



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

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**Committee on the Elimination of Discrimination  
against Women**  
**Forty-ninth session**

**Summary record of the 984th meeting**

Held at Headquarters, New York, on Friday, 15 July 2011, at 10 a.m.

*Chair:* Ms. Pimentel

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(*continued*)

*Combined sixth and seventh periodic reports of Ethiopia*

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** *(continued)*

*Combined sixth and seventh periodic reports of Ethiopia (CEDAW/C/ETH/6-7; CEDAW/C/ETH/Q/6-7 and Add.1)*

1. *At the invitation of the Chair, the members of the delegation of Ethiopia took places at the Committee table.*

2. **Ms. Zenebu** (Ethiopia), said that her country's combined sixth and seventh periodic reports (CEDAW/C/ETH/6-7), which were complemented by a core document (HRI/CORE/ETH/2008), had been prepared with the participation of various stakeholders, including non-governmental and civil society organizations and academic institutions. Due attention had been paid to the concerns raised by the Committee in its concluding observations on Ethiopia's previous periodic report (A/59/38). Her Government had taken steps to enhance its capacity to meet its reporting obligations to the Committee and to other international human rights bodies, and had undergone a successful assessment of its human rights performance through the universal periodic review mechanism. That review had yielded recommendations that had had both direct and indirect impacts on the protection and promotion of women's rights.

3. Despite resource constraints, her Government had implemented various measures since the submission of its previous report with a view to achieving gender equality, protecting women's rights and improving women's socio-economic and political status. The recently introduced Ethiopian Women's Development and Change Package aimed to ensure the equal participation of women in all sectors and in the national poverty reduction strategy, which recognized women's stake in the country's development. Steps were also being taken to address the deeply rooted problem of violence against women in Ethiopia, which was linked to patriarchal cultural patterns and traditional norms. Reporting male violence against women to law enforcement authorities was still considered taboo by many, and law enforcement officials were generally not adequately trained to handle such cases. However, the adoption in 2005 of a new Criminal Code with strong and comprehensive provisions designed to protect women's rights and

interests, coupled with the development of gender sensitization programmes, had helped to mitigate those problems.

4. Special units had been set up to investigate and prosecute criminal acts committed against women and to provide counseling and handle civil cases of low-income victims, and a gender-sensitive court had been established. Her Government had also put in place a mechanism for instituting administrative and judicial measures against law enforcement authorities and other officials who failed to take appropriate action to deal with cases of violence and discrimination against women, and had provided training to judges, prosecutors, police officers and women's rights advocates on how to handle such cases. As a result of those actions, prosecution and conviction of perpetrators had increased.

5. The Government was also developing a national strategy and action plan to prevent and combat gender-based violence and harmful traditional practices and had carried out awareness-raising activities in collaboration with stakeholders on the need to eliminate discriminatory stereotypes and prejudices and acknowledge the important roles and responsibilities of women in society. Human rights conventions had been translated into local languages and widely disseminated, and Government officials had received training on the gender-related conventions and related legal documents. Much remained to be done to change long-standing misperceptions and stereotypes, but the activities carried out thus far had brought significant progress towards the realization of women's rights.

6. Although the Ethiopian economy was growing rapidly, people continued to migrate in search of a better life, and many young women had consequently fallen victim to human trafficking. Her Government was making every effort to combat trafficking at the national and regional levels. Provisions penalizing acts of trafficking of women and children had been included in the new Criminal Code, and agreements aimed at preventing human trafficking and smuggling had been signed with neighbouring countries. The Government was working through the media to raise awareness of the issue and was collaborating with consulates and with non-governmental organizations to provide training for federal and regional law enforcement officials to enhance their ability to assist victims.

7. Women's political participation had grown steadily in Ethiopia over the previous two decades, with the number of women elected to the federal parliament rising from 13 in 1995 to 152 in 2010. Increasing numbers of women were also being elected to regional and local government positions. The application of temporary special measures such as affirmative action had helped to increase the number of women holding high-level public office. The Government was seeking to enhance the skills and educational level of women in the civil service through scholarship programmes and training.

8. Ethiopia's education policy was aimed at democratizing education and decentralizing educational opportunities on a basis of equity and equality, with a particular focus on ensuring access to education for girls and women in rural areas. The country's comprehensive policy on women recognized that it was essential to change patriarchal ways of thinking and to empower women and promote their economic emancipation in order to bring about any significant reduction in poverty, and the Government was therefore investing heavily in women's education. Female school enrolment had increased, dropout had decreased and Ethiopia was on track to meet the Millennium Development Goal target for education at the primary level. Efforts were under way to increase literacy among adult women, encourage parents — especially in rural areas — to send their daughters to school and increase the number of female students completing post-secondary education.

9. The country's health policy and health sector development programme emphasized universal access to essential health services, focusing on the poor and the vulnerable in rural communities. Efforts were under way to improve access to and raise the quality of health care and family planning services and to reduce maternal mortality. Maternal deaths had declined, but there was still much more to do in order to ensure that no mother died while giving birth. Progress had also been made in containing the spread of HIV, but there, too, much remained to be done if the national goal of eradicating HIV/AIDS was to be met. Early marriage was one of the harmful traditional practices that most contributed to poor health among women. The minimum age of marriage under the Revised Family Code was 18, and some regional states within the country had raised the age to 21. The Government was engaged in a wide range of awareness-raising and

advocacy activities aimed at discouraging early marriage.

10. Her Government was firmly committed to do everything in its power to uphold women's rights and fully recognized the value of international cooperation to that end. It also understood that the contribution of civil society groups was vital if Ethiopia was to meet its obligations under international and regional human rights instruments. At the same time, it believed that activities entailing advocacy and legislation, which required the active participation and commitment of citizens, should only be carried out by Ethiopian civil society organizations. The recently enacted Charities and Societies Proclamation therefore restricted the right to engage in certain activities, including in the area of gender equality, to endogenous organizations. The use of foreign funding for such activities resulted in dependence on such funding and hindered the democratic transformation of the country and the pursuit of a domestic agenda driven by Ethiopian citizens. Allegations that the charities and societies law would negatively impact non-governmental organizations working to promote and protect women's rights were unfounded, and indeed there were currently more local women's societies and charities registered and operating in the country than ever before.

11. As a demonstration of its commitment to women's rights, the Government had facilitated a visit by the Special Rapporteur on the Rights of Women in Africa of the African Commission on Human and Peoples' Rights in 2009, and the recommendations of the Special Rapporteur had proved useful in its efforts to enhance women's rights. The Government would continue working to overcome the obstacles that stood in the way of women's full enjoyment of their rights and the achievement of equality between women and men.

#### *Articles 1 to 3*

12. **Ms. Patten**, welcoming the progress made with regard to women's rights in Ethiopia since the State party's previous report, noted that the present report made no mention of the ongoing conflict in the Ogaden region. The Committee had received reports that rape and other acts of sexual violence were being committed against women in the Somali Regional State by members of the Ethiopian Armed Forces. The issue had recently been raised by other treaty bodies, yet the State party had consistently denied that such instances

of sexual violence were occurring. She wished to remind the State party that it had an obligation under the Convention to prevent violations of women's rights and, where they had already occurred, to investigate promptly, take action against those responsible and provide remedies for victims. She would like to know what measures the Government was taking to fulfil that obligation.

13. The Committee had also received reports of human rights violations in some refugee camps in Ethiopia. She wished to draw the State party's attention to the Committee's general recommendation No. 28, which made it clear that the obligations of States parties applied without discrimination to refugees, asylum-seekers, migrant workers and stateless persons within their territory. She sought information on what policies were in place to address the specific needs of refugee women and girls and what measures were being taken to protect them against sexual violence and other forms of exploitation. For example, was there a complaints mechanism and were there statistics on complaints lodged, number of cases of abuse investigated and number of perpetrators prosecuted and convicted? She would also like to know what the Government was doing to assist and protect internally displaced persons, especially women.

14. **Ms. Schulz** said that Ethiopia had taken important steps to eliminate discrimination against women and protect their human rights. However, she was concerned that there was still insufficient knowledge and competence with regard to gender-equality and anti-discrimination laws, especially at the *woreda* (district) level. Information received from the State party and from other sources indicated that a human rights training programme for judges and other officials had ended in 2008 and that judges of the sharia courts had not been included in that training. She enquired how the State party intended to ensure that judicial officials at the local level and in Islamic courts were aware of the rights accorded to women under the Convention and the Constitution of Ethiopia.

15. She also had concerns about the effect of the Societies and Charities Proclamation, and was not convinced by the delegation's assertion that the law had had no negative effect on the activities of non-governmental and civil society organizations working to improve the situation of women and advance their rights. Information from independent sources indicated that their activities had been greatly

reduced, and their assets had been frozen retroactively, which was a violation of international law. The exclusion of the International Committee of the Red Cross from the Ogaden region was especially worrying. The proclamation violated the right of association, placed an undue burden on civil society organizations and deprived Ethiopian women of the services and assistance that such organizations could provide. She encouraged the Government to reconsider it.

16. **Ms. Šimonović** enquired whether the State party intended to ratify the Optional Protocol to the Convention and accept the proposed amendment to article 20, paragraph 1, of the Convention, concerning the duration of Committee meetings. She also asked whether the State party intended to translate and publish the Convention in local languages, pointing out that, although the Constitution of Ethiopia provided that all international agreements ratified by Ethiopia became an integral part of domestic law, unless the text of such agreements was published in the official gazette, their provisions were unlikely to be applied by domestic courts. She wondered whether there were any court cases in which the Convention had been invoked.

17. **Ms. Halperin-Kaddari**, noting that the Constitution of Ethiopia established that certain disputes could be adjudicated in accordance with religious or customary laws, provided the parties had given their free consent, asked what safeguards were in place to ensure that women were not pressured to give consent under duress. She would also like to know who was entitled to give free consent on behalf of children involved in disputes subject to adjudication under religious or customary law. The Committee had received information that indicated that some provisions of sharia and customary law were in direct contradiction to the Convention, particularly those relating to forced marriage, marriage by abduction and polygamy. She would like information on the prevalence of those phenomena and on how the laws against them were enforced by the sharia courts. She would also like to know whether religious and customary law were written law, whether any process of harmonizing those laws was under way or planned, whether there was any procedure for supervising the operations of sharia courts and whether any women served as judges in such courts.

18. **Mr. Zenebe** (Ethiopia) said that, while the entire text of international conventions ratified by Ethiopia

was not generally published in the official gazette, such conventions were incorporated into domestic law by means of a ratification proclamation, which was published in the gazette. The conventions could then be applied directly by the courts or invoked in the interpretation of legal provisions relating to fundamental human rights and freedoms. Any human rights treaties adopted by Ethiopia took precedence over domestic laws, except the Constitution, which was the supreme law of the land. All the core human rights instruments had been translated into Amharic, which was the official language of the Federal Government, and the Ethiopian Human Rights Commission had also produced translations in the Oromiffa and Tigrinya languages. The translations had been widely distributed for use by law enforcement organs at both the federal and regional levels. A project carried out from 2003 to 2008 had provided training on the content and applicability of human rights instruments for some 4,500 judges, prosecutors, police officers and other officials. The international human rights instruments to which Ethiopia was a party, including the Convention, could be invoked in domestic courts. Two cases in which that had occurred were cited in paragraphs 169 and 170 of the core document.

19. Regarding the operation of the sharia courts and the application of sharia law, under Ethiopian law, disputes relating to personal and family law could be adjudicated in accordance with Islamic law, provided that the parties had given their express consent for the case to be decided by a sharia court. Those courts were required to follow the code of civil procedure, which provided a form for confirming the consent of the parties. In the absence of clear consent from the parties, the sharia court was required to transfer the case to a federal court. Once a case had been brought before a sharia court with the full and free consent of the parties, however, it could not then be transferred to a federal court or vice versa. The sharia court system included courts of first instance, high courts and supreme courts at the federal and regional state level, and judgements could be appealed to higher courts within the system, but not to secular courts, although the decisions of sharia courts could be reviewed with respect to errors of law by the Cassation Division of the Federal Supreme Court.

20. As to the situation in the Ogaden region, his Government was aware of the allegations of rape and other violations of women's rights and had conducted a

thorough investigation, which had revealed those allegations to be unfounded. His Government took the issue of rape very seriously, and where cases had been identified, they had been prosecuted and the perpetrator punished. More than 100 such cases had been recorded to date. Victims were sometimes entitled to compensation, depending on the nature of the case.

21. **Mr. Fassikaw** (Ethiopia), said that the aim of the Charities and Societies Proclamation was to give effect to the right of Ethiopian citizens to freedom of association, enshrined in article 31 of the Constitution; to enhance the contribution of civil society organizations to Ethiopia's development; to ensure transparency and accountability in the work of such organizations; and to avoid dependence on foreign funding and the influence of foreign donors, and thus, in the long run, to create a more democratic and stable society. Civil society organizations that received more than 10 per cent of their total funding from foreign sources were therefore not allowed to engage in certain activities, including those relating to the advancement of human and democratic rights; promotion of equality of nations, nationalities and peoples and of gender and religion; promotion of the rights of the disabled and children; promotion of conflict resolution or reconciliation; and promotion of the efficiency of justice and law enforcement services. Only charities or societies formed under the laws of Ethiopia that were wholly controlled by Ethiopians and received income solely from Ethiopian sources could engage in such activities.

22. The rationale behind that prohibition was that freedom of association was a democratic right that could only be claimed by citizens. Organizations that received more than 10 per cent of their funding from foreign sources were, however, welcome to carry out activities relating to education and economic empowerment of women, and could also engage in some democracy- and rights-related activities under specific agreements concluded with the Government. The rationale and aims of the proclamation might not be seen as satisfactory by some, but the proclamation was consistent with the Ethiopian Constitution and was therefore satisfactory to his Government. It did not violate the right of association, nor had it had a negative effect on the roles and contributions of civil society organizations; on the contrary, it had created an enabling environment for such organizations, and there had been a dramatic increase in the number of charities

and societies, including women's associations, registered since it had come into force. The Government was in the process of establishing a charities and societies working group, in which Government agencies, civil society organizations and the Development Assistance Group would work together to create even more favourable conditions for the operation of civil society organizations in Ethiopia.

23. With regard to training for judicial and law enforcement officials, while one training programme had ended in 2008, others were ongoing. The Government, with the support of international institutions, continued to offer training in human rights for judges, prosecutors, law enforcement officials and others, including through training centres for judges and prosecutors located throughout the country.

24. **Ms. Zenebu** (Ethiopia), said that in 2007-2008 1,033 alleged perpetrators of crimes against women had been prosecuted and 605 sentenced; 1,045 had been prosecuted and 725 sentenced in 2008-2009; and 1,041 had been prosecuted and 781 sentenced in 2009-2010.

#### *Articles 4-6*

25. **Ms. Neubauer** recalled that the Committee, in its concluding observations on the State party's previous report, had expressed concern about inadequate resources for the country's national machinery for the advancement of women. The current report indicated that the Ministry of Women's Affairs and the regional women's affairs bureaux, especially in the least developed regions, continued to lack sufficient resources, and also stated that there was a striking gap in knowledge of women's issues among the staff of the various Government organs at both the federal and regional levels. In her view, inadequate resources and gender expertise were a matter of political will and of recognition of the importance of national mechanisms for the advancement of women and the protection and promotion of their rights under the Convention. She therefore asked what action the Government was taking to address those deficits. Had efforts been made to mobilize funding and technical assistance to strengthen the institutional framework for gender equality?

26. She would be interested in knowing whether, above and beyond the existing machinery within the executive branch, there was any entity working for the advancement of women and the promotion of gender

equality in the national parliament. She would also appreciate an update on the status of the draft national gender mainstreaming document mentioned in the periodic report, and would like to know how support for the effective functioning, monitoring, coordination and evaluation of the gender mainstreaming process would be ensured.

27. **Ms. Ameline**, affirming the Committee's support for Ethiopia as it grappled with the famine and drought that were affecting much of the country, noted the discrepancy between the strong commitment to human rights expressed by the Ethiopian Government in various forums at the international level and the situation of Ethiopian women at the country level. Rates of violence against women in Ethiopia, including rape, female genital mutilation and forced marriage, were among the highest in the world, and there was an urgent need for action to address the problem, both by the Government and the international community. In that regard, she, too, regretted the limitations that had been placed on the activities of some non-governmental organizations.

28. She sought assurance of the Government's political will to rigorously apply sanctions against perpetrators of violence against women and to guarantee access to justice for victims. As the Government appeared to regard international assistance in that area as unnecessary, she would like to know whether it was allocating a substantial part of its budget to training for judges and to legal assistance and support for women, particularly in respect of their right to choose freely whether to submit a dispute to a secular or religious court, which was an important aspect of ensuring their access to justice.

29. **Ms. Rasekh** noted that Ethiopia's report mentioned some affirmative action measures introduced in the area of education for women, which she welcomed. However, it contained no mention of temporary special measures aimed at promoting economic development and independence among women, and she would like to know if such measures were in place. She wondered what was being done in the current economic crisis to ensure sufficient attention to and funding for affirmative action and other temporary special measures for women. Specifically, who was responsible for monitoring and accountability in respect of such measures?

30. **Ms. Awori** said that she would welcome additional information about the national strategy and action plan to prevent and combat harmful traditional practices and gender violence, to which the head of delegation had alluded in her introductory statement. She also wished to receive the data that the Committee had requested in its list of issues and questions (CEDAW/C/ETH/Q/6-7) regarding the effectiveness of the measures described in paragraphs 38 and 39 of the State party's report in encouraging victims to report incidents of domestic violence and in increasing prosecution and conviction rates.

31. She commended the steps taken by the Government to combat trafficking in women, including agreements with neighbouring countries, training for law enforcement officials and investigation of trafficking incidents. However, the impact of those measures would be limited unless the root cause of trafficking — lack of economic security and social protection for women — was addressed. Internally displaced women were a particularly vulnerable group, and special attention to their needs was therefore required. She would like to receive information on what steps were being taken to enhance economic opportunities for women and girls so that they would not fall prey to traffickers, together with data on the prevalence of trafficking in women and girls; on the impact of the measures the Government had taken to stop trafficking, particularly in the Ogaden and Oromia regions; and on the numbers of investigations into trafficking cases conducted and perpetrators prosecuted and convicted.

32. **Ms. Šimonović** sought clarification of the provisions of Ethiopian criminal law with regard to female genital mutilation and enquired whether the Government considered that additional legislation was needed in order to eliminate the practice. She requested information about prosecution of individuals who engaged in illegal traditional practices and on any awareness-raising campaigns and other activities that the Government was carrying out with a view to combating harmful traditional practices, such as early marriage, among different ethnic groups in the various regions of the country.

33. **Ms. Acar** observed that the concept of free choice in relation to the legal regime governing marriage could be meaningful only where gender equality and non-discrimination prevailed. When women were poorer, less educated and less powerful

than men, and when they were subordinated by harmful traditional practices and patriarchal institutions, they could not exercise free choice.

34. The State party had stated in its responses to the Committee's list of issues and questions (CEDAW/C/ETH/Q/6-7/Add.1) that perpetrators of harmful traditional practices and crimes of violence against women were widely prosecuted and punished, but had been unable to provide any data to support that assertion. In the absence of such data, she wondered how the Government could be sure that crimes against women were, in fact, being widely prosecuted. The State party had also affirmed that cases of sexual abuse of female domestic workers were being prosecuted, but again had provided no supporting data. She would like statistics on cases, convictions and punishments.

35. **Ms. Gabr** said that further training was needed in order to ensure that Ethiopia's laws on violence against women, female genital mutilation and trafficking in women were properly enforced. In order for that to occur, it was necessary to raise awareness of those problems and mobilize social support, especially among men and among religious leaders, for the Government's efforts to combat them. It was also necessary to correct misperceptions about harmful traditional practices, such as the belief that female genital mutilation was a religious practice, when, in fact, it had no basis in either Islam or Christianity. She wondered whether the national strategy and action plan to prevent and combat gender-based violence and harmful traditional practices would include a media component designed to reach traditional leaders of society and whether it would involve civil society, especially in rural areas. The strategy and action plan should address the psychological barriers that prevented women from speaking out about sexual and other forms of violence.

36. Turning to the issue of trafficking in women, she underlined the need to address the root causes of the problem and enquired whether the State party intended to adopt a common programme with neighbouring countries in order to combat trafficking, whether there were shelters for victims and whether the Government had set up a fund to provide victim assistance. She would also like statistics on the extent of the problem and the number of women assisted.

37. **The Chair**, speaking in her capacity as an expert, sought details on the Ethiopian Women's Development

and Change Package, particularly in relation to the actions taken to combat gender-based stereotypes and violence and on the impact of those actions. Noting that the State party's periodic report indicated that complete and comprehensive data on violence against women was unavailable, that crimes continued to be underreported and that research on the issue was still incipient, she asked what measures the State party had taken to obtain reliable data on all forms of violence against women and on whether the measures taken to address it had yielded positive results. Although the State party had stated that no acts of sexual violence against women had been committed by members of its Armed Forces, the Committee had strong reason to believe otherwise. She would like to know the source of the State party's information and whether it had taken steps to collect reliable information on sexual violence committed by members of the military.

38. **Ms. Zenebu** (Ethiopia) said that her Government, in collaboration with various non-governmental organizations, was carrying out a public awareness campaign with the aim of eliminating discriminatory stereotypes and prejudices about the roles and responsibilities of women in society, which had brought about substantial change in attitudes and led to the reduction or eradication of some harmful traditional practices. Rates of female genital mutilation, early marriage, marriage by abduction and other harmful practices were declining. To prevent early marriage, the Government required that, before a marriage could be performed, both parties had to submit proof that they were of legal age.

39. Activities were being carried out at the grass-roots level with a view to discouraging harmful traditional practices and violence against women. Women's "development armies" consisting of 25 to 30 women had been formed in various communities and were working to address economic and social issues affecting women and to advocate the elimination of harmful traditional practices. An effort was being made to involve religious and clan leaders in those activities, as they played a vital role in shaping social norms and behaviours that might limit women's participation in political, economic and cultural life.

40. With regard to human trafficking, a national committee had been established to protect the rights, safety and dignity of Ethiopian citizens working abroad and to ensure proper implementation of Proclamation 632/2009 (Employment Exchange Services

Proclamation). It also worked to raise public awareness concerning illegal employment exchange services. Members of the committee included representatives of the Ministry of Women's Affairs and several other ministries; law enforcement officials; immigration authorities; and representatives of the media and Ethiopian employers associations and trade unions. The committee had developed a national action plan that emphasized prevention of human trafficking. The Ministry of Labour and Social Affairs and the Ministry of Women's Affairs sponsored weekly radio programmes designed to raise public awareness and prevent trafficking. The national action plan to eliminate the worst forms of child labour 2010-2014 sought to prevent trafficking and exploitation of child workers, with special emphasis on girl children. To assist victims of trafficking, the Government had established special police and prosecution units and a special federal court division to try trafficking cases. It provided victim assistance, including shelter, in collaboration with local non-governmental organizations. The Government was also providing support for income-generating activities, especially micro- and small enterprises, targeting women in particular.

41. She had data on investigation and prosecution of trafficking cases only for 2010: at the federal level 193 cases had been investigated and criminal charges had been filed against 153 perpetrators. Of those, 76 had been convicted and sentenced to prison terms ranging from 2.5 to 12 years. The penalty for trafficking under the law was rigorous imprisonment for periods ranging from 5 to 20 years and a fine of 500,000 birr, with harsher penalties in cases involving trafficking in women. In 2010 the Government had organized 15 training sessions aimed at preventing human trafficking for law enforcement officials, including police officers, prosecutors and judges. Training had also been provided to staff of private employment agencies, which were required to conduct pre-departure orientation for workers going abroad. Inspectors had been trained to ensure that the activities of employment agencies were in conformity with Proclamation 632/2009, and those that were found to be implicated in illegal activities were subject to sanctions, including suspension or revocation of their licences. Bilateral agreements signed with neighbouring countries had played a vital role in preventing human trafficking and stemming fraudulent practices in the recruitment of Ethiopian workers for employment abroad, and the



number of Ethiopian consulates had increased, which had helped to enhance protection of the rights of Ethiopian women working in other countries.

42. **Ms. Tesfayenesh** (Ethiopia), responding to the questions concerning the national machinery for the advancement of women, said that the Ministry of Women's Affairs had recently undertaken a business process re-engineering project with a view to enhancing its capacity to discharge its responsibilities. The Ministry had a staff of more than 200 and its budget was adequate. In addition to the Ministry, the national machinery comprised women's affairs departments within all other ministries, with staffs ranging between 3 and 15, depending on the nature of their activities. Each regional state had a women's affairs bureau and there were gender focal points in other bureaux. The Government was aware that the women's affairs bureaux in the emerging regions were weaker than in other regions and was taking steps to enhance their capacity and ensure that they had sufficient human and financial resources. All the parts of the national machinery were responsible for facilitating gender mainstreaming in their respective areas.

43. Biannual and annual meetings were held to assess the performance of the national machinery at the federal and regional levels and to coordinate future gender mainstreaming activities. Accountability for gender mainstreaming had been strengthened through Proclamation 619/2010 ("Proclamation to Provide for the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia"), which established that all ministries were responsible for integrating a gender perspective into their work. The Ministry of Women's Affairs had developed guidelines to assist them in doing so. The Government's commitment to allocating sufficient resources for the advancement of women was evident in its Growth and Transformation Plan 2010/11-2014/15, which prioritized the empowerment of women.

44. **Ms. Atsede** (Ethiopia) added that the Government had made great efforts to ensure women's participation in economic growth and social development and to ensure that they benefited from that growth. To that end, it had introduced various initiatives to develop women's entrepreneurship, including a capacity-building programme that had provided credit services and technical assistance to some 11,000 women in

2005. The Leave No Woman Behind Programme currently under way had assisted women in forming cooperatives and building businesses, benefiting 100,000 women entrepreneurs directly and 154,000 indirectly, while a fuelwood project had sought to empower and reduce the workload of poor women in several regions, benefiting around 15,000. Various interventions had also been undertaken to ensure access to land and improve the lives and incomes of rural women, especially those who were heads of household. Men and women had equal land use rights under the law, and 28 per cent of female heads of household owned land. Households headed by women were given priority in food security programmes.

45. **Ms. Zenebu** (Ethiopia) said that the main objective of the Women's Development and Change Package was to encourage women's active participation in Ethiopia's development and ensure that they were equal beneficiaries of economic growth and social progress. The initiative focused in particular on women in rural areas, since 85 per cent of the country's people earned their livelihood from agriculture, and of that population 50 per cent were women. Microfinance initiatives targeting rural women had proved highly successful, and experience had shown that women generally repaid their loans promptly, and microfinance institutions were therefore willing to extend credit to more women. In urban areas, the Development and Change Package was addressing the serious problem of unemployment and providing support to enable women to organize micro- and small enterprises. Ethiopian women were thus becoming empowered economically and were increasingly taking leadership roles in the development process.

46. With regard to affirmative action measures, under an integrated housing development project launched in 2003, 30 per cent of newly built houses were reserved for female applicants. Women competed on an equal footing with men for the other 70 per cent. While the Government did not have a quota system for hiring, it was applying affirmative action in the recruitment, transfer and promotion of personnel and in capacity-building activities, including through the provision of scholarships to enhance women's education. Affirmative action was also practised in the recruitment of teachers, 50 per cent of whom were required to be women. That requirement had a doubly beneficial effect, since female teachers then became role models for their female students. To encourage

more young women to pursue higher education, minimum score requirements for girls taking the school-leaving and higher education entrance examinations had been lowered.

47. **Mr. Zenebe** (Ethiopia), addressing the issue of marital property, said that, under the federal and regional family codes, property owned by a husband and wife was considered common property, to be shared equally in the event of a divorce. As to the issue of polygamy, while the validity of religious and customary marital regimes was recognized, practices contrary to the provisions of the Constitution were prohibited, and polygamy was therefore illegal. With regard to refugees, the Government did not discriminate in any way between refugee women and Ethiopian women, and was doing its utmost to collaborate with international partners such as the United Nations High Commissioner for Refugees in handling refugee issues. It was endeavouring to address the root cause of human trafficking — poverty — through its Growth and Transformation Plan.

48. **Mr. Fassikaw** (Ethiopia) said that the Disaster Prevention and Preparedness Commission was responsible for assisting internally displaced persons. The Ministry of Federal Affairs also provided humanitarian aid and other assistance for persons displaced by conflicts.

49. With regard to violence against women, the Ministry of Justice had formulated a national strategic plan to combat the problem and, as had been mentioned earlier, the Ministry of Women's Affairs was also developing a national strategy and action plan to prevent and combat gender-based violence and harmful traditional practices. Special prosecution units had been established at the federal and regional levels to facilitate reporting of cases of gender-based violence to law enforcement officials, and a special court had been created to hear cases involving crimes against women and children. Women were entitled to free legal aid and representation. Such assistance was provided by the Ministry of Justice and by the Ethiopian Human Rights Commission under an agreement with several universities in the country. In addition, the Government was setting up a one-stop multisectoral victim assistance centre modelled on the Thuthuzela care centres of South Africa.

50. **Ms. Zenebu** (Ethiopia), referring to the allegations of rape committed by Ethiopian soldiers, said that the Ethiopian delegation was not aiming to convince the Committee of anything, but was simply trying to provide information and clarification on the questions raised, which she trusted the Committee would accept at face value.

51. **Ms. Patten**, expressing appreciation for the information provided on the allegations of sexual violence in the Ogaden region, requested additional information on the investigations conducted and the cases prosecuted. With regard to the Societies and Charities Proclamation, she had heard the delegation's assurances that the law had had no negative impact on the activities of non-governmental organizations, but the Committee had received information to the contrary. For example, the Ethiopian Women Lawyers' Association, which was mentioned in the State party's admirably candid report and which had worked closely with the regional women's affairs bureaux in combating harmful traditional practices, had had 90 per cent of its assets frozen pursuant to a decision of the Charities and Societies Agency. Consequently, it had been forced to reduce its staff by 80 per cent and suspend its legal aid and hotline services. She would welcome further clarification of the effects of the charities and societies law on the work of non-governmental organizations.

52. **Ms. Halperin-Kaddari** asked whether the Committee might be provided with a copy of the consent form that spouses had to sign to verify that they were choosing freely to submit a case for adjudication under sharia law. She would also like to know whether the form ensured informed consent. Were women made aware of the full consequences of consenting to have a case settled according to Islamic law, for example through consultation with lawyers prior to signing the consent form, and could a woman who had been forced to marry as a child subsequently choose to have a dispute adjudicated in the federal family court and not in a sharia court? Who gave consent when children were involved, for example, in custody disputes? Lastly, she would like clarification of the differences between sharia courts and customary courts.

53. **Ms. Neubauer** said that she still failed to understand how the State party could be sure that violence against women was declining without hard data confirming that trend.

54. **Mr. Zenebe** (Ethiopia) said that the delegation would provide a copy of the consent form. Children under the age of 18 were subject to the authority of their parents or guardians, and it was the latter who exercised whatever rights children had on their behalf, whether in a secular court or a sharia court. Women were taught about their rights under the Constitution, under family law and under sharia law and also about their political rights in the administration of their affairs. Hence, they were well informed when they consented to accept adjudication in sharia court. Like women whose cases were adjudicated in secular courts, women in the sharia courts had the right to legal counsel and assistance. They also had access to legal aid services at the federal and regional levels. He acknowledged that, owing to deep-rooted traditions and cultural patterns, there were still many challenges to be overcome in order to ensure women's full enjoyment of their rights, but he wished to assure the Committee that the Government was doing its level best to fulfil its obligations under the various international human rights instruments to which it was a party and under its own domestic laws.

55. Concerning the difference between sharia law and customary law, the Ethiopian Constitution recognized three types of marriage: civil, customary and religious. Civil marriages were performed according to civil law, customary marriages according to the customs of the spouses and religious marriages according to the religious traditions of the spouses, but the legal effect of all three types of marriage was the same. Spouses who had married under Islamic law had the option of having any disputes that arose — for example, in relation to child custody — adjudicated in a sharia court, but they were not obliged to do so. Others had recourse only to the secular courts.

*The meeting rose at 1 p.m.*