



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

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**Committee on the Elimination of Discrimination
against Women**
Thirtieth session

Summary record of the 646th meeting

Held at Headquarters, New York, on Monday, 27 January 2004, at 3 p.m.

Chairperson: Ms. Açar
later: Ms. Shin (Vice-Chairperson)
later: Ms. Açar

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04-22169 (E)

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The meeting was called to order at 3.05 p.m.

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

Combined fourth and fifth periodic report of Ethiopia (continued) (CEDAW/C/ETH/4-5, CEDAW/PSWG/2004/I/CRP.1/Add.2 and CEDAW/PSWG/2004/I/CRP.2/Add.2)

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

Articles 10 to 14 (continued)

2. **Ms. Šimonovic** said that, although the rate of female genital mutilation had dropped from 92 per cent to 80 per cent, that figure was nevertheless alarming and suggested that women were being denied their constitutional right to protection against harmful practices. She wondered whether the Government planned any other measures in the near future to prevent that practice; the new Penal Code contained only minimal sanctions against female genital mutilation and in any case had not yet been adopted. The high rate of maternal mortality was affected by the high number of unsafe abortions; she asked whether the Government had any plans to address that issue, including review of the Penal Code to legalize abortion, as was recommended in the Beijing Platform for Action.

3. **Ms. Khan** said the Committee had received little information on health and reproductive services available to women and, noting the high maternal mortality rate, said that current reforms had had little effect on basic care for mothers and children. Noting that only 8 per cent of married women used contraception, she wondered about the availability of family planning services for women and adolescents. Although abortion was theoretically illegal, it was common and most women receiving abortions were younger than 24; she asked whether adequate family planning counselling would be made available, including for rural women. She disputed the delegation's claim that increased education would lower the rate of female genital mutilation, because the high numbers showed that all levels of society were affected, and she suggested that there should be a

greater commitment to legislative reform to ban the practice.

4. **Ms. Gabr** commended efforts to improve the educational level of women, for example setting a 30 per cent quota for women in higher education and prioritizing education for young girls, but it was not clear what was being done to reduce the high drop-out rates and address other problems, especially in rural areas. With regard to employment, although Ethiopia was a party to many International Labour Organization Conventions, women were still discriminated against. She wondered whether any efforts were under way to address that problem and ensure the economic empowerment of women, including through small business creation and increased availability of credit. More information would also be welcome on the informal sector, where women played a major role. In rural areas, although women theoretically had equal property rights, in practice the situation was very different. She asked whether the Government had any plans or programmes to remedy that problem.

5. **Mr. Flinterman** said he welcomed efforts to close the education gap between men and women and to make the educational system more gender-sensitive, but wondered about the division of powers in the area of education between the federal Government and the regions. If the federal Government had the right to order universal compulsory primary education, he wondered if it had done so or whether there was any timetable for doing so. He noted that the responses to the Committee's issues and questions mentioned a study of the gender gap in primary schools in five regions, and he asked for information on the results of that study and on whether any action had been planned as a result. With regard to the target of 30 per cent female students in higher education for the 2004-2005 academic year, he enquired what the targets were for coming years and when a proportion of 50/50 would be reached. He also asked for information on whether the Government had any programmes to ensure gender equality in the private education sector.

6. **Ms. Shin** said she welcomed the setting of quotas for the number of women students in university but was concerned that, according to the statistics provided in the responses to the Committee's issues and questions, the gender gap between boys and girls at the primary and secondary levels seemed to be growing. In addition to temporary special measures at the university level, perhaps the Government should

envisage measures for the primary and secondary levels as well, such as scholarships and economic incentives to encourage parents to send their children to school. The drop-out and repetition rates for girls had also increased and she wondered whether any attempt had been made to ascertain the reasons for that increase. Temporary special measures might provide a remedy and she enquired whether there were any educational programmes for adults, including women, to reduce illiteracy. In the area of health, she wondered what kinds of family planning services, such as contraception, were available, whether they were affordable and whether any measures were planned to improve family planning services.

7. **Ms. Asfaw** (Ethiopia) said she agreed that the rate of female genital mutilation, at 80 per cent, was too high, but pointed out that that rate had at least dropped from its level of 92 per cent 10 years earlier. Female genital mutilation, whether done when the girl child was only eight days old or later in life, was a traditional practice meant to protect the property rights of the male head of household and act as a guarantee that his children were truly his own. She would of course like to see that practice eliminated and, although the Constitution made female genital mutilation a crime, it would take time and awareness campaigns to eliminate that practice; women especially must be made to see that female genital mutilation was against their own interests.

8. She also deplored the high rate of maternal mortality, which according to the most recent statistics was 871 per 100,000 live births. Two factors which affected that figure were early marriage, even though the legal age for marriage was theoretically 18, and illegal abortions, which caused the deaths of many young women. The question of abortion was a contentious issue and was difficult to discuss with parents and young people. Another factor that affected the maternal mortality rate was the recurring severe famines, which had a lasting effect on women's overall health.

9. In rural areas the Government had established medical clinics, but it was difficult to find staff given the generally low educational level of the population. The Government was attempting to place at least two female health workers in each county, which not only created job opportunities for women but also guaranteed women access to women caregivers, in whom they could confide. Those health workers

provided role models for girl children and students. The Government also intended to ensure that 50 per cent of teachers in rural areas were women, providing employment opportunities for women and role models for young girls and making young people aware that women could have useful roles outside the home.

10. Rural women had the right to inherit property on an equal footing with men. Unfortunately, although women could do tasks such as seeding and weeding, they did not have the right to till the land using oxen. A woman was therefore obliged to pay a man to till her land and also had to pay for rental of the oxen, which was costly and greatly reduced her income.

11. Turning to the area of education, she said that a gender gap persisted because not only more girls but more boys were attending school. It was difficult to increase school attendance overall given that in a subsistence economy the children were needed to work, especially in farming communities; the drop-out rate for both boys and girls tended to increase at harvest and seeding time. Thanks to an improved system of statistics-gathering she hoped to have increasingly accurate statistics for every region of the country. Poor school attendance and drop-out rates were not really affected by parental attitudes; parents were quite aware of the need for education, but simply needed the children to work to help support the family. If all children were forced to attend school full time, the subsistence farming economy might collapse.

12. Her Government had begun to add civics to the school curriculum to provide students with education on human rights, including the Convention, and efforts were under way to encourage more women to study science and technology. There was, however, still prejudice against women studying mathematics and sciences and the Government had therefore created special schools for women oriented towards science and technology. Women were still underrepresented in the fields of science and technology at the university level, but that imbalance should be corrected over time as women acquired confidence and training.

13. Salary was often linked to educational levels and men and women who had the same educational level tended to have the same salaries. In the public sector at least, there was little salary differential between men and women, although there were abuses in the private sector. As part of its rural economic development strategy, the Government was trying to encourage

better school attendance and was developing infrastructure such as roads, electricity and mills for grinding flour, all of which should help improve the situation of women.

14. **Ms. Abasiya** (Ethiopia) said that, although female genital mutilation had been criminalized, changes in attitudes and raising awareness of its impact would be more effective in ending it. Mothers performed it on their daughters, and women should therefore be targeted in efforts to raise awareness. The low rate of contraceptive use could also be attributed to tradition, which viewed contraception as killing a child. Nevertheless, contraceptives were distributed free of charge. Each local council was training two women as health extension workers to provide information about women's health, which should begin to have an impact.

15. The Government had set a target for 2007 of enrolling 65 per cent of girls in primary school. It hoped to achieve equal enrolment of boys and girls by 2015. The high drop-out rate for girls could to some extent be attributed to the high rate of HIV/AIDS infection and also to early marriage.

16. **Ms. Tavares da Silva** said that the report had not provided a full picture of the labour market. She would like to know what sectors of employment had the most women and what provisions had been made for maternity rights and childcare, especially in the private sector. It seemed to her that labour legislation was geared towards protection of women rather than equality.

17. **Ms. Kwaku** asked whether the affirmative action programme for girls and women's education and literacy, mentioned in paragraphs 19 and 20 of the report, had indeed been replicated in other schools. In the next report, she would like to hear more about the situation of older and disabled women.

18. **Ms. Saiga** asked how many years of schooling were compulsory and whether that schooling was free. She would also like more details on the Women's Development Initiative Project.

19. **Ms. Patten** said that the report painted a grim picture of the situation of rural women, yet the number of beneficiaries of the initiatives to benefit them seemed quite low. She wondered whether the Government envisaged a comprehensive policy on rural women. She would like to hear more about their

access to credit, technical assistance and land, and whether there was a land policy at the federal level.

20. **Ms. Manalo** said that she found it difficult to accept that the rural subsistence economy would collapse if girls were allowed to attend school. Their education was a moral imperative; uneducated girls would hamper the development of society in the long run. She asked whether the national development plan made any provision for gender mainstreaming.

21. **Ms. Morvai** said that early marriage was an obstacle to women's equality. Birth certificates would be one means to verify that the rules on the minimum age of marriage were being followed, and she asked whether there were any plans to introduce birth registration. Women's life expectancy of 44.9 years was shockingly low. She asked for more information on the main causes of death among women and any strategies to address the situation. Finally, she asked for facts and figures on prostitution in Ethiopia.

22. **Ms. Belmihoub-Zerdani** said that, in her experience, it was very difficult for a country to develop if its rate of economic growth was lower than the birth rate, and therefore the high rate of 6.9 children per woman must be brought down. United Nations agencies, including the United Nations Children's Fund, the World Health Organization and the United Nations Population Fund, could provide technical and financial assistance for family planning programmes. Action was also needed to improve the situation of rural women, in particular with regard to education.

23. **Ms. Asfaw** (Ethiopia) said that the Government agreed that it was unfortunate that children had to work in order to help their families survive, but it was a fact that must be faced. Rural education programmes tried to work around the situation by offering classes in shifts, for instance. Primary education was free, but there were not enough schools to accommodate all children of primary school age. Attendance was at the discretion of parents; the country had not yet reached a sufficient level of development to require compulsory schooling.

24. With regard to women's employment in the private sector, 85 per cent of the population were peasants; only 15 per cent lived in urban areas. As in many countries at a similar level of development, the Government was the largest employer outside the agricultural sector. The private sector was very small

and was not a significant factor in women's employment.

25. Registration of births was not widespread, but some churches were beginning to keep registries. In rural areas the problem was that few people had the level of literacy required to keep the records. Women's life expectancy was impacted by the general low level of health care and the recurrent cycle of drought and famine. Women who were already debilitated by lack of proper nutrition often died during childbirth. The drought cycle, which previously had been about 30 years, had recently shortened to every three years.

26. There was a direct correlation between poverty and prostitution in Ethiopia. Destitute women from the countryside migrated towards the larger towns and eventually towards neighbouring countries like the Sudan, where prostitution was their only means of support. Prostitution was not criminalized, as a woman became a prostitute only because she had no other choice; punishment would be adding insult to injury.

27. As for the high birth rate, the society saw children as a blessing, and also as a form of security for old age. The high level of child mortality contributed to the situation. Better child survival rates and education would eventually help to lower the birth rate.

28. **Ms. Abasiya** (Ethiopia) said that since its inception in 2001, the Ethiopian Women's Development Fund (EWDF) had launched a five-year pilot project in nine regions. The project, which promoted economic independence at the grass-roots level through income-generating programmes, had been funded by the Ethiopian and Italian Governments in cooperation with the World Bank, in the amount of \$1,623,438. It involved 479 women's groups, reaching a population of 8,315 persons in 1,663 households.

29. **Ms. Asfaw** (Ethiopia), in response to queries regarding the situation of the elderly, said that in Ethiopian society older persons played an important role as integral members of the family. The spread of the HIV/AIDS epidemic had created a situation wherein grandparents were forced to take on the role of parents to small children whose parents had died. Statistics on the scope of that phenomenon would be provided in the next report submitted by Ethiopia.

30. The Government and the active community of non-governmental organizations provided tremendous support for disabled groups, including war veterans.

Articles 15 and 16

31. **Ms. Gaspard** said it was clear that the Government of Ethiopia had a strong political will to pursue the implementation of the Convention. Discussions with the highly-qualified and committed delegation had reinforced the Committee's conviction that the Government was willing to set up the required administrative apparatus to eliminate all forms of discrimination against women. She remained perplexed by the absence of a clear statement with regard to the implementation of article 16 of the Convention, and wished to have more information on the Family Code. She asked how the Code was applied, and what bodies within the administration were responsible for its dissemination and implementation. Given the fact that some regions had not yet adopted the Family Code, she wondered whether there was a central law which made the provisions of the Family Code mandatory in matters arising under civil law. She also wished to know what steps the federal administration had taken to promote the adoption of the Code by the regional governments, especially on such crucial subjects as the minimum age for marriage. While acknowledging the scope of the difficulties facing Ethiopia, she expressed the hope that the Government would understand the urgency of mobilizing state administrations in action to combat discrimination.

32. **Ms. Gabr** commented on a number of prevailing harmful traditional practices which seriously undermined the rights and personal integrity of women and family life. Unless those customs were addressed, all efforts at promoting respect for women's rights and eliminating discrimination based on gender would prove futile.

33. **Ms. Coker-Appiah** commended Ethiopia on being one of the few African countries to have adopted laws on common property. She pointed out that the responses to issues raised were not clear on the grounds that could be invoked for divorce and on the remedies available to either party in terms of maintenance payments.

34. **Ms. Gnancadja** said that, although she fully understood the context in which the Government of Ethiopia worked to promote women's rights, there

remained the obligation to make advances in curbing discrimination. Constitutional recognition gave full sovereignty to seven regions, each having its own code on family law; consequently the power of the federal State was somewhat limited in that area. She asked how many family codes were being implemented in Ethiopia at the state and federal levels.

35. She also pointed out that the many religious and customary practices, although recognized by the Constitution, perpetuated discrimination against women and fostered the elaboration of laws that undermined the rights of women. She therefore saw the need for recourse to constitutional principles, which held a higher status than state customary laws, and wondered whether it would be possible to establish provisions that declared discriminatory customary laws to be null and void because they violated the Convention. What was the justification for states to continue adopting discriminatory laws, and how was the principle of primacy of the Constitution over state law applied?

36. **Ms. Morvai** asked about the status of legislation on violence against women, particularly domestic violence, and whether the relevant laws were compatible with General Recommendation No. 19. She also wished to know whether female genital mutilation was legal, and whether it was a crime to knowingly infect others with the HIV/AIDS virus through sexual intercourse. In that connection, she was curious to know whether the spread of the epidemic was due to promiscuity on the part of men, polygamy or the commission of sexual offences.

37. **Ms. Belmihoub-Zerdani** stressed the fact that States parties to any convention were under an obligation to insist on the implementation of its provisions, and should muster the necessary resources to do so. An essential step in discouraging the practice of early marriage, which was detrimental to the health of young girls, was for Ethiopia to establish a system of birth and marriage registration, in order for the authorities to verify and record the age of persons contracting marriage.

38. **Ms. Kapalata**, referring to the application of the Family Code and the primacy of the Constitution over state or regional law, said that the diversity of the Ethiopian system should not pose an obstacle to the fulfilment of the Convention.

39. **Ms. Patten** joined **Ms. Coker-Appiah** in seeking clarification of the grounds for divorce. In addition, she wished to know about the role of family arbitrators, their appointment and training. Since the majority of Ethiopian women were married in accordance with religious or customary rites, she wondered whether there had been a review of the customary laws in various ethnic groups.

40. She reiterated the urgency of establishing a system for the registration of births and marriages and the adoption of a law governing civil status.

41. **Ms. Abasiya** (Ethiopia) reaffirmed the Ethiopian Government's political will to eliminate discrimination against women but acknowledged that the transition to the implementation stage posed a number of problems. In response to the queries about the enforcement of federal law at the regional level, she said that every law adopted had to be in line with the Constitution. If that was not the case, the federal Government was empowered to intervene. The federal Family Code was directly applicable in the two separate administrative regions and had been ratified by three of the nine regional governments. The remaining six regional governments had pledged to ratify the Code by the end of 2004.

42. She confirmed that the abduction of women, violent acts committed against them and the confiscation of widows' inheritance were forbidden by law and that marriage could take place only with the consent of both parties. The deliberate transmission of HIV/AIDS was prohibited by the draft Ethiopian Penal Code, which was in the process of being finalized by Parliament.

43. **Ms. Asfaw** (Ethiopia) stressed that the provisions of the Convention were not a dead letter in Ethiopia: they were enshrined in the Constitution, which, in turn, had been ratified by all the regional governments. However, she acknowledged that enforcing legislation in the area of women's human rights was often problematic, because stereotypical attitudes and discriminatory behaviours were deeply rooted in Ethiopian society and could not be eliminated overnight. She felt that the situation would change only when women themselves felt sufficiently empowered to push for change.

44. Turning to the questions concerning marriage and divorce, she acknowledged that, although the abduction of young women for the purposes of marriage was a

criminal offence, it still took place. Effective courts were needed in order to eradicate the practice.

45. The reasons for divorce in Ethiopia were many and varied. Men often separated from their wives because they wanted to begin a new relationship with a younger woman, and abandoned wives had little chance of finding a new husband. However, some progress had been made in that area: it was becoming more and more difficult for husbands to file for divorce without a legitimate reason and a common law partnership system was slowly being introduced, under which a man who had lived with a woman for more than two years was regarded as her husband. Traditionally, family arbitrators had been involved in divorce and reconciliation proceedings, but their participation was now strictly limited, since the vast majority of them were male and conservative.

46. **Ms. Shin** asked whether the Ethiopian Government had taken any steps to promote the use of contraceptives among women.

47. **Ms. Khan** pointed out that she had obtained the statistics on infant mortality in Ethiopia from a report produced in 2001 by the World Health Organization.

48. **Ms. Asfaw** (Ethiopia) reiterated that the infant mortality rate cited by Ms. Khan was far too high. With regard to family planning the Government had been talking to women and promoting the use of contraceptives and, as a result, over 4 per cent of the population now used some form of birth control. There was a clear link between contraceptive use and sex education. In that connection, educational campaigns had been launched at the community level to encourage the spacing of births and advise mothers to have no more than a total of four children. The introduction of child immunization programmes had had a considerable impact on birth patterns in Ethiopia: now that many more children were surviving into adulthood, it was not necessary for women to endure so many pregnancies.

49. **The Chairperson** said that the Committee was aware of the extreme difficulties faced by Ethiopia. However, it was clear that, despite the existence of laws on gender equality, the situation of women had not improved significantly during the reporting period. Experience suggested that the recognition of the principle of gender equality was a prerequisite for effective action to combat violations of women's human rights, but without the necessary economic and

social development, efforts to promote women's human rights in Ethiopia would remain ineffective. She therefore urged the Government to adopt concrete strategies to establish an appropriate economic, social and cultural framework.

50. There was a need for a more aggressive approach to policy-making in the area of women's human rights, and gender mainstreaming and gender budgeting needed to be taken into consideration during the development of policies in all sectors. The feminization of poverty was of particular concern, given its impact on, inter alia, women's education and health.

51. While she commended the involvement of grass-roots institutions in the decision-making process in Ethiopia, she felt that that process lacked urgency. In that regard, measures must be implemented in order to accelerate matters and to enhance the results achieved, and she hoped that the next report would include information about pertinent government programmes and activities. Individuals involved in the decision-making process must be informed of the federal Government's obligations in the area of gender equality and receive relevant training. Awareness-raising activities should also be carried out at the local level in order to familiarize citizens with the principles enshrined in the Convention.

52. All Ethiopian citizens needed to be informed about their human rights. Changing women's own perceptions of themselves was a fundamental first step along the road to de facto and de jure gender equality; in that connection education was a primary tool. She urged the Government to launch media campaigns aimed at eliminating stereotypical attitudes and customs and to monitor and evaluate the impact of such campaigns on the populace.

53. She commended the Government on its attempts to review and amend the Penal Code and urged it to step up its efforts in that regard. However, care must be taken to ensure consistency with the provisions of the Convention.

54. As far as traditional customs and practices were concerned, she welcomed the Government's political will to eradicate them but highlighted the need for concrete, target-specific measures. Such measures were also required in the areas of HIV/AIDS prevention, health care, education and employment. In that connection, she urged the Government to conduct surveys and to collate gender-disaggregated data.

The meeting rose at 5.25 p.m.