agriculture.

In response to the problem, the government has made reforms to enhance agricultural productivity and the economy. The government has embraced a market-oriented economic policy of which the key features are removal of price and market controls, reduction and removal of subsidies and tariffs, and holding a weekly foreign exchange auction that allows licensed investors to bid for the amount of foreign exchange they need.

The Government has stated the aim of addressing poverty by doubling per capita income by 2010. However, in order to achieve the aim the economy will have to reach to an average annual growth rate of 7 to 8 percent per year.

Notwithstanding all the above efforts to modernize the economy and release Ethiopians from the poverty trap, there are a number of constraints that either slow down or stop the reform process. Ethiopia is one of the least developed countries in the world with a GDP per capita of USD 150 per annum (Human Development Report, 1999). The largest sector in the country - agriculture, is not developed. Most Ethiopian farmers lack the basic farm tools, have limited access to credit, and till land that has been degraded over centuries. The fact that land is owned by the state also constrains its economic utilization.

2.3. Democracy and governance

It is often claimed by the civil society that new ways of enabling their people to participate more in government and to allow them much greater influence on the decisions that affect their lives must be found.

Interviews conducted with various representatives from the civil society reveals that many feel that a rapid democratic transition and a strengthening of the institutions of civil society are appropriate responses to the necessary democratic development. Among the many specific steps that must accompany such a transition, the two main ones are to decentralize more authority to local governments and to give much greater freedom to people's organizations and non-governmental organizations (NGOs). It is claimed that decentralization probably is one of the best ways of empowering children, promoting children's participation and increasing efficiency.

Pressures on Ethiopia, are beginning to change traditional concepts of governance. The Ethiopian government has already started the path towards further decentralization of power from capital cities to regions, towns and villages. However, a lot more can be done, especially from an efficiency point of view. Experience from Ethiopia reveals that decentralization can end up empowering local elites rather than local people. So there can never be effective local participation in developing countries without a redistribution of power - if decentralization is to promote human development, it must be accompanied by genuine democracy at the local level.

During the last years Ethiopia has suffered from corruption within the government. Various reports reveal that local and national elections were reportedly harassed by cheating and considered a major set back for the democratic transition process in the country.

2.3.1 Government and administrative institutional structures

Political structure

Official name:	Federal Democratic Republic of Ethiopia
Form of state:	Federal Republic
Legal system:	The federal constitution was promulgated by the transnational Authorities in December 1994. In May 1995 representatives were elected to the institutions of the new republic, which formally came into being in August 1995.
National Legislature:	The federal assembly consists of the Council of Peoples' Representatives (lower house; 548 members) and the Council of the Federation (upper house; 108 members). The nine regional state councils have limited powers, including that of selecting members of the Council of Federation.
National elections:	National elections: May 2000 (federal and regional); next elections due in May 2005.
Head of State:	President, currently Negaso Gidada, who has a largely ceremonial role and is appointed by the Council of Peoples' Representatives.
National Gov't:	The prime minister and his cabinet (Council of Ministers), appointed in August 1995.
Main political parties:	The Ethiopian Peoples' Revolutionary Democratic

Front (EPRDF) evolved from the coalition of armed groups that seized power in May 1991. It includes the Tigray People's Liberation Front and the Amhara National Democratic Movement, formerly the Ethiopian Peoples' Democratic movement. The Oromo Liberation Front withdrew from the transitional government in July 1992 and was subsequently banned. Several small parties exist. Having boycotted the 1995 elections, some participated in the 2000 poll, but gained only a handful of seats.

Ethiopia is governed by a Federal structure and the country is divided into nine National Regional States and two city administrations since 1995 when a new constitution was adopted. The nine regions are Tigray, Afar, Amhara, Oromia, Somali, Benshangul Gumuz, Gambella, Harari and the Southern Nations, Nationalities and Peoples (SNNP). The regions Afar, Benshangul Gumuz, Gambella and Somali are categorized as "emerging" because they were neglected by the 'previous political systems and "under-served" by economic and social services.

Administration at the regional level is divided into zones, woreda and kebele. The constitution endorses the principles of democracy and multi-party elections are held every five years federal and state levels. The most recent election was held in January 2001.

The regions are largely demarcated along ethnic and linguistic lines, and thus vary greatly in terms of total land area and population size. The national regional states and the administrative councils are further divided into a total of 62 zones, 523 Woredas and about 10,000 Kebeles.

Since its inception, the Government has vigorously pursued a program of decentralization of authority to the regions and lower tiers of government, with the overall aims of achieving greater equity, a higher level of popular participation, and better governance.

The decentralization program reflects the lessons learned from the failure of the highly centralized Derg regime to bring about development and poverty alleviation.

The legal basis for the decentralization is provided for by Proclamation No. 7 of 1992 calling for the establishment of national regional self-governments; proclamation No. 33 of 1992 defining the sharing of revenues between the central and regional governments; and Proclamation No. 41 of 1993 delineating the duties and responsibilities of the central government, later amended by Proclamation No. 4 of 1995.

These laws grant the regions economic autonomy and freedom to pursue regional development goals on an independent basis. The regions have legislative, exec-

utive and judicial powers in respect of all matters within their geographical areas, with the exception of areas such as defense, foreign affairs, issuance of currency, and declaration of state emergency that remain under the jurisdiction of the federal government.

Political and administrative devolution have been accompanied by fiscal devolution. Although regions have the authority to levy and administer taxes, their revenues consist predominantly of a transfer from the federal government, calculated on the basis of four main factors - population, revenue-raising capacity, poverty incidence and level of development. The transfers is in the form of an undifferentiated block grant, meaning that regions have extensive control over spending items, though little discretion regarding the overall level of expenditures.

The regional planning process is complex, varies considerably from region to region, and in many regions is still evolving. As power has decentralized, capacity building at the local level has become increasingly important to the effective delivery of local services. A 1996 study found that less than one-quarter of total civil servants had training (i.e. an education degree ranging from a Diploma to PhD), and decentralization has exposed this lack of skilled personnel in the country.

Moreover, partly due to the difficulties of relocating personnel from the capital to the regions, gaps have emerged in the skill levels among the various regional administrations. Regions such as Tigray and Orimiya are relatively well endowed with skilled manpower, and already have functioning administrative systems, while other regions are continuing to experience difficulty in filling their skills gaps. Amhara region, for example, is functioning with less than half of its total manpower needs. The regional planning process is complex, varies considerably from region to region, and in many regions is still evolving.

2.4. Civil Society and Empowerment

Eleven years into Ethiopia's uneven but continuing move towards representative democracy, the country's non-governmental sector struggles for definition, operating space and enhanced institutional capacity. Civil society, traditionally weak in Ethiopia (with the exception of churches), remains underdeveloped and somewhat misunderstood in the current era of relative political liberalization. The historical centralization of power in Ethiopia, and the impulse to extend strict and, at times, arbitrary authority over various civil society actors made it very difficult for civil society to develop - despite a decidedly nonpartisan orientation by the vast majority.

By any measurement, the progress realized since 1991 is impressive. Civil society is increasingly vibrant and relevant to the nation's political and economical revitalization. The private business sector is growing, academic freedom is returning to the universities, the media is slowly gaining credibility, and professional associations are again forming.

Most significantly, the number of national indigenous Non-Governmental

Organizations (NGOs), is growing, and the capacity of those groups to play a serious role in addressing the country's complex development agenda is measurably expanding. By 1998, some 240 national

and international NGOs were officially registered with the government, and a large number of additional groups awaited the recognition status offered through the registration process. The pace of registration continued to accelerate into 1999, with the best available count of registered NGOs now being 310. Further there has been notable progress in the ability of the national NGOs to strategically target and design activities, credibly deliver critical services, and provide accountability on programming and expenditure of funds.

The overall operating climate for NGOs is improving. Relations with the central and regional governments are better, if still uneven. The emergence of a coherent NGO sector is now more apparent. Measurable improvements in the capacity of its members are manifest. The shift in emphasis from relief to long-term development on the part of NGOs has increased their relevance and, significantly, acceptance by the government.

2.4.1. The Public Policy Advocacy Role of NGOs

A solid understanding of an advocacy role for NGOs has been slow to evolve in Ethiopia. Neither government officials nor the would-be advocates demonstrated much grasp of the concept of the initial post-1991 (after the Meles-led government gained power) period, and the art of effective lobbying on public policy issues did not exist in the country. Several factors contributed to this, including the weaknesses of the news media and academic institutions, and the absolute death of public debates during the Derg years. Further, the polarization of the political process witnessed during the early 1990s did not encourage the emergence of public advocates. Such actors were seen as highly political and, in fact, partisan, if not absolute opponents of the governments legitimacy.

As the space for NGOs to operate expands, the concept of public policy advocates is now slowly advancing as well. Several factors have contributed to this: the Government initiated Code of Conduct for NGOs and a new NGO-legislation is on its way to further strengthen the interaction between the civil society and the government, generally improved press coverage of NGOs and their work, expanded institutional capacity within the sector, and support from the diplomatic community. However, the increase in communication and collaboration between government and NGO officials has not been unproblematic. During 2001, a very strong advocacy organization, the Women's Lawyers Association, was suspended due to their public criticism of the police and government handling of a girl, who was abused and raped. The government claimed that the organization was involved in political affairs and hence suspended their license. After court proceedings, the organization eventually got back its license, but the message from the government scared many NGOs off from such acts.

2.5. Cultural Values

Most people derive from their membership in a group - a family, a community, an organization, a racial, religious or ethnic group that can provide a cultural identity and a reassuring set of values. Such groups also offer practical support. The extended family system, for example, offers protection to its weaker members, and many tribal societies work on the principle that heads of households are entitled to enough land to support their families - so land is distributed accordingly.

But traditional communities can also perpetuate oppressive practices such as employing bonded labor and slaves and treating women and children particularly harshly. In Ethiopia thousands of girls suffer genital mutilation each year because of the traditional practice of female circumcision.

Some of these traditional practices are breaking down under the steady process of modernization. On the other hand, many oppressive practices are being fought by people's organizations and through legal action.

Traditional communities, particularly ethnic groups, can also come under much more direct attack from each other. Ethiopia is made up of 260 ethnic groups of which many face discrimination. In Ethiopia, ethnic tensions are on the rise, often over limited access to opportunities and resources.

2.5.1. Perception of child hood

In a recent study on local perceptions of children's needs and rights in North Wollo in northern Ethiopia, it was revealed that parents and children define a child in the same way in all study areas of the region.

"Aeymerow yal leye" are children between 0 - 5 years and they are called "muchik-ila/mucha" or sometimes "madego" this mean a developing child with an unclear



mind, who does not know him/her self, or whether other likes or hates him/her.

"Nefis Aweke" is used to define a child between 5-7 years and means "a child who knows him/herself and is expected to render services to parents". They are expected to participate in domestic activities with the supervision of older siblings or adults.

There is a significant age difference between boys and girls when entering into the "no more a child stage". Married girls of 8-12 years could be categorized as adult women, boys of the same age or older are not labeled adults unless they are married, which usually does not happen until they are in their 20s. Even though there are regional differences in the perception of children, the report suggests that some similarities can be found all over the country.

There is also a gender difference in the roles a child assumes after the age of six or seven.

The girl:

- A girl between 7 and 12 can look after a calf; can take care of younger siblings at home.
- After 10 years, the girl child can substitute her mother in doing chores.
- She can even get married if she is from a wealthy family, and she will not be considered a child afterwards.

The boy:

- A boy between 7 and 15 can look after the cattle. A boy in this age range is usually considered as a young child. After 15 years of age he is called older child or youth. Usually males get married in their twenties.
- A boy between 15 and 18 years, can plough with his father.
- After 18 years, a boy can plough independently.

Parent/child perceptions

In the ANCPPAN et. Al. study (2001) from Northern Wollo it was clear that parents decide major issues such as engagement, marriage, education and medication without the involvement of children. Children usually discuss with their parents on the basic necessities of food and clothing. They also discuss on domestic services that they should render to their parents. Children try to involve but do not decide.

Normal illustrative sayings from adults regarding children include:

- "Wolaj Yazezewun Lij Aikolifewum", meaning "what a parent decides and orders, a child never contradicts"
- "Ke Lij Fiit Ainagerum Waza", meaning, "does not talk in front of a child though it may be a joke".
- "Ye Lij Aeymerow Abatu Naw", meaning, "the mind of a child is in the head of his/her father".
- "Lij Yabokaw Le Erat Aibekam", meaning, "what a child plans is not

achievable".

Parent/Child-relationship

In north Vollo, parents talk to their children about domestic issues. There are usually the parents that have the leading role while children take the orders and act accordingly. The discussion is not initiated to involve the child in the issue but they are involved because they have to listen and obey orders.

Children are not given the chance to express their views. The local saying is that "a child does not know its limits and has to be restricted from communicating with adults." However, sons, after the age of 15 years can share ideas with parents although only to some degree. Girls may also express their views after they get married.

Children request their parents to fulfill basic needs as food and clothing. Other issues are not seriously discussed with children. Another saying goes: "you do not talk in front of a child for it discloses secrets". Whenever there is a discussion children are not involved; parents alone discuss issues in private.

The right to be heard and freedom of expression are also affected by perceived importance of a child. Parents acknowledge that boys and girls make their own contributions to their home. For the parents it is difficult to prefer one child to the other. This is conveyed in the local saying "there is no unworthy child". However, according to the research in North Vollo, if it was possible to choose, the family would prefer more males than females.

Perceptions of good/bad child

A child is perceived as good or bad depending on the following major criteria:

- Obedience - defiance
- Sociability - aggressiveness
- Innocence - shrewdness
- Respectfulness - Assertiveness
- Honesty - Deceit

A child is perceived as having a good behavior when he/she:

- Obeys parental orders and renders services as demanded.
- Respect parents and the elderly.
- Does not challenge parents.
- Is passively punished; keeps silent when insulted/cursed.
- Does not quarrel with others and involve the family into social conflicts.
- Does not steal.
- Does not intrigue and harm others.
- Does not demand or nag parents for clothing and garments.

3. The Legal Foundation

The UN Convention on the Rights of the Child was adopted unanimously without modifications by the General Assembly of the United Nations on 20 November 1989. It entered into force as international human rights law on 2 September 1990, after it was ratified by the 20 required states. To date, 191 countries have ratified the Convention including Ethiopia in 1992, making it the fastest and most universally accepted human rights accord in history. By ratifying or acceding to the Convention, states declare themselves party to the Convention and bound to observe its provisions, and become answerable to the international community if they fail to comply with them.

The Twenty-sixth Session of the Assembly of Heads of State and Government of the OAU, in Addis Ababa, Ethiopia, July 1990, adopted the African Charter on the Rights and Welfare of the Child. The Charter came into force on July 2001, after its ratification by the required 15 states. Ethiopia has not yet ratified it.

The Convention on the Rights of the Child and the African Charter constitute in their essence "bills of rights" for all children, a code of binding obligations for governments, and a minimum standard of responsible conduct for communities and families with respect to the young. They set standards which address the neglect and abuse that children face in all countries (to varying degrees) every day, and recognize every child's right to develop physically, mentally and socially. The Convention and the African Charter stress that the "best interest of the child" be a primary consideration in all actions and decisions affecting the children.

3.1. What does the UN Convention say?

The 54 articles of the Convention can be divided into three main parts: key principles, specific rights and ways in which the Convention will be monitored.

- The Right to Right to Life, Survival and Development (Art. 6): "States Parties shall ensure to the maximum extent possible the survival and development of the child."
- The Right to Respect For the Best Interest of the Child (Art.3): "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the "best interest of the child shall be a primary consideration".
- The Right of the Child to Express Their Views freely on All Matters Affecting Them (Art. 12): "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."
- The Right of All Children to Enjoy All the Rights of the Convention without Discrimination of Any Kind. (Art. 2): "States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the

child's or his or her parent's or legal guardians race color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status."

The Convention incorporates the whole spectrum of human rights - civil, political, economic, social and cultural - and sets out the specific ways in which these should be made available to children.

- The definition of children as all persons less than 18 years of age, unless the legal age of majority in a country is lower (Art. 1)
- Civil rights and freedoms, including the right to a name and nationality, To freedom of expression, thought and association, to access to information and to the right not to be subjected to torture (Art. 7, 8, 13-16 and 37)
- Family environment and alternative care, including the right to live with parents, to be reunited with parents if separated from them and the provision of appropriate alternative care where necessary (Art: 5, 7, 9-11, and 25)
- Basic health and welfare, including the rights of disabled children, the right to health and health-care, social security, child care services and an adequate standard of living (Art. 18, 24, 26, and 27)
- Education, leisure and cultural activities, including the right to education, the aims of education and the rights to play, leisure and participation in cultural life and the arts. (Art. 28-31)
- Special measures of protection covering the rights of refugee children, those caught up in armed conflicts, children in the juvenile justice system, children deprived of their liberty and children suffering economic, sexual or other exploitation. (Art. 22, 23, 30, and 32-40)

The last 13 articles of the Convention establish the ways in which the implementation of the Convention will be monitored. These include the setting up of a Committee of the Rights of the Child, which receives initial reports from governments two years after they have ratified the Convention and every five years thereafter. UN agencies and NGOs are invited to submit relevant information to the Committee in order to support their work.

In ensuring the realization of these rights, the Convention recognizes the primary role and responsibility of the family as the first and ideally the last line of protection and care for the child. States Parties are also expected to provide support to families when necessary, particularly in the areas of nutrition, shelter and clothing.

3.2. How does the African Charter on the Rights and Welfare of the Child differs with the UN CRC?

In 1990, the Heads of State and government of the OAU unanimously adopted the African Charter on the Rights and Welfare of the Child. The aim was to put an African perspective on the concept of children's rights, thereby complementing the UNCRC. The Charter was implemented at the end of 1999.

In its preamble, the OAU Charter emphasizes the principles of the Rights and Welfare of the Child as defined in the UNCRC. Consequently, three principal objectives are found in both treaties: firstly, children's basic needs for survival and development must be secured; secondly, children's physical, moral and spiritual integrity must be protected from different forms of harmful treatment; and thirdly, opportunities for children to participate in social, political and economic processes should be improved.

However, some ideological and conceptual differences do exist between the treaties:

- The African Charter focuses on children as a group while the UNCRC focuses on the child as an individual
- Child Rights are counterbalanced by duties in the African Charter, article 31, NO such duties are mentioned in the UNCRC
- According to the African Charter, the minimum age for recruitment into armed forces is 18 years (in January 2000, a text for an additional protocol to the UNCRC was agreed. This raises the age of recruitment from 15 to 18. The text was adopted the General Assembly of the United Nations in May 2000).
- Greater stress is put on the role of the family in the African Charter. The family is expected to produce, develop and defend African traditional and cultural values
- Preservation of positive African morals, traditional and cultural heritage in the education process is highlighted in the African Charter.

Despite the differences, the African Charter is viewed as an important complement to the United Nations Convention on the Rights of the Child. The relevant articles are similar to those highlighted in the UNCRC but the African Charter provides better protection for children as referred to above.

Part 4. Children's Rights - the Ethiopian Experience



4.1. Implementation of the UN Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child - General

Traditionally, Ethiopian culture does not give rights to children as understood in the CRC. However, at the national level, within the limitations that existed, Ethiopia has always taken the welfare of its children seriously. For various reasons, ideology amongst them, the socialist regime did not ratify the UN CRC, but it established an autonomous Children's Commission that facilitated the care and support for orphans and poor children. Unfortunately, political indoctrination was also part and parcel of the care and support.

The Government of Ethiopia ratified the UN CRC in 1992. One of the first tasks was to harmonize national laws and policies with the provisions of the convention. While an initial government assessment found that the major Ethiopian laws and policies were largely sufficient to implement the CRC; a committee was set up to iron out the "minor differences". A subsequent action resulted in corporal punishment in schools being forbidden immediately through the Ministry of Education.

The State of Ethiopia adopted a new Constitution in December 1995, which improved in many ways the legal protection of children. Article 36 of the Constitution pertains specifically to the rights of children, and was drafted taking the provisions of the CRC into account.

Article 36 of the Ethiopian Constitution:

Every child has the following rights:

- The right to life
- The right to obtain name and nationality
- The right to know and be cared for by his parents or legal guardians.
- The right to be protected from labor exploitation and not to be forced to undertake work that may harm his/her education, health and well-being
- The right to be free from harsh or inhuman punishments that may be inflicted on his body, in schools or child care institutions.

In the Ethiopian Constitution there are articles that protect children and women;

- The rights of women against physical and mental brutalities
- The rights of people to education, health care, employment, to participate in policy development and implementation
- Women's right to choose her own partner
- The right of the child from physical and mental abuse

In addition to the UN CRC and the Convention on the Elimination on all forms of Discrimination against Women, there are policies in Ethiopia on social security, health population, and education.

At the same time progress has been made since 1991 to set up democratic institutions in the country. A new Constitution has been adopted, which incorporates international standards in the field of human rights, including, in its article 36, a specific reference to some of the rights enshrined in the Convention on the Rights of the Child. In addition, the Convention on the Rights of the Child, as well as other international treaties dealing with human rights, is incorporated into domestic law.

The Government of Ethiopia has expressed political commitment to improve the situation of children, notably through setting up an Inter-ministerial Legal Committee to review national legislation and its compatibility with the provisions of the Convention, and through the establishment of committees on the rights of the child at the national, regional, zonal and woreda levels. The Government has also adopted a National Plan of Action for children and established a ministerial committee to monitor its implementation.

The House of Peoples' representatives endorsed a bill establishing a Human Rights Commission and a human rights ombudsman's office in July 2000. Although the initial draft bills did not include specific women's and children's rights in subsequent public hearings and consultations children's and women's rights were explicitly added to the mandates of the two offices. Five newly designed alternative childcare guidelines have been introduced by Ministry of Labor and Social Affairs (MOLSA). These are guidelines for adoption, foster care, institutional care, reintegration, reunification and community based child support programs. In every guideline CRC articles are incorporated to create awareness among persons working with children.

Combined efforts has been undertaken by the Government and NGOs to protect and promote children's rights, in particular in the field of information on HIV/AIDS and information campaigns on harmful traditional practices affecting children. With regard to the latter, a National Committee on Traditional Practices to develop information and sensitization campaigns on all forms of harmful traditional practices affecting the health of women and children, with a particular emphasis on female genital mutilation has been established. Primary education has been made free, although it regrets that it has not yet been made compulsory.

Almost a decade after the ratification of the CRC, it is widely recognized that much more must be done, particularly in terms of implementation and advocacy in order to improve the situation of children's rights in Ethiopia. Existing criminal and civil laws are not compatible with the CRC, particularly in the case of child offenders who are subject to the adult justice system. On a positive note, exposure and punishment of child rights abusers (molesters, rapists, and kidnappers) has been increasing since the CRC ratification. This has also raised public awareness about child rights to the extent that many are angry and ashamed by such crimes against children in a society that regards itself decent and has strong religious underpinnings.

There remains a fundamental assumption that children are safe in schools and homes. But it is reported that some of the worst cases of child abuse and neglect actually takes place within families and school compounds. Furthermore, there has been little progress in changing attitudes related to the elimination of harmful traditional practices such as female circumcision. Child labor is another area that presents difficulties for advocacy and awareness raising given that it is largely accepted and not understood as a violation of children's rights. Finally, those children with disabilities are largely denied their rights, associated with access to service and programs to meet their specific needs.

In a revision of the Civil Code, the Penal Code and the Criminal Code made by UNICEF in 2001 revealed the following gaps and areas of incompatibility with the CRC.

To conclude, these include inter alia:

- The provision in the Penal Code for the possibility to sentence children to light corporal punishment at the sole discretion of the judge;
- The provision in the Civil Code for "light bodily punishment" as an educative measure within the family;
- The provision stating that children are only able to lodge complaints through their parents or legal guardians, meaning that children's right to adequate resources and complaint procedures in cases of abuse, neglect or ill treatment with families is not fully secured;
- The absence of a provision making primary education compulsory;
- The absence of provisions in the systems for national and inter-country adoptions consistent with the principles of the best interest of the child and respect for his or her views;
- The provisions in the Criminal Code setting the age of criminal responsibility at nine years and stating that children should be treated as adults from 15 years of age onwards;
- The absence of provisions dealing with the illicit transfer of non-return of children abroad; and
- The absence of a provision calling for the periodic review of child placements.

4.1.1. The views of Ethiopian children

During 2000 and 2001, Save the Children Sweden and others were heavily involved in the process of collecting children's views on serious issues facing Ethiopian children today and in the future. After consultations with more than 1 500 children all over Ethiopia, ten major issues were identified and ranked according to priority. The appeal was presented in NY on May 8, 2002 during the UN Special Session on Children. The children were also consulted on how they feel they want to be part of the follow-up process after the Special Session, how they want to participate in the implementation process of the out come document, in particular in the process of establishing a new 10-year-plan of action for children.



Some of the children who voiced their opinions and gave their ideas on the issues facing Ethiopian children.

The priority list identified the following issues in subsequent order:

1. Street children should be given proper care and not be discriminated against.
2. Sexual harassment inflicted on girls should be avoided and strict measures taken on persons committing such acts.
3. Basic needs of children (food, health, shelter, clothing and education) should be fulfilled.
4. Disciplinary measures that are physically and psychologically abusing should be avoided.
5. Proper care should be given to orphans and vulnerable children.
6. Aware families on family planning and child rights.
7. Children should be given the chance to fully participate in matters concerning them.
8. Children with disabilities should be given care and support.
9. Harmful traditional practices on children such as female genital mutilation, early marriage, etc, should be avoided.
10. War should be stopped for it affects children, and children who have become refugees as a result of war should be provided with appropriate education and care.

4.2. Key CRC principles

4.2.1. The right to life, survival and development (Art.6), respect for the views of the child (Art. 6) the right to non-discrimination (Art.2) and the best interest of the child (Art. 3)

The right to non-discrimination, life, survival and development, and respect for the views of the child in the exercise of civil, political or property rights are claimed to be guaranteed by the Ethiopian Constitution, the Civil Code and the Penal Code . Ensuring these rights, is in practice hampered by economic underdevelopment, widespread poverty and inadequacy of basic social infrastructure. One important measure taken by the Ethiopian government to improve the implementation of these rights is the increased budgetary allocation for primary health care (PHC) and basic education.

Under the Ethiopian Civil and Penal laws the child's right to life is protected in three ways. One is by threatening penal sanctions against those who commit, attempt or incite murder or other acts likely to lead to death, including aiding suicide and committing genocide. This sanction may even go to the extent of pro-

protecting the life of the unborn child. The other means of protecting the right to life is more lenient than the one already discussed. It is taken by way of giving the survivors of the deceased person the right to sue for damages. The third protection is unique to children. Under the Ethiopian Penal Law it is strictly prohibited to impose death sentences on persons below the age of eighteen, however grave the offence may be. This by itself constitutes one of the mechanisms of ensuring that the child is exercising his right to life.

The protection of the child's right to life is not, however, restricted to the legal measures taken by the State. It also involves various other additional measures. For example, it involves the provision of adequate health services and treatment to keep alive those children who would be likely to die if not treated.

The right to life is also interpreted as being a right to a certain quality of life. This raises issues of survival and development of the child stated under Article 6 (2) of the UN CRC.

Children and families in Ethiopia who are members of ethnic groups which are in a minority in a particular region, or which are not in control of the regions administration, face discrimination. Girls and children with disabilities face extensive discrimination, inter alia in terms of their access to education. Societal discrimination against women and adults with disabilities limits the opportunities for girls and children with disabilities to have their rights protected and respected.

In a recommendation from the Committee on the Rights of the Child, Ethiopia should make additional effort to strengthen the implementation of the non-discrimination provisions of the national constitution. The Committee recommended that particular attention to the situations of children from ethnic groups, which are a minority within a particular province, to girls, to children with disabilities and to discrimination against women.

Regarding life, survival and development, the Committee recommended Ethiopia to continue to make every effort to achieve respect for children's right to life, survival and development including through improved economic development, strengthening of social infrastructure and efforts to alleviate poverty. Special attention should be given to children living in rural areas and to refugee and internally displaced children.

In matters pertaining to the child's welfare "the best interests of the child" as a general principle is incorporated in the Civil Code. Articles 681 (1) and 304 is particularly mentioned in relation to the appointment of guardians and tutors for the child, placing him in custody in the event of dissolution of marriage, conditions for approval of adoption and other similar issues pertaining to the child's welfare.

In addition, a new family law was approved in July 2000 improving issues such as marriage, divorce and child custody even further. It was developed on the basis of broad consultations with NGOs, government Judicial and women's affairs groups,

traditional leaders and other members of the society.

4.3. Specific CRC rights

4.3.1. Definition of the child (Art. 1)

The Ethiopian Civil Code of 1960 defines the word "child" as a "minor of either sex who has not attained the full age of 18 years" (i.e. attains the age of majority). This definition is compatible with that provided in the Convention. The general principle is however, subject to exceptions; that is when the age of minority comes to an end through emancipation. Emancipation in turn takes place either through marriage or upon approval of the family council. The application for emancipation because of marriage is restricted to female minors because it is only them that are allowed by the law to conclude marriage contract while they are between 15 and 18 years old. Conclusion of marriage implies that, she has attained the age of majority age even if she is less than eighteen. Once a female girl has been emancipated through marriage and attained majority, she loses the special protection afforded to children.

Apart from marriage, the family council may, for good cause, authorize the emancipation of a minor provided he has reached the age of fifteen years and the application for emancipation has been made by the child him/her self or one of his ascendants or his guardian or his tutor.

Under the 1957 Ethiopian Penal Code it is stated that the minimum age of criminal responsibility is 9 years and that as from the age of 15 years, children are treated as adults (Article 56:1). In this regard it is not clear, whether the latter means that children above 15 years of age may be sentenced to life imprisonment or detained together with adults.

Ethiopian Labor Law states that there are two categories of minors: Persons under 14 years of age and "young workers", (persons who have attained the age of 14 years but are not over 18 years of age). The first category of minors is totally prohibited from contracts of employment. In the case of the second category of minors, they can sign employment contracts for work and apprenticeship. This Labor Law goes against Article 313 in the Civil Code, which forbids young workers to undertake professional contractual relationships with an employer. Finally, the Labor Law treats a person as an adult worker only when he is over eighteen years of age; otherwise he is a minor or a child.

4.3.2. Civil rights and freedoms (Art. 7, 8, 13-16 and 37)

The Right to be Heard and Freedom of Expression

The State of Ethiopia says that the Ministry of Labor and Social Affairs (MOLSA) promotes participation of children in the family, school and social life in cooperation with child-centered NGOs and concerned government institutions. This is especially manifested in the participation of children in drawing,

poem and essay competitions at the national and international levels and in their participation in the regular weekly radio programs for children.

The right of the child to freedom of expression, freedom of thought, conscience and religion and freedom of association and of peaceful assembly are ensured by the Constitution of the FDRE in articles 27-31.



Recent changes in the Family code (July 2000) provides children with a right to be heard in divorce cases, marriage and child custody. In addition Children's Forum has been established. However, children's rights to be heard, especially in rural areas, are insufficiently respected. In a comment from the Committee on the Rights of the Child they express concern that young children and adolescents are not always permitted to freely express their opinions. They remain concerned that a broad range of the human rights of the adults are not thoroughly respected and that this situation may create an environment in which the civil rights and freedoms of children are not fully respected.

Child Participation

Children's participation in crucial issues that affect/concern them can be learned from the following sayings:

- "What a parent decides and orders, a child never contradicts"
- "Do not talk in front of a child"
- "What a child plans is not achievable"

As a result, parents alone decide on such major issues as engagement, marriage, education and medication without the involvement of children. When a child is assertive and argues for participation on issues that affect him/her, the parental

reaction is negative. Assertive children are considered undisciplined. Few school going children are assertive and start opposing issues like early marriage, harmful traditional practices, and pressure on children to drop out of school.

The Right to Nationality

Citizenship is a general legal base to have and exercise fundamental rights, freedoms and duties recognized under the laws of a given state. The UN CRC recognize the child's right to acquire a nationality and obliges the State to undertake to respect the right of the child to preserve his or her nationality.

The problem with this right is that the mechanisms used to ensure the implementation of the rights are difficult to ensure. In Ethiopia there is still a hot debate on the issue as to how to ensure the prevention of statelessness among children. Some believe a child has the right to the nationality of the state in which he/she was born, regardless of the nationality of the parents. Others argue that one or both parents must be of Ethiopian nationality in order for the child to claim Ethiopian nationality regardless of place of birth. At present Ethiopia's national law is closer to the citizen-by-blood-principle. Wherever the child is born, as far as he is from Ethiopian parents, he is an Ethiopian citizen.

According to the Nationality Act of 22 July 1930 (Article 1), children born to Ethiopian subjects are Ethiopian nationals, whether born in Ethiopia or abroad. If the father is an Ethiopian subject, the child automatically acquires Ethiopian nationality. But, if only the mother is an Ethiopian national, the child must affirmatively elect to become an Ethiopian national by living in Ethiopia and giving up his foreign nationality. If, in this case, a child born in Ethiopia to an Ethiopian mother lives in his father's country and if his father's country adopts the principle where citizenship is determined by its parents citizenship, this child will remain stateless.

If a child adopted by an Ethiopian national loses his former nationality under his national law, he also become stateless.

The question of children born in Ethiopia by refugee parents is also another problem of the Ethiopian National Law. The Eritrean children have become stateless in Ethiopia since the national law of Eritrea follows the principle of citizenship based on the place of birth, whereas the Ethiopian law follows the principle of citizenship based on a child's parents' citizenship.

The Right to Birth Registration and Name

According to Article 37 of the Ethiopian Civil Code, the birth of a child has to be declared and registered with the commune where the child was born within 90 days following his/her birth. However, insufficient steps have been taken to ensure the registration of children after birth. The State registration procedure is hampered in practice by the lack of registration desks, especially in rural areas. It is also evident that there is a lack of adequate means for the registration of refugee children .



The Civil Code addresses situations when children are abandoned by their parents. The record of birth shall be drawn up for every new born child in the locality, whose identity is unknown. This record will state the day and the place where the child has been found, his/her apparent age, sex, and the family name and first names given to him/her. Failure to perform the obligation of registering the birth of a child entails penalty under the Penal Code of Ethiopia.

The Ethiopian Civil Code has elaborate provision on naming as well. It obliges that a child should have a family name, one or more than one first name. In order to preserve the identity of origin or family group of the child, the Civil Code requires that the family name of the father should remain the family name of the child. However, if the father is not known, the child has been disowned, or the paternity of the child has not been judicially declared, the child will have the family name of his/her mother. If both the father and the mother are not known, the child's right to a family name is still respected. (Article 39, Civil Code)

4.3.3. The Right to family environment and alternative care (Art: 5, 7, 9-11, and 25)

In spite of the Ethiopian government's ongoing poverty alleviation efforts, many families are under pressure as a result of population displacement, armed conflict, drought, poverty and illness. In addition, ensuring the right to family environment and alternative care is hampered by traditional and cultural values.

The child has a right to know and be cared for by his parents. The Civil Code of Ethiopia tries to make indirect realization of the child's right to know his/her parents by devoting a chapter on the means by which the existence of legal parenthood can be determined and the means by which one proves such legal parenthood when the need arises.

In the Ethiopian Civil Code it says, "Once the parents of the child are ascertained, these parents have the obligation to care for their child because ("the child has the right to be cared for by his parents (Article 7 (1) UN CRC). In addition the Ethiopian Civil Code states that the primary responsibility of caring of children rests on parents. The father and mother of the child are responsible for their upbringing (Article 637 of the Civil Code).

The obligation of parents to care for their children is also addressed in Article 808 of the Civil Code in the form of the obligation to supply maintenance, i.e. to feed, lodge, clothe and care for a child's health in a decent manner. Failure to perform these obligations is punishable under the Penal Code, Article 625.

If children receive proper care from their parents, there is no reason to separate

children from their parents. Children have the right not to be separated from his parents against his will, except when competent authorities subject to judicial review determine, in accordance with the applicable laws and procedures that such separation is necessary for the best interest of the child (Article 9 (1) UN CRC). The Civil Code reflects the intention of the Convention by acknowledging the child's right not to be separated from his parents or guardians. However, pursuant to Article 231, the Court has the authority to remove the guardian of the minor if it has good reason to believe that the minor does not receive proper care, sound education and supervision.



Family Reunification

Internal and external armed conflicts and natural disasters have resulted in the displacement and separation of hundreds of thousands of children and families. Ethiopia is located in the heart of a politically unstable region and the country has received an influx of refugees from neighboring countries during the past decades. Girls and boys affected by drought, war and refugee situations lack the most basic services like adequate food and shelter and their development opportunities are seriously constrained by poor access to services like education and health. Failure of supportive structures and separation from family members is also increasing. Children

lack protection during emergencies, and many children get exploited physically, sexually and psychologically. Some children are specifically vulnerable on the basis of their gender or disability.

As a response to the efforts made by the government, the CRC Committee in Geneva has recommended the state of Ethiopia to take further steps to ensure family reunification.

Adoption

The provision in the Civil Code regarding adoption and consent of parents to adoption and the advantages of adoption for the adopted child, the conditions for approval of adoption by the court in the best interests of the child, etc. are in conformity with article 21 of the Convention. Furthermore, the Government has issued a guideline on adoption, which ensures the appropriate implementation of the provisions contained in the Convention and national law.

However, children being adopted are always vulnerable to abuses of their rights. The legal protection of these children must be followed by implementation pro-

cedures in order to be effective. The CRC Committee, therefore recommends the state of Ethiopia to adhere to the Hague Convention on Protection of Children and Co-operation in Respect of Inter-Country Adoption of 1993.

Separation of parents - child custody and child maintenance payments

The new Family Code and establishes fathers and mothers on a more equal legal base in the context of family separation than was previously the case. However, there are still traditional and discriminatory practices hampering its implementation. For example child maintenance payments are not paid to children. The population does not know the provision of the new Family Code, nor is it respected and implemented in practice. This is a problem that needs to be further addressed in order to improve the situation for children. The CRC Committee recommends the state of Ethiopia to ensure that structures are in place to raise awareness of the Family Code, implement it and to empower parents.

Alternative care

The predominant use of institutional responses to provide assistance to children in difficulty and that children are who are cared for in institutions for many years and until age 18 years are not given the educational and vocational skills necessary for them to make an independent living once they leave the institution, is a major concern to Save the Children Sweden.

Institutionalisation of children should be avoided as a form of alternative care. In a comment by the CRC Committee the state of Ethiopia was urged to ensure that children cared for by the state or private institutions are given all the assistance they need towards establishing a life for themselves after leaving the institution including, *inter-alia*, the provision of an education and suitable vocational training.

Privacy

The right to protection from arbitrary and unlawful interference with the child's privacy, family, home or correspondence and to protection from unlawful attacks on the child's honor and reputation is recognized under the UN CRC without any restriction. It is also recognized under Article 17 of the International Covenant on Civil and Political Rights (ICCPR).

It is clear that parents in the Ethiopian society still has the right to guide and educate their children since it is important for their mental and psychological development. The Ethiopian Civil Code imposes on parents or legal guardians the responsibility of educating and controlling the social correspondence of minors. This is one instance of legal right and duty of parents or guardians to guide and educate children. But upon exercising this right parents and guardians should be bound by the limits of the law so as not to interfere arbitrarily with the child's right to privacy, because the child has got this right safeguarded under the UN CRC.

4.3.4. Right to basic health and welfare (Art. 18, 24, 26, and 27)

Health

In Ethiopia on average only 49 percent of the population do not have any access to modern health services, and in some rural areas the coverage falls to 25 percent. Government health expenditures have increased in recent years, but utilization rates for public services have not. Ethiopians visit a government health facility only once every four years, while they are sick nearly eight times per year (on average). Health indicators are low due to lack of access to basic necessities such as safe water and sanitation and health services, which are inaccessible to more than half the population. Equally important are the poor quality of services where they exist, and inability of many people to pay for treatment.

The impact on children is clear: one of every six Ethiopian children dies before their fifth birthday. Diarrheal diseases account for nearly half of the deaths. Chronic malnutrition, both a cause and effect of poor health, is very high - 52 percent of Ethiopian children are stunted.

Reproductive health and rights remain a serious issue with high rates of maternal and infant mortality combined with cultural restrictions on contraception, the HIV/Aids epidemic and harmful traditional practices.

In accordance with the main principles and strategies elaborated in the Health Policy (1993) and the Health Sector Strategy (1994), the Government has given due attention to the development of a primary health care system.

During the past five years, the main effort of the Ministry of Health (MOH) was directed at developing a number of health sector policies and strategy documents which are under various stages of implementation. Some of the focus has been on decentralization of the health system to the regional, zonal and district woreda levels, restructuring of the health system, developing relevant mid-level health personnel, strengthening the policy guidelines on private sector involvement in health care, formulation policy guidelines on population strategy, essential drugs and other related pharmaceutical issues. But in spite of these developments, the current health service system is inadequate to meet the health needs of the population and the effects of the new policies have yet to be realized.

Considerable discrepancies exist across gender, regions and rural-urban areas. In recent times however, there have been signs of improvement due to an increase in the social allocation ratio, particularly since the cut to military spending.

Children living with HIV/Aids

UNAIDS estimates that three million persons, and 150 000 children aged 0-14 years, were living with HIV/Aids in Ethiopia at the end of 1999 - one of the largest infected populations in the world. According to the Ethiopian National Aids Council Ethiopia has the 16th highest HIV/Aids prevalence in the world and it has the third largest number of people living with HIV/Aids. One of every 11

people living with HIV/Aids today is an Ethiopian.

The HIV/AIDS epidemic is an integral part of the development crises facing Ethiopia. The epidemic is systematically undermining the country's effort to reduce poverty, especially its investments in health, education, and rural development. Beyond its vast toll in suffering and death, Aids may also be costing Ethiopia significantly in its economic growth every year, further reducing the scope for poverty alleviation. HIV/Aids now poses the foremost threat to Ethiopia's development, says the National HIV/Aids Council. Available statistics indicate that the problem is worse in urban areas (23 per cent) than rural areas (6 per cent) although these must be seen as estimates. AIDS patients occupy an estimated 60 per cent of hospital beds, up from 23 per cent in 1997.

HIV/Aids Orphans

The HIV/AIDS pandemic has resulted in many children losing their parents or living with the disease. The effect of HIV/Aids does not end with the death of the HIV-positive person but families and children are often left without the principal income provider. If both parents are HIV positive, their children often and inevitably become orphans. By the year 2001, an estimated 1 200 million children have already been orphaned due to Aids. In ten years time it is estimated that 3.8 - 5 million children will become orphans due to Aids. Discrimination and stigmatization of children affected by HIV is very high. Children and orphans from HIV infected families also face discrimination such as being shunned by the community and not allowed to attend schools. HIV/Aids orphans also risk losing the property that should be theirs, making them even more vulnerable to poverty and discrimination.

The problems that affect HIV/Aids orphans include:

- Suffering from exclusion, stigma and discrimination
- Lack of adequate nutrition
- Lack of education
- Inadequate or lack of health services - preventive and curative
- Lack of clothing and shelter
- Lack of life-skills and guidance
- Lack of means of livelihood
- Lack of protection against physical and sexual abuse
- Lack of legal assistance for protection of their rights
- Lack of psychosocial support

National Guiding Principles - Government's HIV/Aids Policy

The objectives of the policy are to guide the implementation of successful programs to prevent the spread of HIV/Aids, decrease vulnerability of individuals and communities to HIV/Aids, to care for those living with the disease and to reduce the adverse socio-economic consequences of the epidemic.

Constitutional Articles reinforcing the HIV/Aids policy

Although the Ethiopian law protects the rights of individuals including people liv-

ing with AIDS, the laws have to be reviewed and amended, and new laws have to be enacted to better reduce the negative socio-economic impact of HIV/AIDS on children and the community members. Major areas that need legislative review include:

- Requirement for informed consent with pre and post test counseling,
- Legislation authorizing health care workers to notify sexual partners of their patients' HIV status
- Review and reform criminal laws to ensure that they are consistent with international human right obligations and are not misused in the context of HIV/Aids or against vulnerable groups
- Enact and strengthen anti-discrimination and laws that protect vulnerable groups, people living with HIV/Aids and orphans, in areas of health care, employment, education and training, play and sport, association and club, accommodations and property right.
- Ensure special legal requirements on privacy and confidentiality. This will minimize discrimination from the society, ensure confidentiality and ethics in research in collecting information including informed consent to see individual records
- Protection from discrimination at work places and in schools on bias of HIV status or for being affected children.
- Prohibiting screening for employment, dismissal, promotion or training

Children living with disability

Under paragraph one of Article 23 of the UN CRC State Parties recognize the rights of a disabled child to a full and decent life should not be regarded simply as a vulnerable category of children, they should be considered as a specific category of children, who need special protection.

In Ethiopia, the financing of projects that provides the necessary services for these children has been poor. Children with disabilities suffer from social exclusion and stigma and as a result they are discriminated against. Children with disabilities do not take part in an inclusive way, in the every day activities in their communities. Little is being done to promote the rights of children with disabilities in schools, sport clubs, etc. The fight for the rights of children with disabilities is not only hampered by a lack of resources, it is just as much a result of cultural practices and harmful attitudes.



The fight for the rights of children with disabilities is not only hampered by a lack of resources, it is just as much a result of cultural practices and harmful attitudes.

The CRC Committee in Geneva recommends that the Ethiopia urgently gather disaggregated data on the numbers and situation of children with disabilities in the State party, and that greater efforts be

made to ensure respect for their rights.

In view of this fact, the Committee recommends that the State party strengthen its efforts to ensure that children's right to be heard is respected. The Committee recommends, in addition, that the State party make every effort to ensure that the right of children and adolescents to express opinions, including through peaceful demonstrations, is respected and that appropriate follow-up is given to recommendations of the Children's Forum.

Malnutrition

In the year 2000, 52 percent of children under five in Ethiopia were stunted, or chronically malnourished. Stunting in childhood seriously reduces the physical and mental productivity of people throughout their entire lives. In the same year, 11 percent of children under five also suffered from low weight for height. Children with low weight for height have a significant, and immediate, risk of dying or becoming ill.

Many factors contribute to malnutrition, but in Ethiopia the simple inability of households to grow or buy enough food to feed themselves is one of the major causes. Each year more than four million people, mainly in rural areas, cannot obtain enough food. Poverty, which is increasing in Ethiopia, is the major cause of the food insecurity and the problem is chronic. A substantial, and increasing, proportion of the population requires food and other assistance every year.

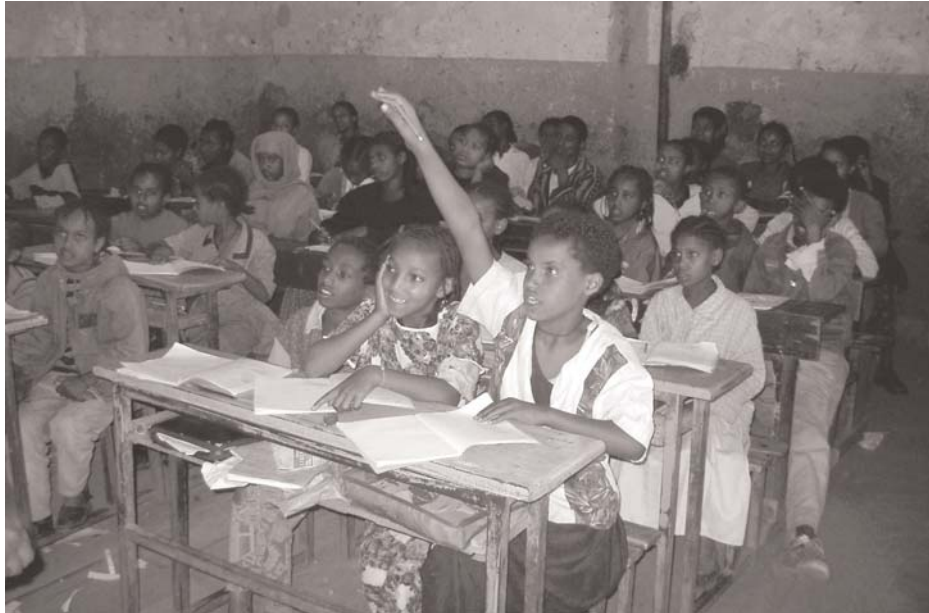
The government has placed poverty reduction at the center of its overall development strategy, and has instituted a welfare monitoring system to follow-up the impact of policies on living conditions. Although data are insufficient for concrete conclusions regarding poverty trends, some evidence suggests that the government's overall poverty reduction orientation, combined with strong economic performance during much of the 1990s, has led to progress in reducing poverty.

The presence of poverty constitutes the powerful barrier to the promotion of children's rights. Regardless of levels of income, if people lack confidence in society's ability to protect them from poverty and food shortage research reveals that they will have little incentive to invest in the children.

4.3.5. Rights to education, leisure and cultural activities (Art. 28-31)

Education

By law primary education is free, and universal. However, despite efforts by the Government to increase the number of schools, there are not enough schools to accommodate the country's youth. The Government uses a three-shift system in all primary and secondary schools to maximize the utilization of classrooms and to provide an opportunity for working children to attend school. Nation-wide the total enrollment of children who are of school age is 57 percent. Only 67 percent of male primary age children and 47 percent of female primary age children attend school, and many do so in shift.



The Government is implementing the New Education Policy and Strategy, which focus on the expansion of pre-school and primary education. As part of the implementation of the policy, the primary school curriculum and instructional materials have been revised and made more relevant to the needs of the pupils.

The planning and management of primary and secondary education has been decentralized to the regional level. A five-year Education Sector Development Program was adopted in 1997. A second follow-up, planning document for Education is about to become finalized for the next coming five years. The document focus in particular on vocational training and methods on how to strengthen pupil centered education techniques.

Ethiopia is committed to Universal Primary Education (UPE) by 2015. An education sector Development Programme (ESDP) has been implemented since 1997. Within the space of 3-4 years, primary enrolment rate has increased from under 30% to 51%. It is expected that by the end of the first 5 years of ESDP (June 2002), the rate could increase to 60%.

Despite this achievement, several problems remain. The quality of education has in fact deteriorated and the gender gap has widened - the more children are enrolled, fewer girls attend school. For example, in 1995/96 3.8 million children were enrolled in primary schools of which 1.4 million (37%) were girls. In 1999/00 the total enrolment rose to 6.5 million but the share of girls showed little improvement (39%). At secondary level, in 1995/96 over 444,000 students were enrolled of which 43% were girls. Five years later, the total enrolment has risen to 571,000 but the share of girls has in fact fallen to 41%.

The dropout rates are still high. Almost 30% of pupils enrolled in Grade 1 in 1998/99 left school before reaching grade 2. Grade by grade analysis shows that

repetition rate at Grade 1 is about 10%. At the tertiary level there is an acute shortage of higher learning institutions. Equitable distribution, as well as access to education, is main challenges in Ethiopia. There are significant discrepancies regarding children's participation between urban-rural locations, between gender (male-female) and between/within Regional States. The education system does not give enough consideration to disadvantaged groups such as working children, street children, children with disabilities, rural children, girls, etc. In addition early marriage, and house holds responsibility present important barriers to education for girls and young women.

The educational system is characterized by inadequate facilities such as lack of basic education materials, insufficient training of staff, and weak institutional capacity and limited community involvement in the management of schools. The curriculum is not appropriate to the interests, needs and life challenges of the children and their families. The school schedule conflicts with the work schedules of many children and their families and is too expensive for communities with very low economic status. This clearly reveals the need for a flexible, low cost and relevant curriculum.

Cultural practices

Factors such as distance to school, harmful practices, such as early marriage and abduction, makes parents feel that priority for educational opportunities should be given to the boy, as he is less vulnerable. The girl in most traditional societies is also a source of wealth, as the parents of the girl child get a huge amount of money, material and cattle from the family of a person marrying her. Thus, parents prefer to keep the girl child within the home yard, while sending the boy to school, and this widens the participation gap between girls and boys in school. In short, factors contributing to gender inequality are attributable to supply/ demand/ of schooling, household demands, cultural role of women and girls in the society as well as early marriage & fear of abduction in the case of traveling a long distance to school in the countryside.

Societal discrimination does not only affect girls, but it also applies for children with disabilities. Parents don't give equal chance for children with disabilities to education. Schools don't have welcoming environment for children living with disabilities too. There is strong attitudinal barrier, which should be tackled through advocacy and awareness raising campaigns.

Alternative Basic Education

The Alternative Basic Education Program for Children out of school is flexible and cost effective. It covers the formal school requirement of the first cycle of primary education. The content is considered relevant to the lives and needs of children in Ethiopia and it covers subjects such as children's rights, health with a special focus on HIV/Aids, and agriculture. It also prepares the pupils for the second cycle of primary education. After children complete the curriculum, usually within three or four years, they can take the entrance test for the fifth grade. In regions where Alternative Basic Education programs have been implemented

enrollment rates have gone from very low rates i.e. 8-10 percent to the highest education rates in the region, i.e. 45%.

The non-formal basic education alternative is an innovative achievement for the most vulnerable children: poor working children, particularly girls, in remote rural areas. With this new model, children can combine duties at home with school. More children become literate, including children who would never have the opportunity to continue the formal school. The alternative model is sorely needed in this nation where the adult illiteracy rate is estimated at 64,5%. Innovation is imperative in order to reach the millions of children who currently have no access to education.

The UN Committee on the Rights of the Child recommends that the State party pursue its efforts to increase enrolment, to build additional schools, supply better school equipment, to improve teacher training and to recruit more teachers towards ensuring improvements in the quality of education, giving particular attention to those regions most in need of such assistance.

Even though the Education and Training Policy of Ethiopia states that the education programme shall enable both the handicapped and the gifted learn in accordance with their potential and needs, only very insignificant number of CWDs benefit from the education programme of the country, although information on these group of children is not available in the country.

Rest, Leisure and Cultural Activities

It is inherent in human nature that children at their early ages actively participate in plays and recreational activities. Psychologists suggests that play, and creational activities constitutes one of the critical factors contributing to the overall healthy physical, emotional and psychological development of children at all stages.

Article 31 of the UN CRC states that children have a right to rest and leisure, to engage in play and recreational activities (Art. 31). It also states that States parties shall respect and promote the right of the child to fully participate in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for these activities (Art. 31:2).

To meet such obligations and facilitate implementation of such rights, the State is expected to develop and expand children's recreational activities including field and playgrounds and children's parks. It also has to promote the dissemination of entertaining radio and television programs to them, screen films in cinemas and prepare theatrical shows, musical performances and dramas, which are appropriate to their age.

The Government of Ethiopia states in its social policy that they shall give proper attention to the expansion of sports and recreational activities for the population. Similarly appropriate measures shall be taken to prepare conditions whereby citi-

zens could spend their leisure in play and in activities that will enhance the development of their culture and general knowledge.

The aims of this policy are compatible with the UN CRC. However, unless the economic and social crisis is mitigated the realization of these rights will still receive low priority. In reality very little is being done to realize these rights in the Ethiopian society.



4.3.6. Right to special measures of protection (Art. 22, 23, 30, and 32-40)

Armed conflict

Border disputes between Eritrea and Ethiopia erupted into armed conflict on the Bamde region in May 1998 and turned into a full-scale war by 1999, resulting in an estimated 100,000 deaths and almost 316,000 displaced people. In June 2000 Ethiopia and Eritrea signed a ceasefire agreement and a UN Peace keeping mission (UNMEE) was deployed. After signing a peace accord on 12 December 2000, Ethiopia and Eritrea began to withdraw troops, however, in response to remaining tensions over the disputed buffer zone the UN announced the extension of its mandate to 2003. Ethiopia is also confronted by internal armed opposition groups, i.e. the Oromo Liberation Front (OLF created in 1973), the Ogaden National Liberation Front (ONLF) in the Somali region, and Al-Itihad, an Islamist group allied to the ONLF. At the end of 1999 some 10, 000 suspected opposition supporters were in detention, some of which had been held for several years without charge or trial.

Child soldiers

It is the policy of the ministry of Defense not to permit persons under the age of 18 years to join the armed forces, and the Government made efforts to enforce this policy, but it has not yet been codified. Article 4 of the Defense Force Proclamation No. 27/1996 states that "(the) Ministry of Defense may, in accordance criteria issued by it from time to time, recruit persons fit and willing for military purposes'.

There were reports that some children under the age of 18 years were recruited into the military in 1999 , and military officers have admitted that underage applicants some times were enlisted during the armed conflict. However, the problem of under-age soldiers is very small compared to other neighboring countries in Africa. Ethiopia has an all-volunteer military; however, scarce birth certificates, poor educational opportunities, patriotism, and pervasive poverty conspired to entice under-age applicants to try to circumvent restrictions on under-age soldiers. If young boys are found to be under 18, they are normally prohibited from doing military service; however, in rural areas children often do not have birth certificates. There is evidence that children as young as 14 were permitted to join local militia units in an effort to keep them close to home and prevent them from attempting to join the regular army.

Refugees

During the last years, Ethiopia has in addition sheltered and cared for 300,000 400,000 refugees from neighboring Sudan and Somalia. Today Ethiopia host 175, 882 refugees.

The administration for Refugee Returnee Affairs in collaboration with UNHCR provides essential services to refugees such as food, shelter and health services. In the case of school age child and youth refugees, the Administration has arranged for their education at various levels including attendance at higher educational institutions and vocational training centers. Accordingly, for the period 1993/94-1997/98 a total of 16,150 refugee children attended school, i.e. 2,800 at kinder-

Country of Origin	Number of refugees	Camp location
Somalia	86,114	East of Ethiopia
Sudan	83,614	West of Ethiopia
Eritrea	4,164	North of Ethiopia
Djibouti	1,560	North East and Addis
Other	430	Addis Ababa
Total	175,882	

UNHCR: 2001-2002

garten, 13,000 at elementary and 350 at secondary level.

Ethiopia has provided sanctuary for refugees from nations far and near for centuries. Most of them come have crossed the border from neighboring Somalia, Sudan, Djibouti, and Eritrea. The majority are Somalis and Sudanese. Smaller number of refugees has come from 15 other countries.

According to demographic figures from the refugee camps, approximately 22 percent of the population is between 0-4 years and 38 percent is between 5-17 years.



In a recommendation from the CRC Committee, it was stated that Ethiopia must ensure that the recent peace agreement leads to a lasting peace and that children are protected from the effects of armed conflicts. They also stressed the importance of taking relevant children's rights concerns into consideration in peace related deliberations and other activities, and that de-mining efforts be continued.

The Federal Democratic Republic of Ethiopia has signed but not ratified the 1951 Convention on the status of Refugees, and its 1967 Protocol, nor the Ottawa Convention to Ban Landmines.

Internally displaced children

In 1996-1997 a substantial number of children in drought affected areas of northern, eastern and southern Ethiopia were provided with supplementary food. The war with Eritrea since May 1998 has resulted in the death of innocent children and civilians in two major urban centers of Tigray Regional State, the death and injury of hundreds of civilians at the three border sites invaded or attacked by the Eritrean Government Armed Forces, and the displacement of thousands of families along the long border between the two countries. The Government of the FDRE, international and local NGOs and the whole society at large are mobilized and have continued to offer much needed assistance in the form of food, shelter and medical services to the displaced and injured children and their families. A national committee has been formed to coordinate and oversee the implementation of the contributions of the general public for the assistance and rehabilitation of those displaced by the war.

It is estimated that between one and two million people have died as a result of famine during the past five decades. In general, children are not given any specific attention during emergencies (whether drought or conflict) and their psychosocial needs are rarely addressed neither by communities, authorities or agencies.

The difficult situation faced by internally displaced children and their families in Ethiopia, including in terms of their access to education and health services and in terms of family reunification has to be further addressed. In a comment from the CRC Committee Ethiopia it was recommended that Ethiopia to strengthen its efforts to provide assistance to refugee and internally displaced children and their families.

The main reasons for displacement of the 450,000 IDP's are conflict among ethnic groups and famine. Approximately 40 percent of the population is under 18 years.

Number of IDPs	Location
300,000	North of Ethiopia (Tigray)
46,000	North of Ethiopia (Amhara, Afar)
14,000	West of Ethiopia (Gambella)
4,164	North of Ethiopia
75,000	East of Ethiopia (Somali)
3,500	Addis Ababa (from Eritrea)
16,000	Oromya
458,564	

UNHCR 2001-2002

Harmful traditional practices (HTP)

Ethnic cultures in Ethiopia are interwoven with history, myths, and superstitions. As a result, there are traditional practices in almost all ethnic groups of the country, which adversely affect the health of the people, goals of equality, political and social rights and the process of economic development. In addition to early marriage, children and women suffer the effect from traditional practices such as nutritional taboos, genital mutilation and marriage by abduction.

Research from Ethiopia reveals that harmful traditional practices, like milk-teeth extraction (89% of the children), Uvulectomy (84%) and Female Genitale Mutilation (FGM, 73%), appear to be widely distributed in the country. Children are subjected to six major harmful traditional practices with FGM ranking number one, followed by Uvulectomy, soiling the stump of the umbilical cord, milk-teeth extraction and Incision. Other types of HTP: s are marriage by abduction, tonsillectomy, keeping children out of the sun, preventing food and fluids from children with diarrhea and feeding infants with fresh butter.

FGM, Uvulectomy and milk teeth extraction are the most pervasive in the country, probably causing the most damage to children. Early marriage stands out prominently in Tigray and Amhara while marriage by abduction is relatively more common in Oromya and SNNPR. Infibulation is limited to the Affar, Somali, Harari and to some extent Benishangul/Gumuz regions as well as to some zones of Oromiya. The age at which female circumcision occurs varies according to ethnic group. Thus this practice is performed within the first year in Tigray, Affar and Amhara, while in Somali FGM takes place between the ages of seven and eight years, and in some ethnic groups of Souterh Nations (SNNPR) at a much later age.

Early marriage

In rural Ethiopia about 75% of the females get married between the age of 13 and 15 years old, girls as young as 9 years old have been reported to be subjects of arranged marriages. The practice of early marriage is particularly spread over the central and northern highland of Ethiopia. In these areas, early marriage has been practiced for centuries and served socio-economic needs special to crop producing communities. Age-old-compelling traditions, parents high sense of responsibility to marry off children at their earliest convenience, the patriarchal subordination of women and children, and the marriage rush to enlarge kinship relations for economic, security and protection are all underlying factors still sustaining early marriage in Ethiopia.

A new family law adopted in 2000 defines the age of consent as 18 for both females and males. Pregnancy at an early age often leads to obsteric fistulae and permanent incontinence. Treatment is available at only 1 hospital in Addis Ababa that performs over 1,000 fistula operations a year. It estimates that for every successful operation performed, 10 other young women need the treatment. The maternal mortality rate is extremely high due, in part, to food taboos for pregnant women, poverty, early marriage, and birth complications related to FGM, especially infibulations.

Sexual, social and economic exploitation

In Ethiopia prostitution has been practiced in the "traditional" manner whereby male customers seek the service of sexual gratification from female prostitutes. As is the case with prostitution, child commercial sex work is evident throughout the country, though highly pronounced in major towns where state, administrative, military, and commercial activities are centered, the most notable place being Addis Ababa. Accurate statistics are difficult to obtain, but estimates from a 1996 study claimed that child prostitutes (under 18) make up to 15-18,000 or 20%, of the total prostitute population of 90,000 in Ethiopia.

Research reveals that child prostitution and the enticement of schoolgirls for sexual purposes is on the rise. Additional research also reveals that there are several kinds of child prostitutes, some prostitutes work on the streets, while others are employed in bars/brothels and hotels who operates for very little money. Children are sometimes known as independent prostitutes comprising street children, those

working from small both in slum areas, streetwalkers and those who hang out the night spots and high profile hotels. The practice of enticing young girls from their home, through promises of rewarding jobs, in order to send the abroad or bring the to urban areas is in common in Ethiopia. It is very common to see young girls end up working in brothels as prostitutes.

There are no laws that criminalize child prostitution or prostitution in general. However, several task groups have been established to look into the situation. The Children, Youth and Family Affairs Department of the Ministry of Labor and Social Affairs chair the National Steering Committee Against Sexual Exploitation of Children.

Factors aggravating the problem of child prostitution are pervasive poverty, migration to urban centers, early marriage, HIV/Aids and sexually transmitted diseases, and limited educational and job opportunities.

In a US State Department report on Human Rights Practices in Ethiopia, it was reported that during 2001 there were many press reports of the large-scale employment of children, especially underage girls and prostitutes in resort towns and rural truck stops. Social workers note that young girls are prized because their clients believe that they are free of sexually transmitted diseases. The unwanted infants of these young girls usually are abandoned at hospitals, police stations, welfare clinics, and adoption agencies.

In recent years, owing to the sensitization campaigns undertaken by government institutions and NGOs, some cases of child abuse are being reported to the police, to MOLSA, to ANPPCAN and to the Ethiopian Women Lawyers' Association. In addition, courts are now giving priority attention to such cases and gave speedy decisions and quite stiff penalties compared to previous years and satisfactory coverage was given to such crimes by the mass media, especially by the police newspaper and radio program as well as through Radio Ethiopia and the Television Enterprise.

Traffic in children

The State is under the obligation of taking measures that prevent sales of or traffic in children and abduction of children (Article 35 UN CRC). The Ethiopian Penal Code punishes any person, including a parent and guardian who engages for gain in the trafficking of children under the age of 15 years, whether by seducing, enticing, procuring them or inducing them to engage in prostitution. This punishment is aggravated where the victims are under 15 years of age, or are entrusted to the care of the offender who has taken advantage of his/her position, or used trickery, fraud, violence and intimidation (Penal Code, Article 606). Anyone who facilitates or organizes traffic in infants or young persons, are also punishable with imprisonment (Penal Code, Article 607).

Abduction is also a serious offence under the Ethiopian Penal Code. Anyone who abducts or improperly detains an infant or a young person is punishable with

imprisonment not exceeding five years. Where the motive off the offence is for gain involving exploitation, debauchery and cruelty, the punishment can go up to twenty years of imprisonment (Penal Code, Article 561).

Corporal Punishment

According to a definition on physical maltreatment used by Riddle & Apponte, (1999) physical maltreatment and corporal punishment include behaviors in which a care giver or some one else conduct an "act of commission with an aggressive component involving actual physical contact of a non-sexual nature".

Research in Ethiopia on corporal punishment reveals that the major tool for disciplining a child is physical punishment. Parents and teachers perceive that they "shape" the behavior of their children through corporal punishment. When a child misbehaves there is a local insult saying that: "the child has never been punished and as a result has become spoiled." The value of punishment can be understood from the locals saying that when a child is punished he/she will be stronger, alert and active.

A study in Jimma shows that many parents use pinching (75%), whipping (72,5%), hitting with bare hands (43,5%), beating with sticks (17,6%), and exposure to fumes of burnt red pepper (3,1%) to their own children as forms of corporal punishment. The same study in Jimma as above revealed that child deprivation of food was considered as a disciplinary tool by 15% of the parents and 9,4% of them in practice.

Physical maltreatment, and corporal punishment is very common in Ethiopia, Article 172 of the Penal Code sentence children to corporal punishment at the sole discretion of the judge, in particular with regard to the "bad or good character" of the child in determining the penalty to be applied to the child, and at the possible limitations of the right to legal counsel.

The provision in the Penal Code (Art. 172) stressing the possibility to sentence children to corporal punishment at the sole discretion of the judge, and the provision in the Civil Code for "light bodily punishment" as an educative measure within the family are unsatisfactory and worrying.

The CRC Committee expressed a concern that violence against women and children in the context of the family remains widespread in Ethiopia, and continues to have a negative impact on children. The Committee is concerned in particular, that domestic violence against women may lead to child abuse in the family and recommends that further efforts are made to address and condemn violence against women and children, including in the context of the family. Ethiopia should also take steps to monitor and address any incidence of violence and sexual, or other abuse, against children.

Juvenile Justice

Research reveals that the extent of juvenile delinquency is on the rise. It is not

only the increasing size of juvenile delinquency that should be of concern, but also the seriousness of the offenses, and the proportion of offenses committed by young people, as compared to the crimes committed by adults.

In Ethiopia, in 1996, 222,109 individuals were reported to the police for committing various offenses, out of which 1,3% were in the age group 9-15 years, while 9,06 percent were in the age group 16-18 years and 12% were in the age group 19-21 years. As a result the figures reveal that young people, up to the age of 21 years, contributed to close to a quarter (22,4 percent) of the total crime rate in the country. Over 90 percent of the reported offenders were males, whereas only ten percent were females.

The problem with juvenile offenders is mainly urban. Research reveals that almost 70 percent of the juvenile offenders are migrants from the rural areas where various social amenities were lacking. The children mostly migrate in search of educational opportunities, employment possibilities and in search of families or relatives who migrated to the cities earlier. Some of the boys claimed to have run away from cruel parents or due to lack of proper care by parents. Family disruption causes young people to run from their homes.

Another contributing factor to the causes of juvenile delinquency is the high rate of school dropouts and school leavers. Poverty is another factor that contributes to the delinquency of children. When parents are not able to provide the minimum level of subsistence children try their luck on the streets, either by doing odd jobs like hawking small items or begging, or committing crimes.

For purposes of criminal liability, the Penal Code of 1957 classifies child offenders into three distinct age groups and prescribes distinct measures for their reform and rehabilitation. The first group, called "infants", is totally exonerated from application of the penal law on ground of responsibility. According to article 52 of the Penal Code infants not having attained the age of 9 years are not criminally responsible for their acts.

The second group, addressed as "young persons" in the Penal Code, is children between the ages of 9 and 15 years inclusive. For them, the Penal Code provides special punishments and measures upon conviction. They are not subject to the ordinary penalties applicable to adults nor shall they be kept in custody with adult offenders (art. 53). The third group is comprised of young persons between the ages of 15 and 18 years and they are treated under the ordinary provisions of the Penal Code as having the full prima facie liability of persons aged 18 and above (art. 56 (4)). However, the Penal Code provides that mitigation of the penalty is always permitted, the death penalty may never be imposed and, under certain conditions, the measures of the penalty scheme for young offenders be applied in toto (arts. 56 (2), 118 and 182); The penalty of imprisonment may be imposed when a young offender has committed a serious offence.

Existing criminal and civil laws are not compatible with the CRC definition of the

child, particularly in the case of child offenders who are subject to the adult justice system. The present legal age of criminal responsibility is very low - 9 years. Children aged 15 to 18 years are effectively considered to bear the same criminal responsibility as adults, albeit with the application of lesser penalties than those applied to adults.

Street Children

In a US State Department report on Human Rights in Ethiopia (2001) it was stated that there are approximately 200, 000 street children in the Ethiopian urban areas, of which 150,000 reside in Addis Ababa . However, the figures are difficult to estimate, and observers believe the problems are growing. Previous research has revealed that the number of street children in the country is 500,000, and that 1,000,000 children are on the verge of joining the street life. However, according to an Ethiopian NGO, the FORUM on Street Children, this estimation takes into account only the number of children out of schools in the urban centers and do not take into account children migrating from the rural areas. Many of the street children are children of the urban poor and not migrated from the rural areas, says FORUM.

These children beg, sometimes as part of a gang, or work in the informal sector. Government and privately run orphanages are unable to handle a number of street children, and older children often abuse younger children. Due to severe resource constraints, abandoned infants often are overlooked or neglected at hospitals and orphanages. There are few credible reports that children are maimed or blinded by their "handlers" in order to raise their earnings from begging.

Most of the street children 70% of them are living with their families in slum areas of the major cities. The rest are living on the streets, small hotels in groups when they have money. The street girls are trying to get money to spend the nights in small hotels to avoid rape and sexual harassment. Many of the street children in Ethiopia are out on the streets alone by the age of 7. However, before this age they are out on the street with their families and elder brothers/sister.

This assumption is not taking into consideration children living in plastic houses on the side of the road. Children from these types of families are already living on the street from birth and home for these children is the street.

Many of the street children are going to government schools. These children are working half day and going to school the rest of the time. Many of them are living with their families and work on the street to support them. However, they under-perform in school. Because they do not have time to study nor do they have a conducive place for study. Many of these children drop out due to the rigid formal school system.

The street children are engaged in different informal sector activities to earn an income. The children are mostly engaged in shoe shining, carrying goods for customers, watching and washing cars, selling cigarettes, lottery, chewing gums while the girls are selling food items in the markets, selling roasted bean in the bars at

night etc.

While working on the street children are subject to abuse from many sides and the police chase them from one place to another. Adults will often not pay them for their work, while the girls are exposed to sexual harassment. Some of these children are also involved.

Child Labor

In order to protect the child against economic exploitation, the 1993 Labor Proclamation has substantial provisions. The law forbids the employment of a child under the age of 14 years. However, those children who are between 14-18 years of age are categorized by the law as "young workers".



Under the law, young workers can directly undertake employment or enter into contract of apprenticeship. The law, however, forbids requiring young workers to work overtime and to carry out work after 10.00 p.m. and to work more than seven hours a day. The employer is also prohibited not to engage young workers in dangerous trade.

Research reveals that about 50% of the children between 10-14 years are economically active. There are no reliable figures on workers under the age of 10 years, nor are there figures on children between the age group 14-15 years. Most child labor (56,6%) is in rural areas while 9,6% is in urban areas of the country.

Since the Ethiopian economy is mainly agrarian (85-90% of the population) and labor intensive, this fact has led to many children used in the agricultural sector to supplement the family income. Children are usually found to work in their families small farms or businesses under the guidance of their parents or found to help them performing domestic tasks. Apart from this, there are circumstances, when children are working for people outside the family structure for small salaries. According to a survey done by the Ministry of Labor and Social Affairs on agricultural wage it was found that among the workers engaged in the agricultural sector in the country, about 64% of them are children below the age of 14

years.

4.4. Conclusion

Reality shows us that the majority of Ethiopian children today constitute one of the most unprivileged groups of the society. Infant mortality rates and malnutrition rates are extremely high even compared with African standards. Physical abuse and harmful traditional practices like forced marriage or FGM are common practices. Due to early marriages, especially in the rural parts of the country, children are exposed to sexual abuses too. In one-way or another, in both rural and urban areas children are exploited as child laborers. The growing number of street children and orphans as a result of the economic recession and the HIV/Aids epidemic are some of the most serious social problems facing Ethiopia today, in addition to the low accessibility and quality of education.

Given the magnitude of these problems, very little has been done to seek solutions for them. The attempt to give legal protection to children is only a recent phenomenon. It was difficult to get the UN CRC reflected in Ethiopian national legislation.

One of the problems was the fact that some of the previous laws dealing with children were inconsistent with the UN CRC, or there were simply no provisions in the previous legislation for children.

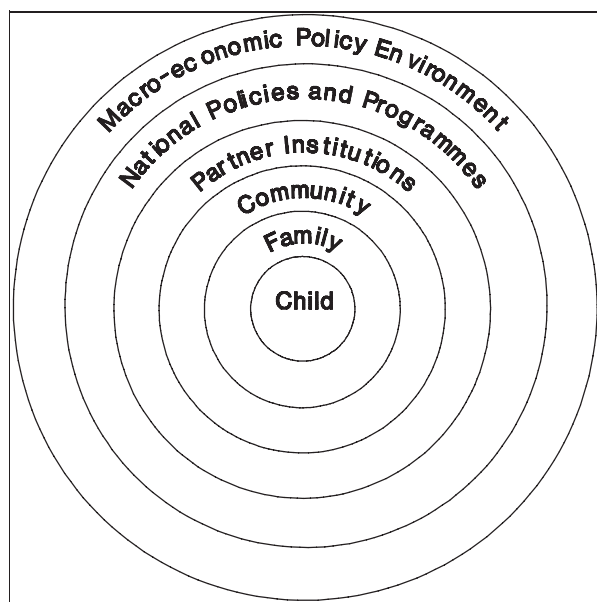
Take for example the issue of statelessness among Ethiopian children. Ethiopian law provides may loopholes whereby children may be left stateless, contrary to the stipulation that the State should avoid those kinds of situations. Ethiopia also lacks laws implementing the right of the child to be registered immediately after birth. The Civil Code provisions on the registration of civil status have not yet come into force and the responsible institutions have not been established for this purpose.

Ethiopia also lacks a systematized social security scheme at a national level. The realization of the right to social security (which, in turn, is closely connected with the child's right to life and health) requires action to provide a systematized social security scheme. Contrary to the requirements of the UN CRC, the Education and Training Policy of Ethiopia has also failed to make primary education compulsory.

The Ethiopian Penal Code does not treat all children under 18 the same. Only maltreatment of children under 15 years of age is punishable under Article 548 (1). There is no clear reason why the legislature restricted the application of this provision to children under 15 years. Regarding sexual exploitation also, some provisions in the Penal Code whose are unnecessarily restricted to children below 15. These children get better protection in the Convention than in the Ethiopian Penal Code. The Ethiopian Criminal Procedure Code does not provide for a juvenile court to deal with cases involving children. This also creates another contradiction with the requirements of the Convention.

The Civil Code, Penal Code and the Criminal Code contain provisions designed to protect the rights of children. However, important gaps and areas of incompatibility with the CRC remain in the legal protection afforded to children under existing Ethiopian legislation. The government has expressed its willingness and interest to address many of these gaps and areas of non-compatibility, and has established a committee within the Ministry of Justice to work on the harmonization of the Civil and Penal Codes with the CRC. In addition, public forums have been held to discuss changes in legislation in areas such as marriage age, child labor, harmful traditional practices and corporal punishment.

Part 5. Actors and Duty Bearers



5.1 Who are the duty-bearers?

If children and young people are the holders of rights and have a legal entitlement that their rights are secured, then it is essential that those responsible for delivering these rights are identified and made accountable and responsive. Although governments are often seen to be the primary duty-bearers, and indeed it is their responsibility to ensure that rights are secured, other adult members of society - both individuals and groups - are also duty-bearers. This means that these individuals and groups have an active role to play in ensuring that the rights of the young people in their care are secured. This concept of duty bearers can be represented by a diagram that shows which communities of interest have an influence on children's lives, and who therefore constitute duty -bearers for different obligations towards children.

5.2. Child Right's Administration

The Government has set up a number of institutional mechanisms designed to help protect and promote children's rights. A national inter-ministerial committee was formed in 1994 to monitor and guide CRC implementation. The Committee consists of representatives from the ministries of Health, Education, Information, Culture and Sports, as well as the Police Commission and the Prime Minister's office. The Committee is chaired by the Ministry of Labor and Social Affairs (MOLSA) and the Children, Youth and Family Affairs Department within MOLSA is the Committee Secretariat.

Establishment of relevant mechanisms has been put into place after the ratification of the UN Convention on the Rights of the Child. In addition to the government and its ministries, the following is an outline of the role of its administration, and its coordination between them, and any problems encountered.

5.2.1. Children, Youth and Family Affairs

Tasks in general include coordination of all participating bodies and technical support. Specifically, duties include:

- Strengthening the Committee on the Rights of the Child (CRC Committee) at federal level, also coordinating for the committee at regional level.
- Strengthening the inter-ministerial committees to work on and assist in program planning for the CRC Committees.
- Establishment of the Street Mother and Child Program in five regions and six towns, addressing five components: health, education, shelter (temporary), productivity, and vocational training.
- Distribution of a five year plan of action to all international organizations, government organizations/non-governmental organizations, and the humanitarian agencies with direct relationships to the CRC in order to: create collective awareness, assist in support of the programs in order to enhance the CRC Committee, and establish a "bottom-up" reporting system for the regional bureaus.

5.2.2. National Inter-Ministerial Committees at Federal Level

In general these committees facilitate, strengthen, and monitor the CRC Committees at federal level as well as the central steering committee. Specific duties include:

- Design strategies for implementation, and follow-up on CRC, at all levels (regional, zonal, and woreda levels).
- Evaluate the implementation of the CRC committees at regional levels, and confirm children incorporated in plans of action.
- Provide child centered organizations with technical advice.
- Monitor activities and inclusion of child-focused programs as part of the National Program of the Government.
- Support distribution of CRC documents to regional bureaus of administration.
- Support efforts to implement the CRC.

5.2.3. Children rights committees at regional, zonal, and woreda levels

These committees are implemented by the regional committees (Bureau of Labor and Social Affairs). CRC Committees showed the following activity by region:

- Tigray: 1 regional, 4 zonal, 35 Woreda CRC committees; all exist but are under a plan of reactivation with all present emphasis being put on emergency situations.
- AFAR: 1 regional, 5 zonal, 29 woreda CRC committees; currently inactive, but all have plans to re-establish/strengthen themselves.
- Somali: 1 regional, 2 zonal, 4 woreda, 8 kebele CRC committees; all active.
- Benishangul-Gumuz: 1 regional, 3 zonal, 14 woreda CRC committees; all active. 8 Kebele committees are in the planning stages of implementation.
- Gambella: 1 regional, 2 zonal, 7 woreda, 0 kebele (inactive) CRC-committees; active.
- Harari, Dire Diwa: unable to receive contact from them.
- SNNP: 0 regional (inactive), 2 zonal: Sidamo (Awassa) and Gurage, Street Mother and children program; due to constructural adjustments go rid of lower level programs and planning on re-implementing committees.
- Oromyia: 1 regional, 12 zonal, unable to find information at woreda level; CRC committees all active.
- Amhara: 1 regional, 11 zonal, 80+ (of the 105 woredas) woreda, Debre Tabor and Gonder with CRC committees; all active.
- Addis Ababa: 1 regional, 2 zonal, 28 woreda, CRC committees, all active. Plan on future establishment of CRC committee at kebele level in 2000-2001.

Main problems encountered in the implementation were: economic (shortage in budget), under development (low level awareness), scarcity of resources (material resources), limited administrative structures, and certain traditional practices.

5.2.4. National Steering Committee

There is a national steering committee coordinated by MOLSA. The NGO com-

munity is represented by the Christian Relief Development Agency (CRDA). Other partners include UNICEF, ILO and all relevant ministries to the government (i.e. education, health, justice, cultural, social and labor affairs, etc.). The work of the national steering committee is hampered by limited resources. Another obstacle to the effectiveness of the Committee is the lack of direct information flow between the national and regional committee levels.

5.2.5. Regional and local CRC Committees

To implement action of the CRC includes organizing, establishing and strengthening CRC committees from federal level to regional, zonal and woreda levels. The committees are engaged in promotion and the implementation of the CRC. The committees are found almost all over the country. However, due to economic under development, scarcity of resources, limited administrative structures and certain traditional practices and customs, they are not functioning as expected.

5.3. Civil Society Organizations Working with Children

In a study on child centered non-governmental organizations in Ethiopia, it was found that there are 44 child centered operational NGOs in Ethiopia. Seventeen of these were international NGOs. A revision of that list for this situational analysis reveal that there are at least 64 NGOs working in Ethiopia on children issues. Forty-six of them are local.

Although the civil society at large and NGOs have increased in number and financial clout, there have been few systematic evaluations of their effectiveness. However, in broad terms, they have had a clear impact in four main areas:

- Advocacy on behalf of children - On such issues as human rights in general and children's rights in particular, NGOs have organized advocacy groups in Ethiopia that have changed the thinking of national policy-makers.
- The empowerment of marginalized groups - In Ethiopia, like in most developing countries, poverty is often caused less by an absolute shortage of resources than by their skewed distribution. NGOs emphasis on empowerment and their support of community organizations have often enabled marginalized groups to resist local elites and claim the rights of children. NGOs have been pressuring governments to provide new laws to curb the maltreatment of children.
- Providing emergency assistance - One strength of NGOs is the ability to respond quickly and effectively on emergencies. Their network of contacts allows them to give advance warning of disasters and urge international action. Their independence means that they can operate in circumstances that are politically difficult for official organizations.

Although NGOs are effective in these and other respects, it is important to keep the scale of their operations in perspective. NGOs have had a small impact in Ethiopia. This is not a criticism of NGOs operational in the country - it is a reminder of a stark reality: NGOs can supplement the government but never

replace it. The decentralization of government authority and the emergence of NGO:s are powerful processes for greater participation by people. But they can be effective only if the overall framework of national governance changes - to become genuinely democratic and participatory.

5.3.1. List of indigenous child oriented NGOs in Ethiopia

- Aba Afework G/Selasse Children's Welfare Association
- Aba Wolde Tensae Gizaw Mothers' and children Welfare Association
- Abebech Gobena Orphanage and School
- African Network for the Prevention of and Protection against Child Abuse and Neglect - Ethiopian chapter (ANPPCAN)
- APAP
- Arat Kilo Child Care and Community Development
- Berhande Hiwot Children's Village and Family Service
- Blind School Association
- Bole Baptist Church and Family Support Projects
- CDI
- Cheshire Foundation Ethiopia
- Cheshire Home
- Church of Christ Mission
- Concern Ethiopia
- Dawn of Hope
- Emmanuel Development Association
- Emmanuel Home
- Ethiopian Aid
- Ethiopian Evangelical Church Mekane Yesus - Child and Youth Care Program
- Ethiopian Gemini Trust
- Ethiopian Muslim's Relief and Development Association
- Ethiopian Orthodox Church Child and Family Affairs Organization
- Family and Children Integrated Development Foundation
- Focus on Children at Risk
- Forum on Street Children - Ethiopia
- Goal Ethiopia
- Godanaw Rehabilitation Integrated Project
- Gondar Relief, Rehabilitation and Development
- Handicap National
- HIWOT - Life
- Hope Enterprise HPSO
- IFSO (Integrated family Service org.)
- IHAUDP
- Jerusalem Association Children's Home
- Kind-Hearts child Aid Development Organization
- Mary Joy Aid Through Development
- Mekdim
- NARC

- National Committee on Traditional Practices of Ethiopia
- Nazareth Children Center and Integrated Development
- Needy Youth Service Association
- NCTPE
- NRDP (National resources, development and protection)
- OICE (Vocational training)
- OPRIFS
- Oromo Self Help Organization
- Progynist
- REST
- SOOM

5.3.2. International NGO's

There are approximately 120 international NGOs functioning in the country today, 14 of them are working with children. The groups, from the United States, Canada and European countries for the most part, are critical in the spasm of famines and food emergencies.

CARE, Catholic Relief Services, World Vision and Save the Children are examples of the larger international relief and development groups carrying out programs in the country. Many are increasingly forging partnerships with various national NGOs and supporting efforts to increase the institutional capacity of these partner groups. They are perhaps mindful of the words of Prime Minister Meles Zenawi "the Government expects them to partner with local grassroots organizations to develop local capacity. They have to understand they are here to work themselves out a job some day".

5.3.3. List of International child oriented NGOs in Ethiopia

- Action Aid - Ethiopia
- Catholic Relief Service - USCC
- Christian Children's Fund INC. Ethiopia
- Christian Relief and Development Association
- DORCAS Aid International Ethiopia
- Handicap International
- Missionary of Charity
- Pathfinders International/Ethiopia
- Save the Children Denmark
- Save the Children Federation/USA
- Save the Children Fund (UK)
- Save the Children Norway
- Save the Children Sweden
- ZOA

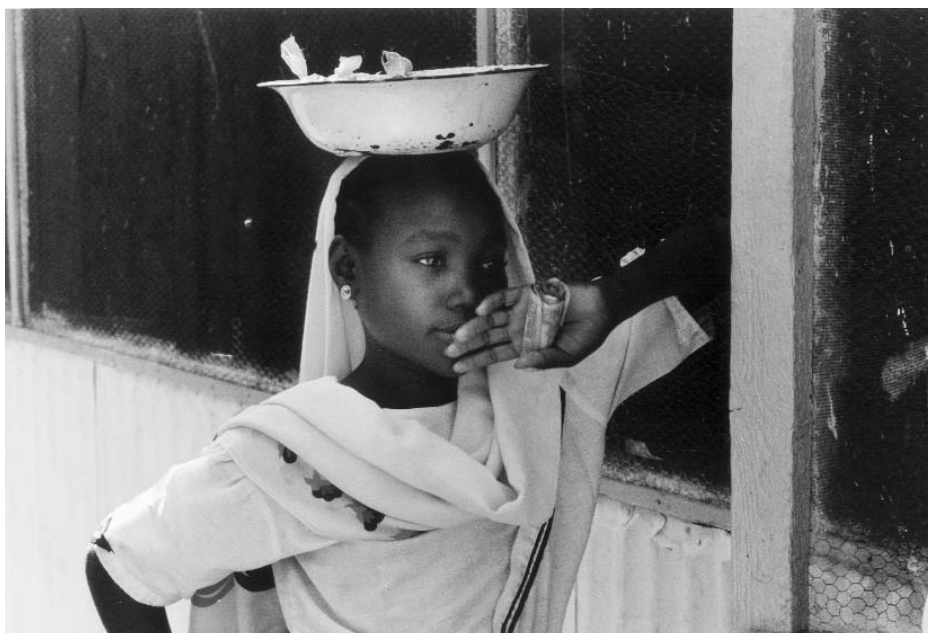
5.4. The International Save the Children Alliance

Current Alliance members operational in Ethiopia total five and include; UK, US, Denmark, Norway and Sweden. Main thematic area of focus are 1) child rights

and participation; 2) basic education 3) HIV/Aids for children and youth and 4) emergency programs in support of famine/drought and armed conflict.

The creation of four thematic task forces serves as key mechanisms for information sharing and joint programming. Joint activities to date relate to advocacy and support to implementation of the CRC. During 2000, a series of forums were held with of youth and organized by the Save the Children Alliance. Key outputs of these meetings resulted in the identification of 10 priority issues pertaining to Ethiopian children/youth for consideration at the UN Special Session on Children, which was held on May 2001 in New York. Other planned joint activities relate to basic education (strong linkage with HIV/Aids) and rights and are focused on research, advocacy and capacity building with various stake holders.

Part 6. Reflections, trends and ways forward



In spite of the shortcomings in the implementation of the Convention, it is not so much the legal framework that is the problem in Ethiopia as its effective implementation. One of the main obstacles to its implementation is lack of resources. This is partly reflected in the failure or ineffective functioning of social services such as health and education, as illustrated by the high levels of infant and under-five mortality rates and malnutrition, and at the low levels of school enrolment, education, immunization coverage and health services in general.

Clearly the most alarming trends in Ethiopia are the country's malnutrition rates, its high illiteracy figures, and the spread of HIV/Aids, which has taken epidemic proportions. At the same time it is very worrying the country has the lowest percentage of people who have access to social services amongst poor countries.

The problems are also reflected in violations of other rights provided for in the UN Convention on the Rights of the Child (CRC), and the African Charter on the Rights and Welfare of the Child (ACRWC), in particular violations of civil, political, economic, social and cultural rights addressing traditional attitudes and harmful practices in Ethiopia. Sexual exploitation, female genital mutilation, early marriages and teenage pregnancies and the persistence of discriminatory social attitudes against vulnerable groups of children are examples of such violations. Target groups are often the girl child, disabled children, children born out of wedlock and children occupied in harmful work, living on the street, or children in conflict with the law.

Definitive action on the root causes to the violations of children's rights needs to be taken in order to combat an even wider spread of the above violations in the future. Poverty, armed conflict, the inability to sustain basic services, and lack of political will are all important obstacles in this process.

In addition, it seems crucial to educate various duty bearers, to combat the apparent lack of awareness and understanding of the principles and provisions of the Convention among important actors and representatives of the State of Ethiopia. This is mainly due to a lack of adequate and systematic training provided to politicians, government officials, law enforcement officials, judicial personnel, teachers, social workers and medical personnel.

Finally, it is important to support governmental institutions like the Human Rights Ombudsman, the Human Rights Commission, the civil society and other independent research institutions to ensure that there are adequate mechanisms for the collection of reliable quantitative and qualitative data on the situation of children throughout the country. Otherwise effective assessment by the authorities of the situation of each and every group of children in all parts of the country will be hindered. Support to such monitoring and reporting mechanisms would facilitate the adoption of targeted policies in the field of the protection of the rights of children.

It is clear that the Ethiopian government has to take proper measures to facilitate the implementation of the Convention by revising existing laws inconsistent with the Convention and by enacting new laws necessary for the realization of the rights enshrined in the UN CRC. But it is equally important to develop strategies and plans of actions to implement the provisions and policies on the ground.

For its effective implementation, the UN CRC requires the concerted efforts of all governmental and non-governmental organizations, local authorities, religious bodies, communities, other civil society groups, the family members and every individual. More importantly, it imposes obligations on the federal government and each regional state to take all legislative, administrative, judicial as well as educational, social, economic and policy measures regarding the enforcement of each right enshrined in the Convention.

6.1. Trends and ways forward

Any discussion about trends and ways forward in Ethiopia needs to take into account the future. It is always difficult to speculate about it, however, some examples of guiding indicators may be highlighted.

Fear, poverty and insecurity are often linked into a vicious cycle, disrupting new types of governance, people's freedom to act and promote human rights and human development. Breaking the cycle requires measures to promote human development, through access to reliable employment, education and social services. But it also requires measures to promote human security by offering protection from crime and political violence, respect for human rights including political rights, and equitable access to justice.

The absence of such guarantees of human security constitutes the powerful barrier to human development and democracy. Regardless of levels of income, if people lack confidence in society's ability to protect them, they will have little incentive to invest in the future. A development optic highlights this positive dimension of the concept - namely the opportunity that human security provides potential for growth.

Globalization. Opening markets and a revolution in communication, have brought many benefits to people in Ethiopia. But globalization has also meant a general rise in violent crime, drug trade, terrorism, disease and environmental deterioration. It seems likely that the future issues targeting children and children's rights in Ethiopia will depend on the effects of globalization on the country.

Security between states remains a necessary condition for the security of people. The principal objective of national security is the protection of territorial integrity and political sovereignty from external aggression. While declining in frequency, the threat of interstate war has not vanished, and the potential consequences of such wars in Ethiopia should not be underestimated. Exposure to violence is not limited to people in situations of armed conflict, it is also directly related to the erosion of state control. The rights and welfare of children in the future will

depend on what extent they will be protected from military aggression.

Clearly, the possibility for Save the Children to promote children's rights in Ethiopia in the future, will, as today, rely on people's safety from such chronic threats as hunger, disease or repression. It will also depend on its protection from sudden and hurtful disruptions in the patterns of daily life - whether in homes, in jobs or in communities. It seems likely that Save the Children's future priorities will depend upon the above underlying factors affecting children.

6.2. Documentation and research

A general trend within the Ethiopian NGO society, and government organizations, is that analysis of policies and documentation of practices and lessons learnt tends to be weak, if not non-existent. In addition many NGOs operate in isolation from each other. As a result, experiences and lessons learnt are seldom shared between different agencies and organizations.

There are many gaps in data on practices regarding violations of rights; this is mainly due to a lack of adequate mechanisms for the collection of reliable quantitative and qualitative data on the situation of children throughout the country. This gap hinders the effective assessment by the authorities of the situation of each and every group of children in all parts of the country, and makes the adoption of targeted policies in the field of the protection of the rights of children difficult.

This report has revealed that the following research needs to take place in order to complete the picture of children's rights in Ethiopia:

- Policy analysis comparing policy with practice, following the provisions in the UN CRC;
- Collection of reliable quantitative and qualitative data on children's rights, in particular in the field of health, education, exploitation and abuse, and street children;
- Documenting good practice and lessons learnt on programs targeting children.

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