



**FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA**

**PART A**

**THE SEVENTH TO TENTH PERIODIC  
COUNTRY REPORTS (2015-2023)  
ON THE IMPLEMENTATION OF  
THE AFRICAN CHARTER ON HUMAN AND  
PEOPLES' RIGHTS**

**January 2024**

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## List of Abbreviations Used in the Country Report

ACHPR (Charter)	African Charter on Human and Peoples' Rights
ACRWC	The African Charter on the Rights and Welfare of the Child
AU	African Union
Commission	African Commission on Human and Peoples' Rights
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CBHI	Community-Based Health Insurance
COBs	Concluding Observations
CRC	Convention on the Rights of the Child
CRRF	Comprehensive Refugee Response Framework
CSOs	Civil Society Organizations
EDHS	Ethiopian Demographic Health Survey
EHRC	Ethiopian Human Rights Commission
EHSP	Essential Health Services Package
EIA	Environmental Impact Assessment
ENDF	Ethiopian National Defence Force
ESS	Ethiopian Statistics Service
FDRE	Federal Democratic Republic of Ethiopia
FGM	Female Genital Mutilation
GBV	Gender Based Violence
GoE	Government of Ethiopia
HIV	Human Immunodeficiency Virus
HoPR	House of Peoples' Representatives
HSTP	Health Sector Transformation Plan
HTPs	Harmful Traditional Practices
ICCPR	International Covenant on Civil and Political Rights
ICRC	International Committee of the Red Cross
IDPs	Internally Displaced Persons
IMTF	Inter-Ministerial Task Force
JIT	Joint Investigation Team
MDGs	Millennium Development Goals

MoE	Ministry of Education
MoJ	Ministry of Justice
MoWSA	Ministry of Women and Social Affairs
NCDs	Non-communicable Diseases
NEBE	National Election Board of Ethiopia
NHRAP	National Human Rights Action Plan
NHRIs	National Human Rights Institutions
NISS	National Intelligence and Security Service
NQS	National Quality Strategy
OHCHR	Office of the High Commissioner for Human Rights
	Pretoria Agreement Permanent Cessation of Hostilities between the Government of the Federal Democratic Republic of Ethiopia and the Tigray People's Liberation Front
RMNCH	Reproductive, Maternal, Newborn and Child Health
SGBV	Sexual/Gender Based Violence
SNNP	Southern Nations, Nationalities and Peoples' Regional State
SoE	State of Emergency
TPLF	Tigray People's Liberation Front
UNHCR	The United Nations High Commissioner for Refugees
UPR	Universal Periodic Review
WHO	World Health Organization

## Introduction

1. Ethiopia has witnessed a major political transformation during the reporting period. After years of long public protests and resistance against the previous government, a new leadership came to power in 2018 which initiated and carried out sequences of deeper reforms. Among others, the reform involved the liberalization of the political environment, the release of opposition political leaders, and the pursuit of legal and institutional overhauls to better guarantee the fulfilment, respect, and protection of human rights across sectors.
2. Several measures have been adopted to ensure the promotion, protection and respect of human rights including women, children, and minorities. Most of the legal and institutional reforms the Country operationalized over the years also have direct bearing on the implementation of its commitment to upholding international and regional human rights norms and standards.
3. The Government acknowledged the gross violations committed by the security apparatus, and took full responsibility and apologized for the violations. The government also investigated and brought charges against senior officials and members of the security and law enforcement agencies who had been suspected of overseeing and perpetrating some of the worst forms of human rights violations in Ethiopia's recent history. Secret places of detention and sites for notorious gross human rights atrocities committed by the security and law enforcement agencies were identified, publicly exposed, and closed for good.
4. These measures were accompanied by a comprehensive legal and institutional reforms focusing on the security sector, democratic institutions, and the judiciary. The reforms are intended to bring about greater transparency and accountability and establish a system of institutional checks and balances that facilitate a more meaningful respect, protection and promotion of human rights in the Country.
5. On the other hand, appreciating the great importance of a vibrant and informed civil society and recognizing the need for strengthening independent democratic and judicial institutions for full enjoyment of human rights, the Government has taken significant legal, administrative, and institutional measures to this end. Among others, the measures taken include the opening up of the civil society space and the protection of human rights defenders by adopting a more progressive legislative framework and a new institutional set up.

6. To further entrench and institutionalize these reforms, the government established a Justice Sector Reform Council composed of the President of the Federal Supreme Court, the Attorney General (now Ministry of Justice), the Federal Police, and the Federal Prison Commission. The Council oversees the implementation of reform initiatives that, among others, targets the improvement of conditions of arrested persons and convicted prisoners. The sectoral reform currently being implemented has resulted in significant changes that are paramount to the full enjoyment of the human rights of our people.
7. Furthermore, acknowledging the important role that an independent judiciary and national human rights institutions play in the full enjoyment of human rights in general, Ethiopia has introduced amendments to the establishment proclamations of the federal judiciary and the Ethiopian Human Rights Commission.
8. The Revised Federal Court's Establishment Proclamation introduced significant changes ascertaining the institutional and financial independence of the federal courts. Moreover, the amended proclamation added a new jurisdiction to the federal high court allowing them to entertain cases brought on the basis of alleged violations of human rights protections. To implement this in concrete setting, a Fundamental Rights Bench has been established at the Federal High Court – a first of its kind in the Country.
9. Despite the overwhelming security challenge posed by the then conflict, in 2021, the Government proceeded to hold a free and fair national election. This was made possible largely due to the widening of the political space, the re-establishment of the National Election Board as an independent and empowered institution. The national election held in 2021 was lauded by both local and international observers for its democratic character.
10. However, the Government's bold political reforms were neither flawless nor received with welcoming gesture by all persons or stakeholders. A few groups and individuals who had been disgruntled by the pace or form in which the reform was proceeding, had continuously labored to undermine the new government and national reform agenda through economic sabotages, negative media campaigns, and incitement of violence and ethnic strife. Nevertheless, the Government remained steadfastly focused on the reforms and on avoiding distractions, and has always endeavored to resolve the issues and disputes with a sense of responsibility by promoting a peaceful settlement of political differences.
11. Regrettably, the Government was forced into an armed conflict in November 2020 where the TPLF forces attacked, killed personnel and took control of the Ethiopian National Defense

Force's Northern Command in Tigray region. As a result, the Government had been forced to embark on law enforcement operation to repel the threat posed against the sovereignty and integrity of the nation. The government, like any other government elsewhere in other parts of the world, has the responsibility to ensure peace, security, and order within its territory; in this line, it took measures that are deemed necessary to achieve these goals while also being cautious in ensuring the protection and well-being of civilians and guaranteeing criminal accountability when any excess is committed.

12. Taking due cognizance to the destructive effect of the conflict and the favorable condition it might create for gross violations of human rights, the Government created an enabling environment for the Ethiopian Human Rights Commission to fully discharge its responsibilities and, complement the Government's effort at ensuring human rights through a proper and comprehensive investigation of the crimes committed in the context of the war. The same commitment was also extended to international human rights mechanisms with legitimate concern for the protection of the human rights of our people. Ethiopia not only welcomed the monitoring of the human rights situations in all conflict-affected areas by the UN High Commission for Human Rights; it also facilitated the conduct of human rights investigation jointly between the OHCHR and the Ethiopian Human Rights Commission. Ethiopia also undertook and continued to implement the findings, conclusions and recommendations of the Joint Investigation Team.
13. To such end, the Inter-Ministerial Task Force was established by the Government to oversee the implementation of the recommendations of the Joint Investigation Team. The latter has worked on the investigation and prosecution of various human rights violations, the rehabilitation of victims, and reforming of legislations in line with the reform goals of the Government and recommendations of the Joint Investigation Team.
14. The Government recognizes that the lack of comprehensive accountability for past human rights violations and systematic abuses perpetrated, including during conflicts, can obstruct lasting peace and justice efforts. It further believes that the promotion of human rights and the rule of law are essential to building a peaceful and democratic nation. This involves the establishment of institutions that are transparent, accountable, impartial, and responsive to the needs of the people. This also includes a fair and impartial justice system, police and security services that respect human rights, and effective governance mechanisms that facilitate public participation and ensure transparency and accountability.

15. Hence, in the hopes of achieving these concrete objectives and aspirations of our people, fulfilling the Joint Investigation Team's recommendations on transitional justice which are also reinforced by the recent Cessation of Hostilities Agreement the Government has now embarked on a new Transitional Justice initiative.
16. The government is embarking upon this locally-owned and nationally driven Transitional Justice initiative based on international best practice and AU Policy Framework on Transitional Justice.
17. A National Transitional Justice Policy will be adopted by the Government based on the findings and recommendation of the public consultations. The Policy, when adopted, will provide a clear framework for ensuring criminal accountability for past violations, reparations, amnesty, truth finding, reconciliation, and justice and security sector institutional reforms. The policy will provide a basis to foster reconciliation among aggrieved parties and, provide victims and their families with the necessary closure they require to continue with their lives peacefully. It also allow victims to participate in truth finding processes, and to tell their stories and have them documented; Not least, it will promote good governance and rule of law by promoting accountability and investigation of past human rights abuses, and, help in preventing the recurrence of violations of human rights and conflict.
18. Parallel to these efforts, Ethiopia is also pursuing a national dialogue initiative and set up a Commission fitted for this purpose. The Commission is tasked to mend historical discords, which have challenged Ethiopia's existence, in a public dialogue and bring national consensus and sustain the Country's integrity. It is believed that the successful conduct of the national dialogue will help to realize the new Ethiopia – a nation of nations, where differences can be the building blocks of a stronger and prosperous nation rather than fault-lines that allow recurrence of atrocities of the past.
19. During the reporting period, Ethiopia adopted and implemented its 1<sup>st</sup> and 2<sup>nd</sup> National Human Rights Action Plans; the latter remained in effect until the year 2020. The preparation and adoption of the Third National Human Rights Action Plans is now in its final stages. The Third National Human Rights Action Plans prioritizes civil and political rights as its main focus areas, with a significant emphasis on the rights and humane treatment of persons deprived of their liberties. To follow up implementation of the action plan, a high-level National Coordination Board has been established; the Board is composed of seven senior officials of



the federal government and national human rights institution and headed by the Minister of Justice.

20. Moreover, focused reforms have been implemented to enhance cooperation between institutions in the justice sector. This facilitated a quicker and more efficient deployment of prosecutors across each police station and investigation center to oversee the whole investigation process. Prosecutors are authorized to visit persons under custody and take legal measures where there is any violation of human rights, including torture and inhuman and degrading treatment. Further strengthening this scheme, the Ministry of Justice is now legally mandated to lead, supervise, follow up, and coordinate the criminal investigation function of the federal police.

## **Preparatory Process of the Report**

21. Ethiopia ratified the African Charter on Human and Peoples' Rights in 1998. Ethiopia has long history of productive and constructive engagement with regional and international human rights mechanisms, including with the African Human and Peoples' Rights Commission.
22. Ethiopia submitted its fifth and sixth periodic Country Report (2009-2013) on the implementation of the African Charter on Human and Peoples' Rights in April 2014. The African Human and Peoples' Rights Commission reviewed the Country Report at its 56<sup>th</sup> Ordinary Session held from 21 April to 7 May 2015 in Banjul, The Gambia. The Commission adopted its Concluding Observations and Recommendations at its 18<sup>th</sup> Extra-Ordinary Session held from 29 July to 7 August 2015.
23. This combined report submitted to the African Commission on Human and Peoples' Rights by the Federal Democratic Republic of Ethiopia constitutes its 7<sup>th</sup> to 10<sup>th</sup> periodic report which has been due since 2017. The report is submitted in conformity with Article 62 of the African Charter on Human and Peoples' Rights. It complements the earlier report submitted for the period of 2010 to 2014. It highlights developments that have occurred in Ethiopia from 2015 – 2023 in the implementation of the country's obligation under the Charter. It also provides progress report on the implementation of the Commission's 2015 concluding observations, concerns, follow-up matters and recommendations.

24. The report is prepared according to the Guidelines for National Periodic Reports under the African Charter adopted in 1989 and Supplementary Guidelines issued in 1998 by the African Commission on Human and Peoples' Rights, details the various legislative and other measures taken towards the realization of the fundamental human and peoples' rights and freedoms incorporated in the Charter.
25. This report is prepared by an inter-ministerial team coordinated by the Ministry of Justice, the latter being the responsible Ministry to coordinate the preparation of national reports. Accordingly, officials from the Ministry of Justice, Ministry of Foreign Affairs, Ministry of Health, Ministry of Women and Social Affairs, the Central Statistics Service and Federal Prisons Commission were amongst the drafters of the report.
26. National consultative meetings were organized on the draft report with government institutions, NHRIs, CSOs and academia to enrich the document and ensure it accurately describes the current state of human rights in Ethiopia. Moreover, all relevant government agencies at both federal and regional levels were consulted by the drafting team to provide input.
27. The Government of Ethiopia remains firmly committed to meeting its reporting obligations under all international and regional human rights instruments through its newly established institutional set-up called the National Implementation, Monitoring, Reporting, and Follow-up Mechanism. We are also working with the UN-Office of the High Commissioner for Human Rights to establish a national human rights data collection mechanism. We believe that such arrangements will greatly contribute to the follow-up and monitoring of human rights implementation at the national level and enhance our ability to meet reporting obligations to the various human rights bodies.

## Section 1: CIVIL AND POLITICAL RIGHTS

### Article 2 and 3 Non-Discrimination and Equality before the Law

28. During the reporting period, Ethiopia ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) in February 2018.<sup>1</sup> In addition, Ethiopia has also ratified the African Union (AU) Convention for the Protection and Assistance of Internally Displaced Persons (IDPs) in Africa, also known as the Kampala Convention, in February 15, 2020.<sup>2</sup>
29. Simultaneously, Ethiopia has enacted various pieces of legislation to eliminate discrimination and ensure equality. The Revised Federal Civil Servants Proclamation enacted in 2018<sup>3</sup> guarantees affirmative action in recruitment, promotion, transfer, redeployment, education and training for women, persons with disabilities and nations, nationalities and peoples having lesser representations within government institutions. The Proclamation is a significant step in the promotion of women's maternal rights by requiring all government agencies to provide nursery in office facilities and extends maternity leave from 90 days to 120 days and paternity leave from 5 to 10 days. Currently, a total of 110 federal government institutions have already established day-care centers while others are making efforts to start the service.
30. Moreover, the Federal Supreme Court Cassation Division has set several binding legal precedents as to the effective implementation on equal division of common property upon divorce. For instance, the Supreme Court has set a precedent which protects the property rights of the woman in the second marriage to equally divide her husband's share of property.<sup>4</sup>
31. Ethiopia has made significant progress in the prohibition of the promotion and sponsoring of discrimination by adopting a legislation<sup>5</sup> to prevent deliberate dissemination of hate speech and disinformation.

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<sup>1</sup> Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa Ratification Proclamation, Proclamation No.1082/2017

<sup>2</sup> African Union Convention (Kampala Convention) for the Protection and Assistance of Internally Displaced Persons in Africa Ratification Proclamation, Proclamation No.1187/2020.

<sup>3</sup> Federal Civil Service Proclamation, Proclamation No.1064/2017.

<sup>4</sup> Federal Supreme Court Cassation Bench File No. 50489.

<sup>5</sup> Hate Speech and Disinformation Prevention and Suppression Proclamation, Proclamation No. 1185/2020

32. To ensure equal participation of women in political activities, the existing electoral laws have been amended to provide for a number of incentives to political parties which nominate women candidates. One of such motivation is allotment of more campaign funds from the Government to political parties based on the number of women candidates they nominate.
33. Ethiopia marked a major milestone for the participation of women in politics at federal cabinet level by appointing women to 36.5% of the ministerial posts in the current cabinet of 22 ministers. Women hold key administrative positions in several national institutions, including Vice President of the Supreme Court, Vice Presidents of the Federal High Court and Federal First Instance Court. In October 2018, Ethiopia also elected its first female president in its history. There are continued efforts to replicate the progress at regional levels. Women's representation in the national parliament has also risen from 138/547 in 2010 to 202/547 in 2015 and 197/471 in 2021 including headship positions in six out of 11 standing committees of the House of Peoples Representatives.
34. Efforts have also been exerted towards economic empowerment of women during the reporting period. In 2017/18 alone, more than 6 million women participated in large scale awareness and advocacy platforms on the subject of economic empowerment at federal and regional levels and 13,421,215 women were able to save 3,252,050,038 Birr through Small Scale Micro Finance Associations throughout the country while 2,140,105 women were given credit opportunity and received a total of 13,325,717,507 Birr.
35. Currently, 439,117 women are engaged in small scale enterprises out of which 144,597 were provided with market access and networking opportunities. Women are increasingly becoming owners of houses or possessors of land in both rural and urban areas of the country. 16% of women between the age of 15 and 49 own a house themselves, and 35% own a house jointly with someone. From the total beneficiaries of the low-cost housing program at federal level, 52% of the beneficiaries are women. Concerning possessory rights of land, the possession rate of women is 40%, while 25% possess land jointly with other persons. The Government is focused on structural reforms on land management and administration as the majority of rural land right holders still do not have title deeds for their possession.

36. Ethiopia provides most of the rights granted by the Charter to Non-nationals residing in Ethiopia in the same way as Ethiopian nationals with exceptions to the right to suffrage and be elected, own immovable property and serve in the civil service and security forces.
37. The new refugee proclamation, Proclamation No. 1110/2019, further advances on equal treatment for foreigners by allowing refugees to obtain work permits, access primary education, obtain driver's licenses, legally register life events such as births and marriages and access national financial services such as banking. The new law has been recognized as one of the most progressive in Africa.<sup>6</sup>
38. In harmony with the Charter's provisions to the rights of individuals to submit complaints for alleged violations of human rights, MoJ, regional offices of attorney general and justice bureaus, the Ethiopian Human Right Commission and the police are empowered to receive complaints of violations of the rights under the Charter. Within the reporting period, courts and the House of Federation (a body charged with the interpretation of the Constitution) have passed a number of decisions relating to protection against discrimination.
39. The House of Federation passed two landmark rulings which upheld the equality of persons before the law. In *'Melaku Fenta etal'* Case, the House has found that the trial of government officials for crimes at the Federal Supreme Court as a court of first instance was unconstitutional as it denies suspects of the right to appeal and thereby deprive them the right to equality before the law. In another case, the House found a directive that prohibited visually impaired persons from serving as judges to be discriminatory and unconstitutional.

#### **Article 4: The Right to Life and Personal Integrity**

40. The information provided regarding constitutional and policy measures in Ethiopia's 5<sup>th</sup> and 6<sup>th</sup> periodic report with reference to the right to life is still valid. Capital punishment under Ethiopian law is imposed for crimes that are strictly considered serious and damaging. Many procedural limitations are established that limit the execution of death penalties including the sentencing manual by the Federal Supreme Court. This sentencing guideline limits the

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<sup>6</sup>UNHCR Press Release: accessed at <https://www.unhcr.org/news/press/2019/1/5c41b1784/unhcr-welcomes-ethiopia-law-granting-rights-refugees.html> on 28 March 2021

imposition of death penalty only to offenders with no extenuating ground, pretty much excluding the actual imposition of the penalty virtually in almost all cases. In its current implementation, the punishment can effectively be considered under a *de facto* moratorium and has not been executed for many years.

41. As a result, death sentences are imposed in cases of grave crimes and on exceptionally dangerous criminals by the competent courts of law in Ethiopia in accordance with the laws of the land. As of February 2023, there are 125 convicts (122 men and 3 women) on death row. All the convicts have been found guilty and sentenced to the death penalty, *inter alia*, for aggravated homicide. The courts which have rendered the decisions are competent higher and supreme courts with jurisdiction to try serious crimes. Convicts on death row are held in maximum security facilities and are provided with the same humane treatment as other prisoners.
42. Moreover, the draft criminal procedure and evidence code provides for death sentence to be commuted to life imprisonment if not in effect within two years since rendition of final judgment. There are also procedures in place whereby death penalty can be commuted or individuals who are sentenced with capital punishment are allowed to seek pardon.
43. A number of disturbances occurred across the country in the reporting period which led to the loss of life. Accountability for extra-judicial killings committed during these disturbances in particular and over the past two dozen years in general is one of the key priorities of the criminal investigations being carried out against members of the security forces. Military courts have convicted members of ENDF who were suspected of committing extra judicial killing.
44. There exists occasional inter-ethnic violence in certain areas of the country where the Government undertakes law enforcement measures to control and avert violence. The Ministry of Justice and the Federal Police Commission of Ethiopia were engaged in multiple investigations on allegations of extra judicial killing, bodily injury, damage to property and displacement of people due to the violence.
45. In this connection, the GoE is taking important measures with the view to end impunity, to ensure the prevalence of rule of law and to realize accountability for violations of human rights. Furthermore, in line with the Government's commitment to ensure lasting peace in the Country, a national dialogue effort is underway to bring about peaceful deliberations on issues of disagreement and boost long lasting inter-communal relationships.

46. The Government of Ethiopia has tried to resolve the conflict and end the devastating war in the northern part of Ethiopia and create accountability on perpetrators of crimes of human rights violations in relation to the armed conflict. As a result, along with the implementation of the AU led peace agreement to the cessation of hostilities, the Government has embarked on measures that facilitate institutional reforms, strengthen greater accountability for crimes committed, lay foundations for reparations, truth finding and confession, and reconciliation
47. In 2020, MOJ embarked on a comprehensive study which examined the need for the adoption of a transitional justice policy framework and institutional arrangement in Ethiopia. Moreover, to ensure accountability and justice, the transitional justice policy framework was incorporated as a critical element in the Pretoria Agreement that ended the conflict in the northern part of Ethiopia.
48. The study stated above was completed in 2022, and a “Policy Options for Transitional Justice” had been launched as a basis for nation-wide consultations which were held for three months starting from March 2023. The consultation process informed the essence and form Ethiopia’s transitional justice policy which is expected to be adopted at the end of 2023 or beginning of 2024. The policy will be critical in addressing several of the violations and grievances of the past through an approach that combines criminal accountability, reconciliation, amnesty, truth, reparation, and institutional reforms.
49. With regard to the right to life, a number of activities and initiatives have been in place. A Proclamation to Control Elicit Flows of Fire Arms has been adopted by the parliament in March 2020. In addition, a Proclamation to Provide for the Prevention and Suppression of Financing the Proliferation of Weapons of Mass Destruction has been adopted in 2019. Furthermore, Ethiopia has ratified the UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts, and Components and Ammunition in 2012. Furthermore, to uphold this Right, a Crime Prevention Strategy was launched to counter terrorism by the Ministry of Justice in 2018.
50. As a result of the Country’s health policy and increasing attention given to maternal and child care services, infant, children and mothers mortality rate remained at a constant decline since the last report period confirming the State’s determination to guarantee the right to life to all its citizens. Still birth rate has progressively decreased over the last 6 years, from 18 in 2017 to 11.4 in 2022 out of 1000 births. Similarly, maternal mortality rate has dropped from 399 in 2015 to 267 in 2020 per 100,000 compared to 676 during 2005-2010.

51. Moreover, policy measures taken on the right to life has been inculcated in all branches of the government through the two successive National Human Right Action Plans which were implemented from (2012/12-2019/20).
52. In addition to the legislative measures included in the previous periodic report, Ethiopia has promulgated a number of legislations that criminalize acts amounting to torture and other cruel, inhuman or degrading treatments during the reporting period that will endanger the right to life. These include the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants Proclamation, the Proclamation on the Prevention and Suppression of Money Laundering and Financing of Terrorism, and Computer Crimes Proclamation.
53. Awareness raising has been done to prevent harmful traditional practices, abductions, revenge killings, early marriages, female genital mutilation, and other harmful traditional practices that threaten the right to life. On the other hand perpetrators of abductions, revenge killings, early marriages, and female genital mutilation have also been prosecuted, and sentencing decisions have been made public.
54. In Amhara, Gambella, and SNNPR, for example, awareness-raising activities were conducted for 7,780,643 communities and stakeholders to prevent clan and ethnic conflict. Awareness education was provided to 2.8 million people 4 times a month by FM 94.8 and 102.2 in Tigray Regional State from September 2016 to June 2020. In addition, the Ministry of Women, Youth and Children and the Dire Dawa City Administration provided media coverage to 751,496 community and ethnic groups to prevent ethnic and ethnic conflict. A conference was held with the participation of 800 women and women peace ambassadors as well as female students and leaders from all universities with a total of 365 participants. To prevent ethnic and racial conflict, 2,245 security forces and conflict intelligence collectors were trained on tolerance. In areas of recurrent conflict, discussions were held with 152,287 women, youth, elders, and religious leaders from conflict-affected areas.
55. In addition, Ethiopia is committed to regional peace, security, development and socio-economic integration of the sub-region. In order to fulfil its duty of preventing war and avoid any further potential loss of life due to conflicts, Ethiopia took a vibrant step to end a two decade no-peace no-war stalemate related to boarder conflict with Eritrea and resumed peaceful relations in mid-2018.



## **Article 5. Prohibition of Torture and Slavery and Right to Dignity**

56. The FDRE Constitution provides for an absolute prohibition of torture. Article 28(1) of FDRE Constitution recognizes torture as part of crimes against humanity. The provision further provides that torture cannot be barred by period of limitation and is not subjected to amnesty or pardon. In connection to this provision, Article 74 of the Criminal Code of Ethiopia asserts a superior order cannot be invoked as a defence for grave violations of rights including acts of torture.
57. In the absence of specific definition of torture, the ratification of the Convention against Torture allows courts to apply the definition provided under the Convention directly through the application of article 9 (4) of the Constitution which stipulates that international treaties ratified by Ethiopia are integral part of the law of the land.
58. The Criminal Code of Ethiopia under Articles 270 (a), 271 (1) (a), 272 (a) criminalizes acts of torture committed in a conflict situation, and as per Article 424 of the same, torture committed by a public servant in the process of arrest, custody, supervision, escort or interrogation of a person is punishable by law.
59. However, after observing practical challenges showing that the definition of torture under the existing law misses certain elements from the Convention, a draft statute covering the subject based on a comprehensive study is well underway. The new legislation focuses to incorporate the absolute prohibition of torture in all circumstances including in non-custodial settings and in the context of conflict and emergencies. Moreover, the law intends to ensure that neither statutes of limitations for criminal and civil proceedings nor mitigating circumstances are applicable to the crime of torture, including that no exceptional circumstances whatsoever may be invoked as a justification of torture, in accordance with article 2 (2) of the Convention, and that in no cases may an order from a superior officer or public authority be invoked as a justification of torture, in accordance with article 2 (3) of the Convention.
60. The latest Federal Prison Commission Proclamation No. 1174/2019 expressly prohibits torture, cruel and inhuman treatment or punishment. It was enhanced in compliance with the principles and standards of international human rights instruments with regard to conditions of detention and prisoners' rights. The Treatment of Federal Prisoners Regulation No. 138/2007 has also been enacted to specify measures to be taken in order to

secure the rights and safety of prisoners including the protection from cruel and inhuman treatment or punishment.

61. In addition, the FDRE military justice system has been enhanced in accordance with international human rights standards. In this regard, the recently adopted Defence Force Proclamation<sup>7</sup> gives military courts the power to try any member of military force charged with having committed any of the criminal acts specified under the Criminal Code of Ethiopia<sup>8</sup>. Regulations have also been adopted prohibiting members of the national defence force from violating citizens' rights and human dignity and protection against bodily harm and inhuman treatment in the course of their active duty.
62. The Ministry of Justice adopted a prosecution manual in April 2016. This manual provides guidance on proper procedures for the investigation and prosecution of all crimes and emphasizes the protection of suspects and detainees including the right to be protected from torture. Regular pre-service and on-job trainings are provided to prosecutors based on the manual. Likewise, the Federal Police Commission has put in place an investigation manual.
63. Moreover, the right to human dignity and prohibition against torture and inhuman treatment forms the core of the curricula in federal and regional police and prison training institutions. Pre-service and on-job trainings are provided to their members to ensure that they do not commit violations and are able to prevent violations by third parties.
64. Trainings on the protection against torture and the right to bodily integrity and health was given to 23,916 law enforcement officers, on the right of arrested persons to 255,795 participants and awareness raising activities for parts of the community including 7,479,001 persons on the threats caused by trafficking in persons and 5,502,419 on averting domestic violence from September 2016 to June 2020. Moreover, awareness-raising education was provided to 11,754,147 members of the public on the nature of terrorism and its consequences.
65. Ethiopia has been signing bilateral and multilateral agreements relating to cooperation in criminal matters. Accordingly, the right of the individuals not to be subjected to torture and the prerogative of Ethiopia to refuse to extradite the suspect or convict to another state where he/she may face torture, cruel, inhumane or degrading treatment is always a key element of the bilateral agreements and extraditions based on the principle of reciprocity.

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<sup>7</sup>Defense Forces Proclamation, Proclamation No.1100/2019.

<sup>8</sup> FDRE Criminal Code, Proclamation No.414/2004, article 270 (a), 271 (1) (a) and 272 (a).

66. Federal and regional law enforcement institutions such as the police, justice and attorney general offices and prison commission and administrations have established complaints mechanisms through their respective regulations and directives. For instance, pursuant to Article 28 of the Council of Ministers Regulation on the Treatment of Federal Prisoners 138/2007, prisoners have the right to lodge any complaint, including complaints of torture or ill treatment either orally or in written form before concerned officials of the Prison Commission or Administration. The new Federal Prison Proclamation allows complaints to be lodged before courts of law in addition to the prison administration.
67. Besides the above mentioned complaint mechanisms, NHRIs such as the EHRC and local CSOs serve as a complaint outlet for victims of torture or ill-treatment so as to correct the wrongs done and to help in affording redress. The EHRC, in this regard, has a special desk with the prerogative to receive complaints from the victims of torture or ill-treatments. This desk is also empowered to conduct investigation following the complaints and forward corrective measures. Furthermore, the latest amendment of the law governing civil societies enhanced engagement of local as well as international CSOs in monitoring the human rights situations throughout the Country.
68. In the reporting period, the federal remand detention centre also known as “*Ma’ekelawi*” has been closed due to inhumane conditions of the detention facility. A subsequent criminal investigation led by the former Federal Attorney General (the Ministry of Justice) uncovered and shut down a number of secret detention facilities where suspects were subjected to torture and other abuses by former members of the National Intelligence and Security Service. Other places of torture and inhuman treatment have also been shut down such as the *Jigjiga* Central Prison located in the capital of the Somali Regional State.
69. Furthermore, seven secret detention and torture centres used by members of NISS were also publically disclosed and shut down. The Federal Police in collaboration with the Ministry of Justice has been conducting criminal investigation and criminal charges have already been instituted against most of the perpetrators. The Office of the NHRAP, based in the Ministry of Justice, also monitors places of detention across the Country to ensure compliance with human rights standards. Police, prison and other security and justice sector institutions regularly prepare their annual work plans in accordance with their duties under the national plan aimed at preventing and ensuring accountability for incidences of torture.

70. Suspects/defendants presented several claims regarding forced confession to Ethiopian courts especially in the period prior to the change in administration 2018 and in particular with corruption and terrorism charges. In many such cases, the courts rule evidence obtained in such manner is inadmissible and had also ordered an investigation by the police or Ministry of Justice of such claims to hold perpetrators accountable. Administrative and criminal measures will be taken against any officer or investigator responsible for committing such violations.

## **Article 6. The Rights on Liberty and Security of a Person**

71. The previous report has addressed most of the legislative and administrative measures put in place for the protection of the right of liberty and security of persons especially on the deprivation of liberty in relation to criminal cases.

72. The GoE has taken important and transformative steps including the adoption of different directives and manuals regarding methods and procedures of criminal investigations, treatment of detained and arrested persons, and treatment of prisoners. Aside to regulatory safeguards recognized under the FDRE Constitution, the Criminal Justice Policy and the criminal laws communicated on the 5<sup>th</sup> and 6<sup>th</sup> report, the Federal Prison Commission Proclamation No. 1174/2019 can be taken as a progress to realize the international standards.

73. The Federal Police also developed a Criminal Investigation Manual in 2019. This Manual takes the protection of rights and respect for the dignity of criminal suspects and detainees at its core. Accordingly, the Manual imposes duties on investigating officers to make sure, before admission to a detention facility, physical as well as medical examination of the detainee is conducted and that the report is kept at the registry. This same Manual also imposes responsibility on the commander of the relevant police precinct to receive complaints and grievances related to the treatment of detainees and take appropriate corrective measures.

74. Visitation by family and relatives are widely exercised without restriction and according to the standard. In the last 5 years, 1,686,920 detainees were visited by 2,697,261 family members. Moreover, 23,018 detainees were transferred to the nearby prisons to maintain their family based rehabilitation.

75. In the Ethiopian legal system, a person may be arrested or detained only for criminal wrong doings; in exceptional cases of civil proceedings and at times of SoE. Government institutions and agencies with the mandate of executing arrest or detaining a person are federal and regional police, military police and military prisons for crimes falling under the jurisdiction of military court and federal and regional prison administrations in accordance with a court order. Federal and regional police may detain or arrest a person for purposes of criminal investigations that fall under the respective jurisdiction of federal or regional courts with or, in exceptional conditions, without an arrest warrant from a court.
76. In addition to the administrative measures taken by the Government to close unofficial detention centers run by former NISS officials, the Prevention and Suppression of Terrorism Crimes, Proclamation No. 1176/2020 provides that NISS no longer has the authority to arrest or detain suspects. These measures, in addition to complementing already existing safeguards for the protection of the rights of persons deprived of their liberty, play a significant role in preventing detention in unofficial detention centers.
77. Pre-trial detainees, detainees on remand and convicted prisoners are held separately in all detention facilities. Pre-trial detainees in particular are held under police custody. At the federal level, there is a separate prison facility, *Kilinto* Prison, under the Federal Prison Commission dedicated only to detainees on remand and four other penitentiaries serving only convicted prisoners. There is also a separate prison facility dedicated to women prisoners under the Federal Prison Commission. At prison facilities under the Federal Prison Commission, minors are also held in a separate zone from adult prisoners.
78. The Juvenile Rehabilitation Center with a capacity of holding 700 children in conflict with the law has been re-built and inaugurated in September 2022 in Addis Ababa.<sup>9</sup> This Center serves children between the ages of 9 to 15. The Center has blocks with rooms, workshops for vocational training, classrooms, meeting halls, a library, and rooms for psycho-social support and sports facilities.
79. The Criminal Code of 2005 prescribes punishments other than imprisonment for most non-serious offenses and courts resort to these punishments frequently. These punishments include suspension of penalties, fines, and compulsory labour. In this regard, taking only three years' statistics<sup>10</sup>, federal courts have passed sentences in 41,355 files of which 9,484

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<sup>9</sup><https://www.fanabc.com/english/the-capital-inaugurates-rehabilitation-center-for-children-involved-in-crime/>

<sup>10</sup> Fiscal year of 2016/17, 2017/18 and 2020/21

were sentences of fine. Moreover, in 11,080 files, the courts suspended the punishment while in 365 files, compulsory labour was imposed. These alternatives to imprisonment punishments account to 50.6% of the total sentences pronounced by federal courts. Furthermore, the draft criminal procedure and evidence law recognizes penalties alternative to imprisonment.

80. With regards to corrective measures taken to ensure that detainees do not remain in pre-trial detention for longer than the maximum period prescribed in law, several police officers have been made accountable for disciplinary and legal punishments. In addition to this, due to the coming into force of the Prevention and Suppression of Terrorism Crimes Proclamation No. 1176/2020, courts are taking complaints for compensation from those who were held for more than the maximum period for pre-trial detention. In this regard, the Federal High Court found the Public Prosecutor liable for holding a suspect for the crime of terrorism for more than nine months without pressing charges and awarded the victim thirty thousand birr in compensation.<sup>11</sup>
81. The Federal Police, Federal Prison Commission, and regional as well as city administration police commissions have taken extensive measures to improve the conditions of detention at police stations and prison facilities. New detention facilities have been built to address congestions in detention and prison facilities. In this regard, the Federal and regional police commissions including the Addis Ababa Police Commission have built new and up-to-standard detention facilities. For instance, ten new pre-trial detention facilities in ten different police stations have been built in Addis Ababa. These detention facilities are equipped with the necessary sanitary amenities. The Federal Prison Commission has also built four prison facilities: *Aba-Samuel*, *Ziway*, *Showa-robot*, and *DireDawa*. All the facilities have 19 zones with the capacity of serving 950 prisoners in each zone. The new facilities have a total capacity of admitting 18,050 prisoners at a time and compared to the highest number of prisoners since the last report, which is 15,756 in 2014/15, one can see the progress made in terms of enhancing the capacity of prison facilities. These facilities have been constructed giving due attention to international standards of prisons. Each facility has adequate sanitary and shower installations, workshops for vocational training, visitation rooms and health facilities.

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<sup>11</sup> Gebregiyorgis Gidey v. Federal Prosecutor, Federal High Court Case No. 292170.

82. Important measures have been taken to address the special needs of vulnerable prisoners. In this respect, a special arrangement has been established by the Federal Prison Commission that allows foster care institutions that took responsibility to look after minors whose mothers are in prison to bring the children once in two weeks period to the prison facility for visitation. Besides this, a special budget is allocated by the Federal Prison Commission to pregnant prisoners and women prisoners with an infant.
83. Furthermore, pregnant prisoners, women prisoners with infant, elderly prisoners, prisoners with grave health condition, and foreigners are given priority in grants of pardon. In this regard, 144 prisoners who fell under this category were pardoned in 2017/18 at the federal level alone. Over the same period, psycho-social support was provided for 602 prisoners with special needs including prisoners with disabilities.
84. Before the coming into force of the latest Federal Prison Proclamation, solitary confinement of prisoners was taken as a disciplinary measure against prisoners as well as a way of rehabilitative measure against a prisoner even without disciplinary breach. Such practice of solitary confinement also had no time limitation. However, the adoption of the Federal Prison Commission Proclamation No. 1174/2019 has brought temporal as well as substantive limitations against the use of solitary confinement. The Proclamation under Article 50 has made solitary confinement only possible when a prisoner commits a serious breach of law or disciplinary code or when there is a reason to believe that a prisoner may cause grave harm against oneself due to his/her medical condition. However, such solitary confinement may not last longer than fifteen days. Moreover, it is prohibited by the law from keeping a prisoner in a dark room, denying a prisoner from going out of the room for at least three hours a day, keeping a prisoner in a room with no sufficient space and without a window large enough to allow natural light, denying prisoner from being visited by close relatives and attorney. According to this law, women, juvenile offenders and prisoners who could be exposed to serious harm due to their health condition could not be subjected to solitary confinement.
85. Solitary confinement is subject to internal oversight and external supervision. Internally, the treatment of prisoners and detainees generally and prisoners in solitary confinement in particular is subject to oversight by the warden of the prison, the prison official in charge of the prison zone, and the medical doctor of the prison. On the other hand, by virtue of Article 62 of the Proclamation, independent institutions like the EHRC, Ombudsperson,

and the relevant standing committee of the House of Peoples Representatives may conduct unannounced visits and supervision at any time to ensure that the treatment of prisoners including those who are in solitary confinement is in accordance with the law. Civic Organizations, research institutions or researchers who work on the rights of prisoners or engaged on the promotion of better treatments of detainees can also visit prison premises upon permission by the Federal Prisons Commission.

86. The ICRC signed an MoU in 2016, which was renewed in 2021, with the Government to allow them free access to all prison facilities. In 2017, the UN High Commissioner for Human Rights also visited the *Kilinto* Remand Center located in Addis Ababa. These independent observers and CSOs have submitted their findings to the prison administrations regarding any concerns that need their immediate attention and appropriate measures have been and will be taken accordingly. Furthermore, the findings of these independent observers and CSOs, to the extent they are found credible and useful, were incorporated in the national plans for further measures towards the improvement of conditions of detention.
87. A key development in the administrative measures in the reporting period has been the institutional reforms carried out in all government institutions as well as NHRIs such as the Ethiopian Human Rights Commission and the Institution of Ombudsman. The two institutions amended their establishing proclamations and showed tremendous progress to exercise their independence and continue to enhance their institutional capacities to ensure the provision of remedies to violations of rights guaranteed by the Charter.
88. The EHRC works with all branches of government to raise awareness on human rights. In 2017/18 alone the Commission provided human rights awareness creation trainings and workshops to more than 32,088 members of police, prison officers, National Defence Forces, community elders, school children, women, persons with disabilities, and others.
89. National Human Rights Action Plan II was adopted and implemented for a period of five-years (2015 – 2020). It served as a roadmap that guides the government towards the realization of human rights. It also acted as a touchstone for assessing the Country's performance in the area of human rights, in alignment with international standards. The third NHRAP has been developed and is waiting for adoption.
90. The Criminal Code of Ethiopia sets the minimum age of criminal responsibility to nine years. Therefore, children below the age of nine years are not criminally responsible. This



has been decided by taking into consideration the Ethiopian society. It is believed that a child who attains the age of nine has the moral and psychological maturity to understand the consequences of his/her actions.

91. Different measures have been taken by the Federal Prison Commission to prevent the incidence of inter-prisoner violence in detention facilities. In this respect, a three-to-four-month training on anti-riot and counter-riot measures have been given to thirty to fifty members of prison police in each prison facility. Furthermore, a Rapid Response Prison Police Unit has been formed, with one hundred thirty members that can be deployed to control any riot that may be out of the particular prison facility's capacity. Moreover, in the last five years alone 377 regular and unannounced searches have been conducted in all prison cells of Federal Prison facilities to control illegal substances and harmful materials that may contribute to the incidence of inter-prisoner violence. In addition to these, 4496 and 2314 prisoners have been charged with minor and grave disciplinary breaches respectively, including participating in acts of violence in prison facilities.
92. There is an established working procedure at the Federal Prison Commission that requires forensic medical assessment including autopsy in each case of death in custody and the report of the assessment will be attached to the deceased prisoner's file.
93. All unofficial detention facilities have been closed and a criminal investigation has been conducted against those who used to run such facilities. In connection to this, senior ex-officials of the NISS were found guilty of gross human rights abuses and sentenced from three years to eighteen years of imprisonment.
94. In general, the Federal and regional police forces and, in matters under its jurisdiction, the National Defence Forces are the only state organs that have the authority to arrest and detain suspects under Ethiopian law. In all cases of detention or arrest, arresting authorities are required by law to report the arrest and detain the suspect in an official place of detention.
95. The provision of health service is free of charge and the health care facilities are built to give a 24 hour service with sufficient medical equipment, laboratory and the personnel's arrangement include mental and psychiatric health officers. However, there is still a room for improvement to the level of adequacy regarding clinical infrastructures in the regional states.
96. Prenatal screenings for mothers incarcerated in prisons were made and amongst them those who need further specialized attention were referred to the higher hospital and to receive

maternity services. Where the child interest so requires, an infant with his mother receives basic food, vaccination, and necessary bedding items.

97. Young offenders in prisons, pre-trial prisoners from sentenced and mentally ill detainees are kept separately in most of the detention places. Such treatment also extends to the treatment of the elderly and people with disabilities based on age and physical condition. There is a progressive participation by civil societies to assist wheelchair and other accessories to persons in need.
98. Vocational trainings and education are free and young offenders are mandatorily required to take primary education. Their training includes agriculture, cattle breeding, carpentry, metal work and garment. And, sport and recreational activities are always available for all detainees.
99. In addition, in federal prisons, a “mass sport” exercise is being given 3 times a week. Other indoor and outdoor physical activities are also undertaken by detainees. Furthermore, non-physical recreational exercise such as poetry, drama and music services are also provided to detainees.
100. To improve the treatment of suspects, a treatment manual has been prepared and distributed by the police. Efforts were and are being made to bring suspects into custody within 48 hours.

## **Article 7. The Right to Fair Trial**

101. The information provided in the previous report pertaining to equality before courts and tribunals, fair and public hearing by a competent, independent and impartial tribunal, presumption of innocence, rights of persons charged with criminal offences, review by higher tribunal and the principles of prohibition of double jeopardy still remain valid.
102. The FDRE Constitution under 19 (1) provides about fair trial. It states that "Persons arrested shall have the right to be informed promptly, in a language they understand, of the reasons for their arrest and of any charges against them. They shall be given a fair and speedy public trial without undue delay by an impartial court."
103. Pursuant to Article 37 of the Constitution of the FDRE, everyone has right to bring justiciable matter to and obtain decision or judgment by a court of law or competent body with judicial organ. Accordingly, Article 78 and 79 of the Constitution established independent courts bestowed with inherent judicial power both at federal and state levels.

Moreover, the law clearly recognized formation of customary and religious courts. Consequently, *Sharia* courts have been established at both federal and regional level. *Oromia* Regional State has recognized and established social/cultural/customary courts across *Oromia*.

104. The new Federal Courts Proclamation No. 1234/2019 under Article 3(1) (a) clearly provides the federal courts the jurisdiction to entertain cases arising from international treaties Ethiopia has ratified. Whereas, Article 6(1) (a) of the same stipulates international treaties to be among the substantive laws to be applied by the courts in their everyday decision-making process. Justiciable cases on the violation of human rights specified under chapter three of the Constitution fall under the jurisdiction of the Federal High Court ensuring the direct application of human rights treaties, including the African Human and Peoples' Rights Charter in Ethiopia. The protection further allows any person who has vested interest in a case to bring cases to be adjudicated by the court to protect his or others' rights. This has motivated individuals as well as civil societies to bring allegations of violations of rights protected under the FDRE Constitution and human rights treaties.
105. The Public Defenders Offices of Federal Courts as well as regional courts render free legal representation to indigent persons accused of criminal offences. However, due to limitation of resources, the offices are still forced to be selective in their representation and only those persons accused of grave offences benefit from the service as of right.
77. It is believed that the role of CSOs in providing legal aid and representation is indispensable to the proper dispensation of justice. The Civil Society Organizations Proclamation No. 1113/2019 is significantly boosting the participation of CSOs in this respect and compliment the ever-increasing resources allocated by the Government to this end.
78. The Federal Supreme Court administration has provided defence counselling service to 63,590 accused persons in the reporting period (Sept. 2015 to June 2023), while the offices of justice and attorney generals provided legal aid in civil and administrative matters for a total of 45, 317 in five years (Sept. 2015 to June 2020) to persons especially women, children, the elderly, and people with disabilities.
79. Coordinated by Ministry of Justice, a *pro bono* legal representation has also been undergoing to indigent persons unable to claim their rights before courts of law due to financial constraints. Between July 2016 and June 2023, 5933 indigents were provided with free legal representation by private advocates on *pro bono* basis. Regional Justice Bureaus also provide

representation in civil cases for indigent citizens either by assigning public prosecutors or advocates through *pro-bono* administration.

80. The Criminal Procedure Code which is revised and tabled for adoption before the HoPR, envisages requirements to be considered by the court to determine the length of time for the remand of an arrested person in custody. Therefore, the court may remand an arrested person in custody for up to 14 days on each occasion after giving due consideration to the gravity of the crime, the complexity of the investigation, and the nature and magnitude of the evidence to be collected. Moreover, the draft Code expressly limits in all cases the duration for remand in custody to a maximum of 4 months.
81. The Federal Police has developed an Investigation Manual which clearly prohibits investigating officers from holding any person contrary to a court order issued for release on bail. Therefore, instances of breach of such orders could entail accountability on the responsible officials.
82. Since 2018, federal courts have been undergoing deep rooted reforms to ensure their independence and improve their efficiency. To enhance their accessibility, video conference and e-litigation centers are being increasingly established across the Country. In addition, a new Federal Judicial Administration Proclamation 1233/2021 has been adopted.<sup>12</sup> This law was promulgated with the aim of ensuring transparency and credibility in the recruitment and appointment of judges, to guarantee the independence, neutrality and accountability of the judiciary and curtail any undue interventions in its functioning.
83. As part of affirming its institutional independence and in accordance with the law, the Federal Supreme Court has been presenting its annual budget request directly to the Parliament since 2019/2020 Ethiopian budget year and not to a branch of the executive as was the practice.<sup>13</sup>

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<sup>12</sup> The newly adopted proclamation has repealed the previous federal Judicial administrative proclamation no. 654/2010

<sup>13</sup> The practice was against the constitutional provision which provided for the drawing up and submission of the federal courts budget to the House of Peoples' Representatives for approval.

## Article 8. Freedom of Conscience and Religion

84. The FDRE Constitution has recognized the separation of state and religion. The principle is secularism as is stated under Article 11 of the constitution. Both state and religion do not interfere in each other's affairs.
85. Ethiopia has created a wide space for individuals to practice their faith and exercise their freedom of conscience. As indicated in the previous report, the FDRE Constitution and other legislations guarantee freedom of thought, conscience and religion unequivocally. Religions that are practiced in Ethiopia include amongst others Christianity and Islam. Compared to the previous regimes, all persons exercise better right to freedom of conscience, religion, thought, belief and opinion.
86. The Ethiopian Orthodox Church has a body corporate status as per Article 398 of the Ethiopian Civil Code, while other faith organizations had access to the statutory body at the registration of the relevant government. Following the 2018 change in administration and institutional reforms, one of the crucial changes concerning religious freedom of faith and worship is the enactment of a proclamation to provide legal personality to the Ethiopian Islamic Affairs General Council<sup>14</sup> and the Ethiopian Council of Gospel Believers Churches and Members.<sup>15</sup> These laws were able to respond to the long-lasting questions of the religious organizations. Thus, both religious councils have gained legal recognition under this proclamation without the need for separate registration.
87. The major religious groups in Ethiopia have established an Inter-Religious Council in January 2010 to enable religious institutions to advance their faith freely without infringing anyone's Constitutional right simultaneously maintaining religious tolerance and promoting a culture of peace through religious participation. The Council has organized several awareness-creation conferences including one national and two regional consultative and experience-sharing workshops with the participation of 870 religious leaders and faith-based organizations (FBO). These workshops focused on issues related to harmful traditional practices such as female genital mutilation, HIV/AIDS, and maternal and youth reproductive health.

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<sup>14</sup>Proclamation to provide Legal personality for Ethiopian Islamic Affairs General Council, Proclamation No. 1207/2020.

<sup>15</sup>Proclamation to Provide Legal Personality for Ethiopian Council of Gospel Believers Churches and Members, Proclamation No. 1208/2020.

88. Currently there are 2477 religious organizations and associations registered in Ethiopia. In the reporting period, no request for registration has been denied. Registration and licensing of religious groups has requirements to submit a founding document, the national ID cards of its founders, and the permanent address of the religious institution and planned regional branches. The registration process also includes an application letter, information about the board members, meeting minutes, information about the founders, offices, name, and emblem.
89. Discussions are organized and conducted by the Government on religious freedom and its role in society with religious groups, faith-based CSOs, religious leaders and followers. The Government considers religious groups indispensable partners in development and peace building and seeks their active participation and engagement regularly.
90. Followers have the freedom to launch their own religious television stations and radio broadcasting services. In this regard, the number of religious television programs has been increasing including via Satellite broadcast. As of September 2023, there were 35 religious satellite television broadcasts.

## **Article 9. Access to Information and Freedom of Expression**

91. Access to and freedom of information is a constitutionally guaranteed right under Ethiopian law. The FDRE Constitution under Article 29 provides for these rights.
92. The objective of the constitutional right of access to information is to create a transparent society and a government accountable to the people. The right of access to information is a key that can be used to unlock access to other socio-economic rights and help ensure accountability of government to the people. This right can be as much about public service delivery as any other socio-economic right. The extension of the right of access to information includes the right to demand information from the private sector.
93. The information provided on pages 58 to 61 of the combined 5<sup>th</sup> and 6<sup>th</sup> periodic reports of Ethiopia in relation to the constitutional and policy based measures is still in force regarding the right to access information and freedom of expression. However, in order to effectively implement the right to access to information, the government has taken further legislative measures, including amending the previous proclamation on mass media and access to information after a study conducted to identify the main legal and practical challenges. The

government has amended the former proclamations which provided for the Definition of Powers and Duties of the Executive Organs of FDRE (Proclamation No. 691/2010), the Broadcasting Service Proclamation (Proclamation No.533/2007)<sup>16</sup>, Freedom of the Mass Media and Access to Information Proclamation (Proclamation No 590/2008), and Advertisement Proclamation (Proclamation No. 759/2012), the directives related to Commercial Radio Broadcasting Services, the Community Radio Broadcasting Service, the Broadcasting Service Grievance Handling and Subscription Broadcasting Service.

94. The Parliament has adopted the New Mass Media Proclamation No.1238/2021 with the aim of accommodating technological developments and enforcing the right to freedom of expression. This enables the mass media to play an irreplaceable role in building a democratic role in Ethiopia.
95. In the previous reporting period, Ethiopia's legal framework for guaranteeing freedom of expression had been criticized both locally and internationally for being suppressive. Being cognizant of such criticisms and to alleviate the problems, the Government drafted a new and comprehensive media law and the revision of related laws in line with the political reforms started in April of 2018. Accordingly, the Anti-terrorism Proclamation No. 652/2009 has been repealed by Proclamation No.1176/2020, and the Broadcasting Service Proclamation No. 533/2007 and the provisions concerning mass media on the Freedom of the Mass Media and Access to Information Proclamation No. 590/2008 have been repealed by Media Proclamation No. 1238/2021 while the Press Proclamation No. 34/1992 and the Criminal Code provisions related to regulating Medias are under consideration for revision.
96. The drafting process was conducted through broad consultations and active participation of the media, civil society, academia and other stakeholders to ensure the free exercise and full enjoyment of the right to freedom of expression.
97. As of September 2023, there are 10 public and 25 commercial television stations as well as 9 public and 14 commercial radio stations. Furthermore, 6 television and 54 community radio stations were operating in the Country. There are also 17 print media operational in the Country.

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<sup>16</sup>The Broadcasting Service Proclamation No. 533/2007 is partly repealed, where by the provisions regarding on access to information is still intact.

98. The Government has created a media council framework to enable medias and their experts to interact and communicate with each other on their working procedures and ethical standards and the council is registered and granted CSO status.
99. The Institution of the Ombudsman provided trainings for 10,090 law enforcement experts, public relations, media experts and justice professionals by organizing 90 seminars on the legal frameworks related to access to information and freedom of expression from mid 2020 to June 2023. Moreover, awareness raising activities were also conducted to the public through 10 seminars by presenting 900 articles, providing 462 press conferences, delivering 170 Tv programs, 490 radio programs, and printing 300 newsletters.
100. Since the deep-rooted political reforms began in 2018, large numbers of journalists, bloggers, members and leaders of opposition or formerly banned political groups have been released from prison through pardon, dropping of charges and amnesty.<sup>17</sup> Members and leadership of opposition political parties now have freedom of expression, association and peaceful assembly. Moreover, the Government has amended the anti-terrorism law which had previously been used to limit rights and freedoms of journalists and other groups from expressing their views freely, as per the recommendation of this Commission.<sup>18</sup>
101. Despite all the progressive measures taken by the Government, hate speech and dangerous disinformation have increasingly been issues of serious concern especially subsequent to the reform measures. Such acts have already resulted in a number of ethnic and communal clashes, mass-displacement and in the worst scenario even killings of innocent citizens. These incidents undoubtedly undermine the on-going efforts to bring about the much needed social integrity, political stability, national unity, respect for human dignity and equality in the Country.
102. Thus, the Government has made efforts to secure exercise of freedom of expression by drafting a law to prevent hate speech and disinformation through various mediums and ensure accountability of those responsible for violating such provisions of the law and the law has been adopted subsequently. The law on hate speech and disinformation, Proclamation No. 1185/2020, aims at reminding citizens to refrain from defying the dignity,

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<sup>17</sup> This concern was raised under para. 37 of the Commission's Recommendation on the 5<sup>th</sup> and 6<sup>th</sup> National Report.

<sup>18</sup> Para. 50 of the Commission's Recommendation on the 5<sup>th</sup> and 6<sup>th</sup> National Report.



security and peaceful life of others while exercising the right to freedom of expression and to further hold those who fail to observe the law legally accountable for their actions.

103. In relation to respecting freedom of expression and access to information during the COVID-19 pandemic, the State of Emergency Proclamation No. 3/2020 declared in order to respond to the threat of Covid-19 and prevent its spread incorporated some measures which had a restrictive effect on freedom of expression through assembly or gatherings. For instance, some activities were banned or restricted and even cancelled during the SoE which restricted the possibility of implementing such freedom to the fullest. However, exceptionally some gathering were allowed with strict rules limiting the number of persons in a group to not more than four and individuals maintaining two meters distance at all times.

104. Based on the SoE Proclamation No. 3/2020, a Board was established with the responsibility to control and monitor that the measures taken during its implementation are not inhumane in any respect and to take corrective action when the SoE measures are believed to be inhumane. The Board had a responsibility to give suggestions and bring all those who have committed inhuman acts to court under the Proclamation. Based on this, the Board had been monitoring the implementation of the SoE and taking appropriate measures as required.

### **Articles 10 and 11. Freedom of Association and Freedom of Assembly**

105. As per the Constitution, every person has the right to freedom of association for any cause or purpose with the exception of organizations formed in violation of appropriate laws or to illegally subvert the constitutional order or which promote activities that are prohibited.

106. Moreover, the specific constitutional and policy based measures provided on page 61 – 62 of the combined 5<sup>th</sup> and 6<sup>th</sup> periodic report are still in effect. However, in relation to the legislative measures, some changes have been made through amendment and repeal procedures. The legislative measures currently taken in order to protect citizen's freedom of association and assembly include: the Organizations of Civil Societies Proclamation No. 1113/2019, Political Parties Registration Proclamation No. 1162/2019, Labour Proclamation No. 1156/2019, Cooperative Societies Proclamation No. 985/2016, Proclamation to Provide for the Definitions of Powers and Duties of the Executive Organs of the FDRE Proclamation

No. 1097/2019 and 1263/2021, Commercial Registration and Business Licensing Proclamation No. 1150/2019 and Micro-finance Business Proclamation No. 1164/2019.

107. As one of the mechanisms of implementing freedom of association is to establish civil organizations, the Government has taken a bold measure to enact a new law to address the shortcomings of the former Charities and Societies Proclamation No. 621/2009. The preamble of the newly amended law asserts that the creation of an enabling environment is essential to enhance the role of civil societies organizations in the development and democratization of the Country.
108. As per the currently applicable law<sup>19</sup>, the Civil Societies Authority has, among others, the power to register organizations and support, facilitate and coordinate their activities in accordance with the Proclamation and monitor and supervise organizations to ensure that they undertake their activities in compliance with the law.
109. The new law came up with a generic term “Organizations of Civil Societies” to refer to entities defined as “Charities” and “Societies” in the repealed Proclamation. Accordingly, organizations of civil societies are defined as “non-governmental, non-partisan, not for profit entities established at least by two or more persons on voluntary basis and registered to carry out any lawful purpose, and include non-governmental organizations, Professional associations, mass-based societies and consortiums”. These organizations can also be either locally formed or foreign organizations registered to operate in Ethiopia.
110. The funding ceilings on local CSOs and restrictions to work in the field of human rights which were raised as major concerns regarding the repealed law have now been removed and operational freedom of the organizations is guaranteed under Article 62 of the new law. Local organizations are now permitted to operate in the Country or abroad, or implement objectives having global, regional or sub regional nature.
111. The number of civil societies working on human rights before the adoption of the new proclamation were 25 while currently there are more than 75 CSOs working entirely on human rights issues. There were 1904 organizations who were registered to work as charities or societies and operational at the time of the coming into force of Proc. 1113/2019, but as of the 1<sup>st</sup> of December 2023 the number of CSOs registered based on the current law increased to 4850.

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<sup>19</sup>Organizations of Civil Societies Proclamation No. 1113/2019

112. Pursuant to Article 63 of the Proclamation, organizations are further allowed to engage in any lawful business and investment activity in order to raise funds for the fulfilment of their objectives. This is subject only to relevant trade and investment laws and no restriction is made based on the specific field the organization is registered to be engaged in.
113. Moreover, the Authority has provided a delegation to regional states to allow some civil societies registered under the federal framework to work within their regional jurisdiction. Furthermore, the Authority considered a request of permission received from different civil societies to enhance their funding options.
114. One of the best benefits of the new proclamation is that it clearly provides the steps that an aggrieved organization should follow in order to submit a complaint. The first step is to lodge a complaint against the Authority's decision within 30 days of the decision rendered to the Board<sup>20</sup>. The Board has the mandate to consider the complaint and decide up on within 60 days<sup>21</sup>. Furthermore, if the complainant is not satisfied by the decision of the Board, it can take the matter to the federal high court through an appeal procedure within 30 days of the decision given<sup>22</sup>.
115. As per the amended labour proclamation, Proclamation No. 1156/2019, Ethiopia recognizes workers and employers of private enterprises to have the right to establish and organize trade unions or employers' associations respectively and actively participate there in<sup>23</sup>. The rights of trade unions to go on strike in order to pursue their collective interests are also incorporated in the law<sup>24</sup>. As a member of the International Labour Organization (ILO), Ethiopia amended its labour laws to comply with the ILO conventions and its Constitution.
116. However, in order to enjoy the rights provided in the Proclamation, trade unions and employer associations shall have to be registered fulfilling the pre-conditions set in the same law. The legislation has laid out the procedure for the registration of trade unions and employers' organizations. The law also provides a framework of how operations of a trade union and employers' organization are to be conducted. As of June 2023, there were one employee confederations, 9 federations and 2303 trade unions while the 221 employers' associations, 7 federations and two registered confederations in the Country.

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<sup>20</sup> Ibid, article 59 (5)

<sup>21</sup> Ibid, article 59 (6)

<sup>22</sup> Ibid, article 59 (7)

<sup>23</sup> Labour law, Proclamation No.1156/2019, article 113 (1)

<sup>24</sup> Article 158 (1), provides the following rights to workers, 'Workers shall have the right to strike to protect their interests in the manner prescribed in this Proclamation'.

117. The same law also provides how and to whom complaints can be lodged. It has established a board<sup>25</sup> that considers grievance/s from workers, employers, trade unions and employer associations. Moreover, it has provided for the establishment of separate labour dispute courts at the first instance and appellate levels<sup>26</sup> that can consider and decide on disputes between workers and employers.
118. Regarding the implementation of the freedom of assembly and demonstration, the Peaceful Demonstration and Public Political Meeting Procedure Proclamation<sup>27</sup> enforced since 1991 and the guarantee to the right enshrined under Article 30 of the Constitution, explained in the previous report, remain valid. Accordingly, regulations in the interest of public in line with the Constitution, and prior notifications the Proclamation requires for exercising the right are still effective.
119. In the aftermath of the political reforms in 2018, one of the areas where an immediate improvement was seen is in relation to freedom of assembly. Citizens have been able to freely exercise their right to hold peaceful demonstrations and assemblies irrespective of the political opinions they advocate.
120. The Government supports and upholds the rights of individuals, human rights defenders and other groups to assemble, demonstrate and present their petitions freely. This has become a normal part of engagement particularly at the political and civil society levels. Currently in Ethiopia, political parties, members of parliament, civil society, and the academia engage in a robust and lively public debate on various matters of topical interest.
121. However, demonstrations have sometimes turned into riots and criminal activities including looting of private property, robbing and even harming innocents have been witnessed. In this kind of situation, the government has the primary obligation to keep law and order in place and bring those responsible for such crimes to justice. For example, the cases mentioned in the concluding observation and recommendation part on page 13, stating the concern of the Commission in relation to actions taken during the 2005, 2012 and 2013 protests had been the result of similar activities of demonstrations which turned to criminal activities. Measures to uphold law and order had been conducted by the Government. And the Government had taken measures to verify whether there was repression and excessive use of force against

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<sup>25</sup> Ibid, article 145

<sup>26</sup> Ibid, article 138

<sup>27</sup> Peaceful Demonstration and Public Political Meeting Procedure Proclamation, Proclamation No.3/1991.

peaceful protestors and taken pertinent corrective measures based on the result of investigations.

122. In order to ensure the accountability of law enforcing officials, a complaint handling and accountability procedures has been introduced and implemented. In this connection, a regulation has also been adopted based up on the Federal Police Proclamation and it has expressly provided that police officers are subject to disciplinary measures, if there is a valid ground to believe that they have committed acts of intimidation and unnecessary arrest.
123. Moreover, significant development has taken place in enhancing the compliance of the military justice system with international human rights standards. In this regard, the Proclamation No. 1100/2019 gives military courts power to try any member of military force charged with having committed any of the criminal acts specified under the Criminal Code of Ethiopia. Regulations have also been adopted prohibiting members of the national defence force from violating citizen's right.
124. In order to restrict the spread of the virus during the COVID-19 pandemic, some pertinent measures had been taken, which had a restrictive effect on freedom of association and assembly. For instance, there were different activities banned, restricted, and closed as per the proclamation of the state of emergency. The ban or restriction was applied to all religious, governmental, non-governmental, commercial, political, and social gatherings. The regulation measures only allowed the gathering of a group of four people where individuals expected to ensure that they are 2 meters apart at all times. These measures were, however, implemented for limited time and there were monitoring mechanisms regarding their implementations.

## **Article 12. Freedom of Movement**

125. The Constitutional principles and rules set under other substantive and procedural laws such as the Civil, Family and Criminal Codes as well as the immigration and refugee proclamations explained under previous report remain valid. Thus, the right to freedom of movement, to choose one's principal residence, conditions to leave out of and enter to the country under various scenarios such as immigrating, asylum seeking and expulsion were broadly discussed in the previous report.
126. The 2016 New York Declaration for Refugees and Migrants is considered a milestone for global solidarity on refugee protection which sets out key elements of the Comprehensive

Refugee Response Framework and lays the groundwork for the Global Compact on Refugees. Following the adoption of the declaration, Ethiopia co-hosted a leaders' summit where it made nine pledges to improve the lives of refugees. The CRRF was officially launched in Ethiopia in November 2017. Currently, with 950,000 refugees, Ethiopia host second largest refugee population in Africa, the majorities coming from South Sudan, Somalia and Eritrea.

127. Ethiopia has already made progress in implementing the CRRF. First, civil registration of refugees, including birth, marriage, divorce and death, started in October 2017. More than 13452 refugees have had their birth registered including retroactive registration. Secondly, the Biometric Information Management System, a countrywide refugee registration infrastructure, was initiated in 2017. The system records information on refugees' education and professional skills as well as profiles of their family members. Both the civil registration and biometric system will enable refugees to access CRRF opportunities. Thirdly, the government is working to develop a mechanism by which refugees can access to work.
128. In February 2019, the HoPR adopted a new Refugee Proclamation No. 1110/2019 which allows refugees to obtain work permits, access primary education, obtain driver's licenses, legally register life events such as births and marriages and access national financial services such as banking. The new law has been recognized as one of the most progressive in Africa.<sup>28</sup>
129. The Refugee Proclamation No. 1110/2019, which was enacted in 2019, addresses concerns and recommendations made by the commission regarding laws on conditions of refugee's settlement, employment and access nationality. This law addressed refugees' right to work, right to nationality, and conditions of settlement which mainly deals about right to movement and refugee's right to reside based on their own interest.<sup>29</sup>
130. Ethiopia is a signatory to the African Union Convention for the Protection and Assistance of Internally Displaced Persons, which is also ratified by the parliament.<sup>30</sup> Before the commencement of the political reform in March 2018, there already were 1.2 million internally displaced persons mainly due to internal conflicts and natural hazards. This figure almost doubled to 2.3 million in the first few months following the reform.

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<sup>28</sup>UNHCR Press Release: accessed at <https://www.unhcr.org/news/press/2019/1/5c41b1784/unhcr-welcomes-ethiopia-law-granting-rights-refugees.html> on 26 January 2019

<sup>29</sup> Refugee Proclamation no. 1110/2019, Article 26, 42 and 28 respectively.

<sup>30</sup> Proclamation to ratify the African Union Convention for the protection and Assistance of Internally displaced Persons in Africa (Kampala Convention), Proclamation No. 1187/2020.

131. Ethiopia has introduced institutional mechanisms to help meet IDPs' immediate and long-term needs for both humanitarian and development assistance. Amongst these initiatives are a national steering committee (under the leadership of the Deputy Prime Minister) and an inter-ministerial coordinated by Ministry of Peace to support, resettle and rehabilitate internally displaced person. In addition to this, the Government is closely working with development partners towards the same end. Moreover, to prevent and resolve further internal conflicts that catalyse displacement, a National Reconciliation Commission and an Administrative Boundary and Identity Issues Commission have been established in December 2018 by Proclamation No. 1102/2018 and Proclamation No. 1101/2018, respectively.
132. Ethiopia adopted Disaster Risk Management Policy to reduce risks associated with disasters and protect those at risk of such circumstances. The Government also works closely with national and international counter parts to prevent internal displacement through early warning mechanisms and to provide care and resettlement for IDPs.

### **Article 13. Right to Participate in Government**

133. A key part of the on-going political reforms is the widening of the political space to allow complete freedom to all political parties irrespective of their ideologies. Accordingly, a number of formerly banned political parties some of whom had been designated as terrorist organizations by the HoPR have had their terrorist designations cancelled and returned to the Country to pursue peaceful political struggles.
134. The House peoples Representatives has adopted, Ethiopian Electoral, political parties Registration and Election's Code of Conduct Proclamation No. 1162/2019 and National Electoral Board of Ethiopia Establishment Proclamation No. 1133/2019. These newly adopted laws are made to meet international standards and aimed at enabling political parties and independent candidates participating in elections to play a constructive role to ensure a fair, peaceful, free and democratic elections system.
135. The current national electoral laws have been amended through consultations between the ruling and opposition parties. The revised media law and the electoral laws, apart from creating more room for civil society engagement, will improve public and commercial media access to opposition political parties to ensure more inclusive electoral debates.

136. Pursuant to the Criminal Code, depending on the nature and the circumstances under which the crime was committed, courts of law may impose deprivation of civic rights including voting and the right to be elected as additional punishment. These same factors determine whether the deprivation of rights would be temporary or permanent. However, temporary deprivation cannot exceed a maximum of five years.
137. Opposition political parties including those in exile have been formally invited to actively participate in a continuing national dialogue in an endeavour to realize the right of the people to free and fair election. With this in mind, representatives of various competing parties have had a consultation and constructive dialogue with the Prime Minister of the Country. Accordingly, in March 2019, 107 Ethiopian political parties including the ruling party have signed a code of conduct that will guide their operations and political activities. The document will govern the relationship between and among political parties and establishes a joint council where each party is represented.
138. As part of the political reform initiatives in 2018, a new management has been appointed to the National Electoral Board. In consultation with all the concerned organs, four new board members, who are considered to be impartial and with professional integrity, have been appointed by the HoPR. The selection process of these board members involved popular participation.
139. Moreover, the new Organizations of Civil Societies Proclamation that was adopted by the HoPR in 2019 addressed previous concerns and significantly expanded the platform for the participation of civil society organizations in the electoral process as observers and key providers of voter education.
140. Ethiopia is committed to ensure that all national and regional elections are free and fair. The 2021 election showcased the Government's primary focus in conducting a free, fair and credible national election.
141. Comparing to the previous elections, the Electoral Board takes significant steps to ensure participatory and transparent election in the 2021 national election. More than 50 consultative meetings were held by the Board with representatives of political parties and contrary to the previous trend, several cases against the Board's decision have been taken to the court and in some of the cases the courts have nullified its decisions. The Board had received complaints and decided to carry out re-elections in ten constituencies due to proved misconducts that affect the credibility of the election.



142. The new electoral law has mainstreamed the needs of women and persons with disability and the Board has been taking due consideration in its activities. The legal and institutional changes include allocation of free time incentives and an additional subsidy for political parties that register a minimum percentage of women candidates or as party leaders to intensify the political participation of women.
143. The National Electoral Board Directive No. 13/2021 has also established a special polling station for IDPs. IDPs participated in casting their votes at their place of displacement for their respective constituency of origin whereas the Government provided transportation and security protection in the process.

## Section 2: ECONOMIC, SOCIAL AND CULTURAL RIGHTS

### Article 14. The Right to Property

144. The right to property is a constitutionally guaranteed right of every Ethiopian as is enshrined under Article 40 of the Constitution. In essence, Article 40 provides that every Ethiopian citizen has the right to the ownership of private property. This right, unless prescribed otherwise by law on account of public interest, includes the right to acquire, to use, and, in a manner compatible with the rights of other citizens, to dispose of such property by sale or bequest or to transfer it otherwise. During the reporting period, the Government of Ethiopia has taken legislative, judicial, and administrative measures to guarantee the right to property.
145. The Expropriation of Landholdings for Public Purpose and Payment of Compensation Proclamation No. 1161/2019 defines the concept of “Public Purpose” for the determination of expropriation and provides the principles and procedures which are applicable while determining the expropriation of landholdings for the public purpose. It is also clearly indicated in the legislation that the law is applicable throughout the Country in rural and urban centers in matters relating to land expropriation, payment of compensation, and resettlement of landholders whose land is expropriated for public purpose.
146. This law has also provided a comprehensive procedures of expropriation, assessment of compensation, grievance handling mechanisms and a procedure for appeal before court of law. This ensures the process is for public purpose, not arbitrary, fair, transparent and accountable.
147. The Investment Proclamation No. 1180/2020 provides, among others, a foreign investor or a foreign national treated as a domestic investor shall have the right to own immovable property necessary for his investment. Moreover, in this same legislation, it is provided that a foreign investor or a foreign national treated as a domestic investor who owns a large investment may be allowed to own one dwelling house. Moreover, the law also provides for protections of property rights and grievance handling mechanism.
148. Definition of Powers and Duties of the Executive Organs Proclamation No. 1263/2021 establishes the Ministry of Urban and Infrastructure which is mandated, among other things, to prepare compensation formula and unit price for land and property expropriated for

public interest; to undertake studies on the provision of residential housing to citizens and implement the same upon approval; to establish a system that enhance the participation and role of the private sector in housing development sector and create conducive condition for its implementation; to establish urban land and other land related immovable property registration system; to formulate nationally accepted land and land related immovable property registration unique code and ensure uniform implementation of the same in all urban centers; and to initiate real estate development policies, strategies and laws and follow their implementation upon approval.

149. The Administrative Procedure Proclamation No. 1183/2020 is designed to regulate the manner by which administrative agencies give decisions on matters they are required to decide on exercising their rule-making powers delegated to them by law. The Proclamation outlines a number of procedures administrative agencies must follow as they exercise delegated lawmaking powers.

150. Accordingly, administrative agencies are required to notify stakeholders to solicit comments and hold public hearings before they issue directives. The requirement to provide notice of directives before its adoption extends to publishing the relevant information about the directive intended to be adopted on a newspaper of wide circulation, the relevant administrative agency's website and other media outlets. Administrative agencies are also required to keep records of information about the directives they adopt. Administrative agencies may be exempted from these procedural requirements where there are emergencies, where issuance of advance notice may be contrary to public interest, or where issuance of advance notice may undermine the implementation of the directive. In these instances, the administrative agencies have to keep records of their justification for the exemption.

151. Further, administrative agencies are required to send a draft of the directive to the Ministry of Justice to get its opinion, which is required to be given within 15 (fifteen) days. In addition to providing these extensive procedural requirements, the legislation requires timely issuance of directives whenever required by law.

152. The Proclamation also regulates administrative decisions by administrative agencies. It outlines a number of principles which administrative agencies must follow in making administrative decisions. These enumerated principles include balancing public and individual interests, making reasoned decisions, making timely and predictable decisions and

making decisions in good faith. Administrative agencies are also required to establish a complaint handling body which hears complaints against administrative decisions.

153. As a judicial check on executive acts, the Proclamation asserts that individuals are allowed to apply to the Federal High Court for judicial review of directives and administrative decisions.

### **The Right to Land Use**

154. As it is clearly stated in the Country's previous reports, the FDRE Constitution asserts state ownership of land and states that the right to own rural and urban land, as well as of all natural resources belongs only to the state and the people of Ethiopia. Accordingly, the right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the State and in the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subject to sale or to other means of exchange.

155. Nevertheless, the Constitution further states that Ethiopian peasants have the right to obtain land without payment and the protection against eviction from their possession. Similarly, it is provided that Ethiopian pastoralists have the right to free land for grazing and cultivation as well as the right not to be displaced from their own lands.

156. Federal Rural Land Administration and Use Proclamation No. 456/2005 clarified rural land use rights and obligations and abolished forced redistribution of land which was the major source of tenure insecurity among the rural population. This Proclamation reaffirms ownership of rural land to the State, but it confers indefinite tenure rights to farmers and pastoralists to the property produced on land, to land succession and to land renting.

157. Land certification program was initiated based on Proclamation No. 456/2005. As of November 2023, its implementation led to the demarcation of 30 million plots of land and to the registration and certification of 25 million plots of land to 7 million persons across the Country. The program has enabled certification of land to be in the names of both spouses, to secure women's right to land. A distinguishing feature of the certification program is that it is participatory implemented with the involvement of farmers starting in preparation and awareness campaigns, along with the formation of committees comprised of farmers, *kebele* and *woreda* officials.

158. Ethiopia's rural land registration program and certification which has been carried out for more than a decade now has been very important step towards ascertaining rural land use and is found to have brought significant benefits for all users and specifically to women. However, certification in pastoralist regions requires an innovative approach as tribal land possession doesn't bode well with conventional certification.

### **The Right to Adequate Housing**

159. Every Ethiopian has the full right to the immovable property he/she builds and to any permanent improvements he brings about on the land by his/her labour or capital. This right includes the right to alienate, to bequeath, and, where the right of use expires, to remove his/her property, transfer his/her title, or claim compensation for it. The government may expropriate private property for public purposes subject to payment in advance of compensation. Moreover, landholders whose holdings are within the urban area to be redeveloped have priority rights to develop their land according to the plan either individually or in a group. Similarly, rural landholders have priority rights to develop their landholdings according to land use plan either individually or in groups. This right is clearly asserted under the Expropriation of Landholdings for Public Purpose and Payment of Compensation Proclamation No. 1161/2019.

160. The Government has taken measures towards addressing the lack of adequate housing which is prevalent in the Country, particularly in urban areas. The Ministry of Urban and Infrastructure and bureaus established in regional states have been working to fulfill the right of citizens to adequate housing, among others. However, the mismatch between population growth in the Country and the construction of resident houses remains as challenge.

161. During the reporting period, the low-cost housing program continued in Addis Ababa, a number of cities and big towns in the regional states which are meant to give effect to the right to adequate housing. However, the security situation in the Country especially the conflict in the northern part of the Country and Covid- 19 affected the budget allocation for the purpose of constructing low-cost houses.

162. Addis Ababa City Administration Directive No. 1/2018 has been put in effect which provides a scheme that allow low-income employees to rent communal housing. On top of that, as per Directive No. 1/2019, the Addis Ababa City Administration has provided a housing rental scheme to teachers at affordable prices.

163. The Government has also encouraged privately owned and community-based organizations engaged in building houses. In this regard, assistance on the part of the Government takes different forms including the provision of land and other construction materials at affordable prices. This has significantly contributed to the alleviation of housing problems, although the issue still requires much more attention.

### **The Right to Property of Vulnerable Groups Especially Women and Persons Living with Disability**

164. Women have the right to acquire, administer, control, use and transfer property under the FDRE Constitution. In particular, they have equal rights with men with respect to use, transfer, administration and control of land. They shall also enjoy equal treatment in the inheritance of property.

165. Ethiopian laws call for specific attention to the human rights of people who for different reasons require special attention such as women, persons with disability and the elderly. The Constitution has also recognized the historical legacy of inequality and discrimination suffered by women in Ethiopia and provides for affirmative measures with a view to remedy the legacy.

166. Ethiopia's rural land registration program and certification has been carried out for more than a decade now has been be very important step towards ascertaining rural land use and have brought significant benefits specifically to women. Accordingly, in rural areas, as of November 2023, out of the 25 million farm plots which are registered and to which certificates are issued, 30% are possessed by women on their own while 70% are possessed either jointly with their husband or by men alone.

167. Women and persons living with disability are also increasingly becoming owners of houses. The Addis Ababa City Administration Directive No. 3/2019 of Transferring Condominium Houses requires 30% and 5% of the low-cost houses to be allocated for women and persons living with disability. Consequently, from the total 110,242 beneficiaries of the low-cost housing program in Addis Ababa, from the year 2016 till now, 33,071 and 5,511 houses have been transferred to women and people with disability on a quota basis, respectively.

## **Expropriation and Compensation**

168. The FDRE Constitution clearly states the power of the government to expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of the property.
169. Consequently, there are numerous laws that put safeguard from expropriation of private property arbitrarily. There are also some bilateral treaties which Ethiopia is a party to that includes provisions regarding protections to the expropriation of property by the government especially those related to private investments.
170. With regard to the expropriation of land for public use, the Federal Government has issued two legislations. These are the Expropriation of Landholdings for Public Purpose, Payment of Compensation and Resettlement Proclamation No. 1161/2019 and the Expropriation and Valuation, Compensation and Resettlement Council of Ministers Regulation No. 472/2020.
171. The Expropriation Proclamation No.1161/2019 is currently, therefore, the principal instrument which governs expropriation in Ethiopia. The central objective of the Proclamation is to take land for public purpose and it has three main aspects: provisions relating to expropriating private property for public purpose, payment of fair and equitable compensation to the expropriated landholders and procedural recourses which has the effect of disciplining government authorities since such procedures would force government authorities to carefully re-examine their decisions, thereby serving as a buffer zone for property holders.
172. The Proclamation defines public purpose as a decision that is made by the cabinet of a regional state, Addis Ababa, *Dire Dawa* or the appropriate federal authority on the basis of approved land use plan or; development plan or; structural plan under the belief that the land use will directly or indirectly bring better economic and social development to the public. It also clearly indicates who is authorized to decide expropriation for public purpose. This prevents arbitrary decisions by authorities and even those who are granted with the power are required to follow certain principles and procedures while making their decisions to expropriate private as well as communal landholdings. Moreover, in such cases, the government is duty bound to pay compensation to be valued in accordance with the Proclamation. Separate provisions are provided regarding the valuation method of compensation for communal landholdings.

### **Administrative and Judicial Protection of Property Rights**

173. The Constitution of the Country imposes duty on all federal and state legislative, executive and judicial organs to respect and enforce fundamental rights and freedoms. The Constitution under Article 37, furthermore, provides for the right to bring justiciable matter to courts of law or other competent bodies with judicial power and obtain decision or judgment.
174. With regard to disputes related to property rights especially disagreements linked to expropriations, in addition to the specific cases of dispute settlement mechanisms provided by investment treaties which Ethiopia is a party to, the expropriation Proclamation clearly provides for administrative and judicial complaint handling mechanisms.
175. The Administrative Procedure Proclamation No. 1183/2020, stated above, provides a clear mechanism for judicial review of directives and administrative decisions by government agencies. As a judicial check on executive acts, the Proclamation asserts that individuals are allowed to apply to the Federal High Court for judicial review of directives and administrative decisions.
176. Consequently, courts may revoke directives by administrative agencies where procedural rules were not followed during the issuance of the directives or where, directives amount to ultra-vires, or where they are contrary to higher hierarchy laws. On the other hand, administrative decisions could be revoked by courts where principles under the Proclamation have not been followed during their dispensation. The remedies within the administrative agencies are required to be exhausted before lodging for judicial review of administrative acts.
177. There have been several cases which have been brought to courts as per this legislation including cases related to violations of the right to property. There have been several cases that have been brought to courts as per this legislation including cases related to violations of the right to property. For instance, in the case between an individual applicant and the respondents Addis Ababa City Administration Mayor's Office and the City Land Development Management Bureau with file number 276877, the Federal High Court ruled in favour of the applicant based on the federal administrative procedure law stating that the respondents' decision against the applicant to hand their house over to another person has infringed the principle of hearing which is one of the principles of administrative decisions. As a result, the Court rendered a decision that fully invalidated the administrative decision



and ordered the administrative agency to hear the evidence produced by the applicant and reconsider its administrative decision.

178. Moreover, the Council of Constitutional Inquiry and the House of Federation are endowed with the power of constitutional review against any law or decision given by any government organ or official which is alleged to be against the Constitution.

## **Article 15. The Right to Work**

179. The Government of Ethiopia has continued to strengthen its efforts to ensure that its workers are accorded equitable and satisfactory conditions of work. As stated in the previous reports of the Country, the right to work is a constitutionally guaranteed right. In addition to the ones reported previously, new policies and legislations have been adopted to protect and promote the right. At international level Ethiopia ratified the Maritime Labor Convention on 16 November 2017.

### **Access to Employment**

180. Cooperative Societies Proclamation No. 985/2016 has been enacted to govern cooperative societies in a way to be nationally and globally competent in creation of employment opportunities through supporting production and productivity increment in both rural and urban settings. Cooperative societies are established to collectively overcome, withstand and solve economic and social problems which members cannot individually achieve.

181. In 2020, in 8 regions (Tigray, Afar, Amhara, Oromia, Harari, South N/N/P, Benishangul-Gumuz and Gambella) and in Addis Ababa and Dire Dawa city administrations, job opportunities were created by cooperative societies for a total of 1,960,860 individuals.

182. Proclamation to provide for the Establishment of the Ethiopian Youth Revolving Fund (Proclamation No. 995/2017) has been also enacted to provide youth with financial and technical support. It has been arranging mechanisms to help them alleviate their economic and social problems through engagement in organized income generating activities with a view to ensuring their all-rounded participation and benefit. It has significant role to assist youth to employ their capabilities in creating job opportunities.

183. In 2021, the number of employed persons was estimated to be 41,637,071, out of which 80.5 percent were in rural and 19.5 percent in urban areas. Out of the total 41,637,071

employed persons, the proportion of males was 57.6 percent and females were 42.4 percent. As of February 2022, the employment to population ratio of urban is 48.9 percent which shows that about 49 percent of the total urban population of the Country is employed.

184. The Government has undertaken various programs and initiatives to create decent jobs. For instance, in 2022/23 the government has created job opportunities for 2,467,177 citizens. Among these 36.1% are women, 87% are youth, 0.35% are people with disabilities and 0.94% are refugees and returnees. However, the rate of unemployment remains high in the Country.

185. In February 2021, there were 3,608,688 unemployed persons, out of whom males were 1,262,322 and females were 2,346,366. The rate of unemployment at national level in February 2021 of 8.0 percent shows an increasing trend from 4.5 percent in June 2013. In February 2022 unemployed population in urban areas of the Country was 1,982,436 with unemployment rate of 19.4 percent. The total urban unemployment rate increased from 16.9 percent in 2016 to 19.4 percent in February 2022 and the general trend shows an increment of 2.5 percentage point during the last five years.

186. There are various contributing factors for the increment of unemployment rate in the Country. From 2020 – 2022, there has been conflict in the northern part of the Country such as in Tigray, Amhara and Afar Regions, which resulted in massive internal displacement. Additionally, Covid-19 has affected the economy such as the industry which has a huge impact on the creation of job opportunities to citizens.

### **The Right to Just and Favorable Conditions of Work**

187. The Labor Proclamation No. 1156/2019, enacted in the reporting period, includes rules on minimum wage. According to the legislation, the government has gone a step forward to establish a Wage Board which shall comprise representatives of the government, employees and trade unions together with other stakeholders that will periodically revise minimum wages based on studies which take into account the Country's economic development, labor market and other considerations.

188. Moreover, the Overseas Employment Proclamation No. 923/2016 and its amendment (Overseas Employment Amendment Proclamation No. 1246/2021) have been enacted with a view to ensure the protection of the rights of Ethiopian migrant workers abroad. Proclamation No. 1246/2021 established Overseas Employment Board which is mandated

to coordinate relevant stakeholders towards strengthening the implementation of overseas employment and ensuring that the rights, safety and dignities of Ethiopians employed overseas are protected. The Board has the power to ensure, in cooperation with relevant authorities, that necessary measures are taken against the violation of Ethiopian workers' rights and abuse in the receiving countries.

189. The Ministry of Labor and Skills is mandated by Proclamation No. 1263/2021 (Definition of Powers and Duties of the Executive Organs Proclamation) to monitor and follow up the proper implementation of labor laws. The Ministry has adopted a directive (Directive No. 45/2021) about conditions for private employment agencies to participate in local employment services in a manner consistent with the rights of workers.
190. In 2019, inspection and follow-up works on 1704 employment agencies has been conducted. In the year 2016 the inspection and follow up activity was conducted only on 543 employment agencies. The inspection and follow up work benefited the Ministry to check whether the agencies are respecting the rights of workers as per the law.

### **The Right to Safe and Healthy Working Conditions**

191. Proclamation No.1156/2019 imposes obligation on the employer to raise awareness of employees whenever an enterprise has a work rules. This, in addition to building their capacity, keeps the employees from occupational accidents and occupational diseases.
192. Additionally, the Proclamation introduced a new legal regime to regulate workplace sexual harassment and sexual violence. Employees that have suffered sexual harassment or sexual violence are entitled to terminate their contracts without notice, and will also be eligible for severance payment and compensation. The law provided a higher amount of compensation payment for employees who are forced to terminate their contract for reasons of sexual harassment and sexual violence.
193. The Federal Civil Servants Proclamation No. 1064/2017 prohibits assigning a pregnant civil servant to a position other than the position she assumed through recruitment or promotion; provided, however, that where so recommended by a medical certificate due to the risk to her health or to the fetus, she shall be transferred to another position or place of work.
194. Similarly, it imposes duty on every government institution to ensure that its working environment is conducive to civil servants with disabilities, provide them with the necessary tools and materials and train them how to use such tools and materials. Furthermore, every

government institution has responsibility to assign a person who shall provide proper assistant for those civil servants with disability that requires assistance.

### **Equal Opportunity and Affirmative Action**

195. According to the Federal Civil Servants Proclamation No. 1064/2017, women, persons with disabilities, and nations, nationalities and peoples having lesser representations within a government institution are entitled to affirmative actions in recruitment, promotion, transfer, redeployment, education and training. The same law obliges government institutions to take affirmative actions that enable female civil servants improve their competence and to assume decision making positions. Moreover, any government institution may not discharge a female civil servant by way of retrenchment during her pregnancy or within four months after delivery.
196. In relation to protection of minority rights, as per the Federal Civil Servants Proclamation No. 1064/2017, the placement of personnel in a government institution shall take into account fair representation of nations, nationalities and peoples of the Country.
197. Proclamation No.1156/2019 also requires employees with disability, regardless of how the disability was acquired, not to be subjected to reduction prior to others.

### **Trade Union Rights**

198. Proclamation No. 1156/2019 maintained the existing workers right to form trade unions, federations and confederations. Additionally, social dialogue arrangements, in which trade unions can conduct for information exchange, dialogue or negotiation of bilateral or tripartite nature with employer or the government, is established on economic and social issues of mutual interests towards arriving at common understanding.
199. The same law obliges the employer to deduct trade union dues from the employee's regular wage, and transfer the cash into the trade union's bank account, if so requested by the employee. This arrangement is set to help the employees to easily support and strengthen their trade union.

### **The Right to Social Security of Employees**

200. The Private Organization Employees' Pension Proclamation No. 1268/2022 is enacted with a view of strengthening and improving private organization employees' pension scheme and pension fund to ensure its reliability and sustainability.

201. Additionally, Private Organization Employees' Social Security Administration Council of Ministers Regulation No. 523/2022 has been enacted. The Regulation established an autonomous federal government institution called Private Organization Employees' Social Security Administration. The objective of the Administration is to strengthen and extend the coverage of employees' pension scheme, to ensure the sustainability and reliability of the pension fund and enhance the benefits of pensioners through adjustment of pension benefits. Moreover, Directive No. 002/2022 (Directive on Private Organization Employees Provident Fund Administration) and Directive No. 001/2022 are also enacted to ensure the rights and interests of private organization employees in relation to pension. As of May 2022, the number of private organization employees who are beneficiaries of the pension scheme were 44,896.
202. Similarly, the Proclamation to Provide Public Servants Pension (Proclamation No. 1267/2022) has been enacted to ensure the sustainability and reliability of the public servant's pension fund through investment in a transparent governance system. It is part of the Country's social protection policy to expand the social insurance system and reach to citizens step by step. As of July 2023, the number of civil servants who are beneficiaries of the pension scheme were 273, 948.

### **Rest, Leisure and Limitation of Working Hours**

203. Proclamation No.1156/2019 extends existing maternity leave from 90 consecutive days to 120 consecutive days; 30 consecutive days of pre-natal leave with pay and a period of 90 consecutive days of post- natal leave. Furthermore, the law introduced, for the first time, paternity leave of three consecutive days for male employees. The new Proclamation has also increased employee's annual leave days from 14 working days on the first year of service to 16 working days.
204. According to the Federal Civil Servants Proclamation No. 1064/2017, a pregnant civil servant is entitled to a period of 30 consecutive days of prenatal leave preceding the presumed date of her confinement and a period of 90 consecutive days after her confinement, in total 120 days of maternity leave with pay which was in total 90 days in the previous proclamation. The same law, when confirmed by medical certificate, entitles every female civil servant, to leave with pay for the time spent in the follow up of medical treatment of her child who has not attained the age of one year. Likewise, any female civil

servant who encounters a miscarriage is entitled with leave with pay. Any male civil servant is also entitled a paternity leave with pay for 10 working days at the time of his wife's delivery.

### **Protection of Young Workers**

205. Proclamation No.1156/2019 has increased the minimum working age. It rose the minimum working age from fourteen years of age to fifteen while maintaining the list of activities prohibited to young workers. Directive No.181/2021 is also enacted to prescribe the list of activities prohibited for young workers. Works related to electric power generating stations, to deep mineral extraction, working in extreme hot or extreme cold environment, jobs that expose young workers to harmful radiation and poisonous chemicals are among the listed prohibited activities.

### **Court decisions**

206. A number of remarkable court decisions were also handed down during the period under review. *In the case Israel v Commercial Bank of Ethiopia*, as per Proclamation No.1156/2019, the Federal Supreme Court Cassation Division decided that employer and workers can set, in their collective agreement, fair and efficient dispute resolution mechanism to resolve their work related disputes without applying the case to court.

207. In the case between *Abraham De'a v Federal Supreme Court*, as per Proclamation No. 1064/2017, the same court decided that unless a decision of dismissal is rendered against a suspended civil servant, the salary withheld during the suspension period shall be paid to him. This decision of the court reaffirmed that employers have no any right to affect the interest of their employees by simply stating unreasonable grounds which have no legal basis.

208. In another case *Edget Tesfa Hulegeb Limited Partnership v Aboye Lemessa et al*, the Cassation Division of the Federal Supreme Court decided that if, in the case of imminent danger threatening the worker's safety or health, the employer, having been made aware of such danger, failed to act within the time limit in accordance with the early warning given by the competent authority or appropriate trade union or the worker himself to avert the danger, it shall be a good cause for a worker to terminate a contract of employment without notice.

209. The above illustrated court decisions, apart from the policy, legislative and administrative measures, show that the Government of Ethiopia has been striving to respect and protect the rights of workers in Ethiopia.

## Article 16. The Right to Health

210. The FDRE Constitution under Article 90 imposes an obligation on the State that, to the extent the Country's resources permit, policies shall aim to provide all Ethiopians access to public health. Article 41(4) also states that the government has the obligation to allocate ever-increasing resources to provide for public health services.
211. The Government has given high priority to health for which it is allocating ever-increasing resources to the sector with the view to realizing the right to health. Several measures were undertaken to enhance health financing and improve the coverage and quality of health services. To mobilize resources for health and protect people from financial hardship, the government implemented several interventions including provision of a fee waiver for high-impact interventions through an exemptions program; subsidization of more than 80% of the cost of care in government health facilities; implementation of CBHI schemes; and full subsidization for every poor through fee waivers both for health services and CBHI premiums.
212. According to the 2019/20 National Health Accounts (NHA) report, per capita health expenditure was 36.3 USD. Compared to the previous years, the NHA 2019/20 result shows that there have been improvements in health financing over the years, but it remains a major challenge for the health system. The proportion of the government's total health budget from the total government annual budget was 13.8% in 2022, which is higher than the previous year by 0.6 percentage points.
213. The revised Health Policy (2016) bases on equity and inclusivity, quality and excellence, sustainability and self-reliance, information-oriented decision-making, transparency and accountability and multi-sectoral collaboration principles.
214. Efforts were undertaken to strengthen the regulatory system for food, medicine, traditional medicines, equipment and supplies, health professionals, and health and health-related facilities. A number of proclamations, regulations, and legal frameworks were developed and implemented, including Food and Medicine Administration Proclamation No. 1112/2019 and Tobacco Control Directive No. 771/2021.

### **Access to Quality Health Services**

215. Ethiopia has made significant efforts to make high-quality essential health services available, accessible, acceptable and affordable to the community. Health policy revision, national quality strategy, national health equity strategy, provision of exempted services to all citizens free of charge regardless of the level of income, fee waiver to economically affected communities and community-based health insurance are examples of designed and implemented strategies to access quality health services to all citizens.
216. Quality and equity are the priority areas of the Country's health system. It is aspiring to improve the provision of quality and equitable services to the population. A national quality and equity strategy towards achieving narrowing health disparities is being developed and equity and quality are mainstreamed in all health programs with regular measurement and improvement. The Essential Health Services Package (EHSP) was revised in 2019 to include interventions that were not included in the 2005 EHSP.
217. Ensuring equity in the delivery of quality health services by creating high-performing primary health care units, ensuring active engagement of the community in service delivery and continuously improving clinical care outcomes was one of the agendas of the Ethiopian Health Sector Transformation Plan (HSTP) I (2015/16 - 2019/20) and HSTP-II (2020/21 - 2024/25). Enhancing the provision of equitable and quality comprehensive health service is also one of the 14 strategic directions under HSTP-II. The strategy focuses on enabling all people to have a long life and a good quality of life. In addition, the objective embraces the inclusion of all segments of the population, irrespective of gender, age groups, places of residence, geographical areas, level of economic status, education or other equity dimensions. It aspires to the goal of never leaving anyone behind.
218. The National Quality Strategy (NQS) (2015/16- 2019/20) focuses on ensuring reliable, excellent clinical care, protecting patients, staff, and attendants from harm, and improving the efficiency of the delivery of care, while increasing access, equity, and dignity of care for Ethiopians. NQS prioritized five major areas: RMNCH, nutrition, communicable diseases, NCDs, clinical services, and surgical services.



219. The National Health Equity Strategy (2020/21-2024/25) reflects equal access to essential health services for equal needs, equal utilization for equal needs and equal quality of care for all Ethiopians by 2025. Four emerging regions and seven suboptimal performance zones are included in this program. Special support interventions, with technical and financial support, have been implemented in the last couple of years and the effectiveness of this support was evaluated and the results shared with stakeholders. Currently, service improvement initiatives are implemented in the special support areas with financial support to improve service coverage and quality.

220. In order to standardize the delivery of mobile health services, an implementation guideline entitled 'Health system strengthening and equity monitoring and evaluation guideline' is drafted. Various capacity-building trainings have been provided to health workers and health development army members in the selected special support regions and zones.

221. Measures have been taken to make health services accessible in the rural parts of the Country. Among the measures taken to provide access to health services in rural parts of the Country far away from urban centers is to make health posts accessible in all *kebeles*, increasing the number of health centers and increasing the number of primary hospitals are worth mentioning. In addition, a 15-year health extension improvement roadmap has been implemented since 2021 to further improve and make the health extension program more accessible.

222. In this way, in order to enable the people who are far away from health centers or primary hospitals to get basic health services at a close distance, the health posts in these areas have been organized with additional manpower and resources to provide quality health services to the people in their area. The number of health facilities has increased significantly as well as the number of health posts increased from 15,525 in 2015 to 17,457 in 2022; the number of health centers increased from 3,317 in 2015 to 3,587 in 2022 and the number of hospitals increased from 214 in 2015 to 343 in 2022. Most of these hospitals (227) are primary-level hospitals providing services in rural areas.

223. Exempted health services have been provided to all citizens free of charge regardless of level of income. It has a public health nature widely affecting the general public and

has a substantial contribution to improving the health-seeking behavior of society. In line with exempted service provision, health facilities were implementing exempted services such as immunization, antenatal care, postnatal care, delivery, treatment of tuberculosis, HIV and malaria, epidemic prevention and control and other public health services.

224. A fee waiver is one of the options the government of Ethiopia implemented to a household or an individual which enables them to obtain health services in public health facilities without direct charge to ensure equity of access to health services by economically affected communities.

225. CBHI is also one of the major health financing strategies to avoid financial risk to the population and progress toward universal health coverage. The implementation of health insurance-related initiatives mainly focuses on improving the utilization of equitable and quality health services. CBHI implementation has been expanded to 894 (84%) *woredas* throughout the Country. More than 9.8 million households were members of CBHI and the proportion of households that are CBHI members has increased from 61% in 2021 to 66% in 2022. Regarding the social insurance system, the social insurance communication strategy was developed and approved and the social insurance proclamation was revised.

### **Health Infrastructure, Human Capital and Leadership**

226. Ethiopia has been working towards the expansion of health infrastructure over the past few decades and encouraging results were achieved. In order to expand health infrastructure, the Country has been engaged in the construction of new health infrastructures and rehabilitation of the existing ones. The health infrastructure program mainly includes activities such as providing adequately equipped, staffed and regulated health facilities, making the health facilities customer-friendly and with standard layout, sustainable facility and equipment maintenance and IT-supported.

227. Ethiopia has also invested in human resource development and management in parallel to the intensive expansion of infrastructure for the last two decades that has resulted in improved health service coverage with better numbers and distribution of health workforce. As a result, the ratio of physicians to population public facilities increased from 1 to 9979 in 2020 to 1 to 8352 in 2021, and 1 to 7576 in 2022.

228. To improve the quality of health professional education, the Country is working actively to accredit private health education institutions. A Certificate of Competence (COC) program was developed based on Ethiopian occupational standards, serving as a criterion for licensing graduates of technical vocational education training-level trainees. It also implemented a National Licensing Examination to measure their competencies and issue licenses accordingly. To address the need for continuous professional development, the national Continued Professional Development (CPD) implementation guidelines were developed and implemented. The CPD program is expected to become a requirement for re-licensing of health workers.

### **Reproductive Health**

229. The National Family Planning Guideline was revised in 2020 to provide guidance on family planning service provision and to outline clear roles and responsibilities of family planning service provision at all levels of the health system. The guideline emphasizes family planning integration with other services, provides guidance to the level four health extension worker (L4HEW) to provide long-acting family planning services, which will play a significant role in expanding long-acting family planning (LAFP) service, and focuses on the roles and responsibilities of the private sector on family planning service provision.

230. One of the key priorities of the national family planning program is to improve the provision of quality family planning services. Accordingly, National Family Planning (FP) quality standards are implemented. Implementation of FP quality standards has improved the contraceptive method mix and provision of counseling information before providing contraceptives. In order to expand the implementation of FP quality standards, renovation is being undertaken in some regions.

231. In order to reduce the unmet need for family planning, the government integrated family planning services with other health services. The national FP program has developed a Family Planning Service Integration guideline so that FP service can be provided integrated with immunization, abortion, and other services at health facilities. This will contribute to women's well-being by addressing a wide range of health needs and offering the convenience of receiving multiple services at a single visit.

232. Family Planning 2030 commitment was launched with the primary aim of increasing access to and utilization of voluntary family planning. Moreover, strengthening the logistics

management information system also played a pivotal role in ensuring the provision of a full method mix. To increase the political will and engagement in the family planning program, a discussion on the importance of strengthening domestic financing was held with parliamentarians on budget allocation.

233. The health sector has developed the third Reproductive Health Strategic Plan (2021-2025) and one of its strategic directions is to improve demand, access and utilization of quality family planning services. Family planning services are available in almost all public health facilities in Ethiopia, ranging from 99% in health centers to more than 93% in general and referral hospitals and about 82% in private health facilities. According to the 2019 mini Ethiopian Demographic Health Survey (EDHS), knowledge of contraceptive methods is virtually universal in Ethiopia, with 96% of currently married women aged 15-49 knowing at least one method of contraception. In 2019, 41% of married Ethiopian women were using contraception compared to 35% in 2016.



Trends in contraceptive use (2020 to 2019 EDHS)

## Maternal Health

234. Numerous measures have been taken to increase antenatal care (ANC) from a skilled provider, including skilled care during pregnancy, childbirth, and the postpartum period, which reduced maternal and neonatal morbidity and mortality. ANC continued to four or more visits, which facilitates the provision of essential evidence-based interventions for both the mother and the newborn and an opportunity to provide counseling services to the mother. Pregnancy care is received from skilled providers, such as doctors, nurses/midwives, health officers, and health extension workers. The national routine health report shows in 2021/2022, 69% of

pregnant women attended four or more antenatal care visits. EDHS 2019 report showed that the proportion of women aged 15-49 who received ANC from a skilled provider has increased over time, from 62% in 2016 to 74% in 2019. The proportion of women with the recommended four or more ANC visits increased from 32% in 2016 to 43% in 2019.

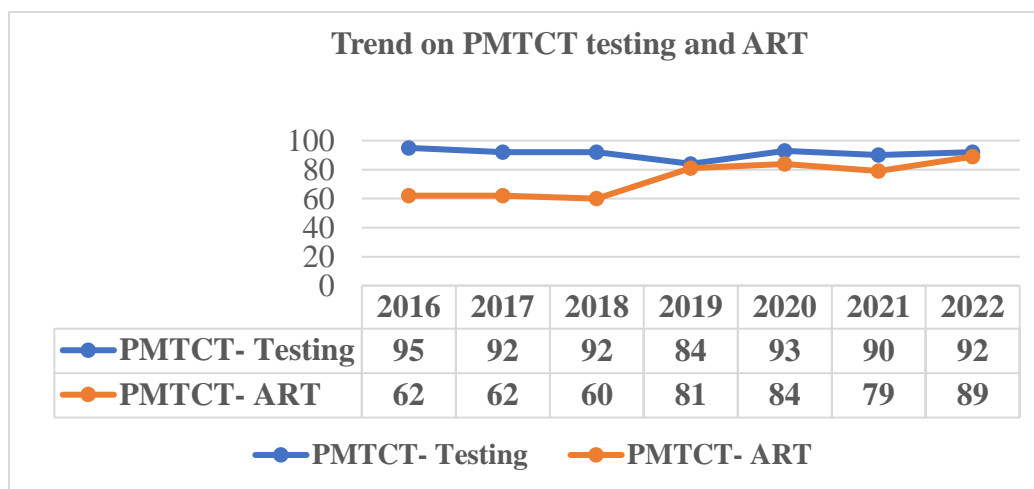
235. The national routine health report shows in 2021/2022, more than 68% of women received delivery service from skilled personnel at health facilities. The change in the percentage of deliveries assisted by skilled health personnel was mainly attained by building the community health development army to carry out in a coordinated manner during the summer “*Kiremt*” time by facilitating institutional delivery and creating a comfortable environment in health facilities for pregnant mothers and their babies by building appropriate accommodations in health facilities.

236. In order to strengthen the basic emergency management of obstetric and neonatal care services, basic obstetric and gynecologic medical equipments were provided to 500 health centers and 55 hospitals. Furthermore, additional operation room supplies were also distributed to 55 hospitals. On the other hand, a total of 548 health professionals were trained in basic emergency management of obstetric and neonatal care. According to EDHS, institutional deliveries increased from 26% in 2016 to 48% in 2019. During the same period, there was a sharp decline in home deliveries 73% in 2016 to 51% in 2019.

237. Testing pregnant and lactating women for HIV is the key entry point to prevention of mother-to-child transmission of HIV (PMTCT) and other HIV care and treatment services. In 2021/2022, more than 92% of pregnant and lactating women were tested for HIV to know their status. The performance is more than the previous year by 2%. The majority of women (80%) were tested during pregnancy, while 18% were tested during labor and delivery and 2% were tested during the early postpartum period. In 2021/2022, 89% of HIV-positive pregnant and lactating women were receiving ART (antiretroviral therapy). From the total positives, 63% were known HIV positives who were linked from ART to PMTCT, while 37% were newly identified positives during ANC, labor, and delivery and the early PNC (prenatal care) period.

238. A national Triple EMTCT of HIV, Syphilis, and Hepatitis B Virus Strategy was launched, and national PMTCT guidelines and PMTCT training manuals were revised,

making the total early infant HIV diagnosis (EID) sites 149 nationally among the major achievements. According to the national routine health report (DHIS-2), PMTCT ART service coverage increased from 62% in 2016 to 79% in 2021 and 89% in 2022.



#### Trends on PMTCT testing and ART (2016 to 2022)

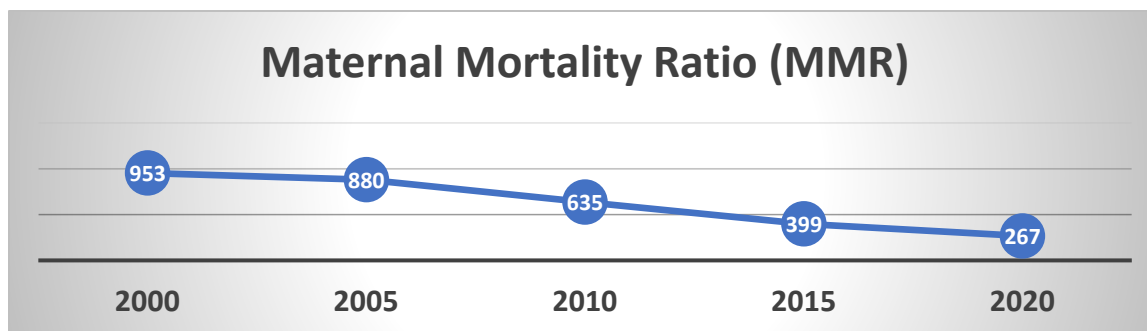
239. Improving reproductive and maternal health through the provision of equitable and quality comprehensive reproductive and maternal health services is one of the key strategic programs in Ethiopia. Different strategic documents and guidelines were prepared for maternal health programs including the Reproductive Health Strategic Plan (2021-2025), the National Strategic Plan for Elimination of Obstetric Fistula (2021-2025), the Antenatal Care Guideline and Obstetric Protocols for health centers and hospitals.

240. The performance of major health programs has improved as seen by an increase in the utilization of certain health services. For instance, skilled birth delivery has increased from 26% in 2016 to 48% in 2019. The mean availability of tracer items for basic emergency obstetrical care (BEMOC) stands at more than 85% for hospitals, 74% for health centers (HCs) and 55% for higher-level clinics. Access to safe abortion services and post-abortion care has also expanded.

241. Ethiopia introduced the Maternal and Perinatal Death Surveillance and Response (MPDSR) system eight years ago and information is collected on a weekly basis through the public health emergency management (PHEM) reporting system. The goal

is to reduce preventable maternal and perinatal mortality through continuous action and surveillance. Even though this is a low performance, the proportion of maternal deaths notified through the MPDSR system has increased over the past few years from 1% in 2011 to 7% in 2021 and to 11% in 2022.

242. Ethiopia is among the countries with good progress in reducing maternal mortality. According to WHO, UNICEF, World Bank Group, and UNBESA Population Division report, maternal mortality ratio (MMR) has dropped from 399 in 2015 to 267 in 2020 per 100,000 live births. According to estimates by the UN Inter-Agency Group (UN-IAG), substantial declines in maternal deaths have been achieved over the last two decades. Among other remarkable changes, the total fertility rate has declined from 4.5 children in 2016 to 4.3 in 2018 and 4.2 children per woman in 2021 (World Bank).



Maternal Mortality Ratio (2000 to 2020)

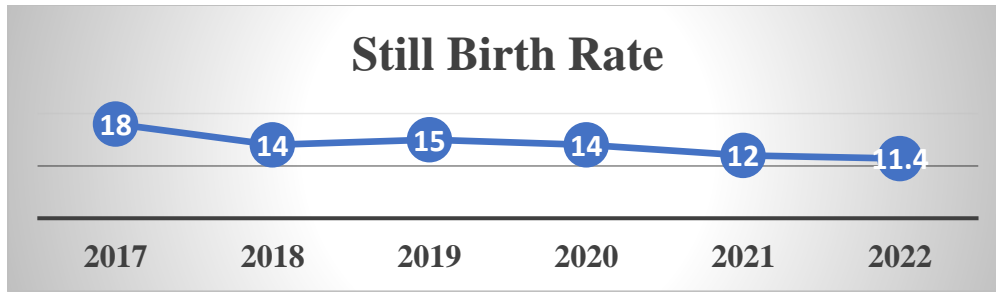
### Child Health

243. The second health-sector transformation plan (HSTP-II) targeted the reduction of under-5 mortality rate to 44, infant mortality rate to 36, and neo-natal mortality rate to 21 per 1000 live births by the end of 2024/25. To achieve these targets, Ethiopia has designed and implemented high-impact interventions. The key neonatal and child interventions have been expanded and implemented at community and health facility levels. The major interventions include: strengthening and scaling up of community-based integrated management of new-born and childhood illness

(ICMNCI), strengthening implementation of integrated management of new-born and childhood illnesses (IMNCI), strengthening and expansion of essential new-born care (ENBC) services, strengthening and expansion of neonatal intensive care unit (NICU) services, launching and scaling up of early childhood programs and others.

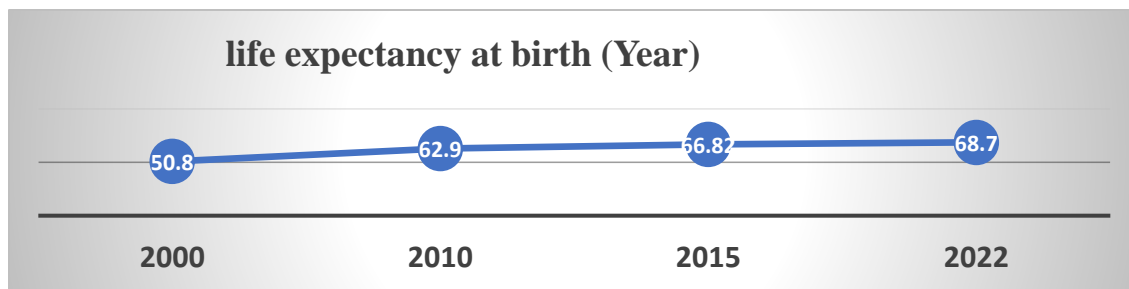
244. In 2021/2022 more than 93% of health posts provided community-based management of newborn and childhood management service, and more than 96% of health centers provided integrated management of newborn and childhood illnesses service. Meanwhile, Newborn and Child Survival and Wellbeing Roadmap 2030 was finalized and endorsed and an advanced neonatal care reference manual was prepared.
245. Early Childhood Development (ECD) Intervention was initiated in 2019 and a five-year strategic plan entitled “National Health Sector Strategic Plan for Early Childhood Development in Ethiopia” is developed for the period 2020/21 to 2024/25, with a goal of ensuring that all children receive the nurturing care to reach their potential. The national neonatal and child health and development strategy has been also revised.
246. In order to reduce morbidity and mortality in neonates and children, early diagnosis and treatment of childhood illnesses were provided. Specifically, treatment for the major causes of morbidity and mortality among children under 5 years of age including pneumonia, diarrhea, prematurity, and birth asphyxia was provided. In 2021/2022, 92% of under 5 children with expected diarrhea received treatment with ORS and zinc, and the performance was better than the previous year. Regarding the treatment of pneumonia in under 5 children, 65% of children with expected pneumonia received treatment with antibiotics. In 2021/2022, the national still birth rate was 11.4 deaths per 1000 births attended. It is lower than the previous year. Compared to the previous year there has been good progress at the national and sub-national/regional levels. According to the national routine health report, still birth rate has progressively decreased over the last 6 years, from 18 in 2017 to 11.4 in 2022 out of 1000 live births.





Trends in stillbirth rate (2017 to 2022)

247. According to a WHO report, Ethiopian life expectancy at birth increased from 66.82 years in 2015 to 68.7 years in 2022 and the plan was to reach 68 years. Despite encouraging improvements in life expectancy at birth, premature death and suboptimal quality of life still constitute major health and development challenges in Ethiopia.

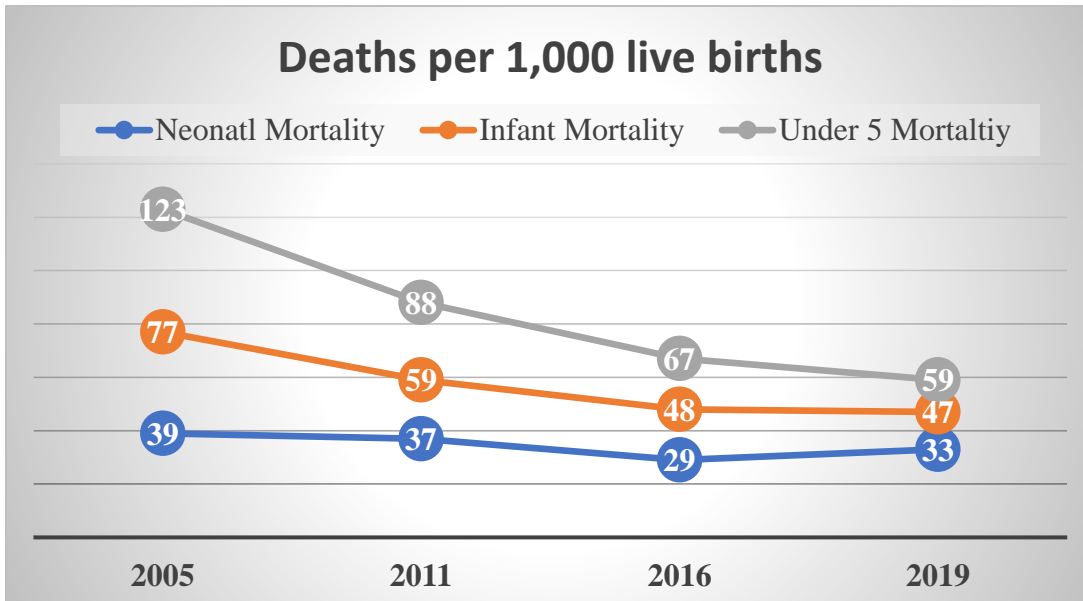


Trends in life expectancy at birth (2000 to 2022 WHO)

### Infant and Child Mortality

248. Ethiopia registered remarkable achievements in reducing child mortality and improving other outcome key indicators. Results from the Ethiopian demographic health surveys showed that under-5 mortality declined from 67 deaths per 1,000 live births in 2016 to 59 deaths per 1,000 live births in 2019. Over the same period, infant mortality declined from 48 deaths per 1,000 live births in 2016 to 47 deaths per 1,000 live births in 2019, and neonatal mortality declined from 29 deaths per 1,000 live births in 2016 to 33 deaths per 1,000 births in 2019. The Country targeted a reduction of the under-5 mortality rate to 44, the infant mortality rate to

36, and the neonatal mortality rate to 21 per 1000 live births by the end of 2024/25.



Trends in early childhood mortality rates (2005 – 2019 EDHS)

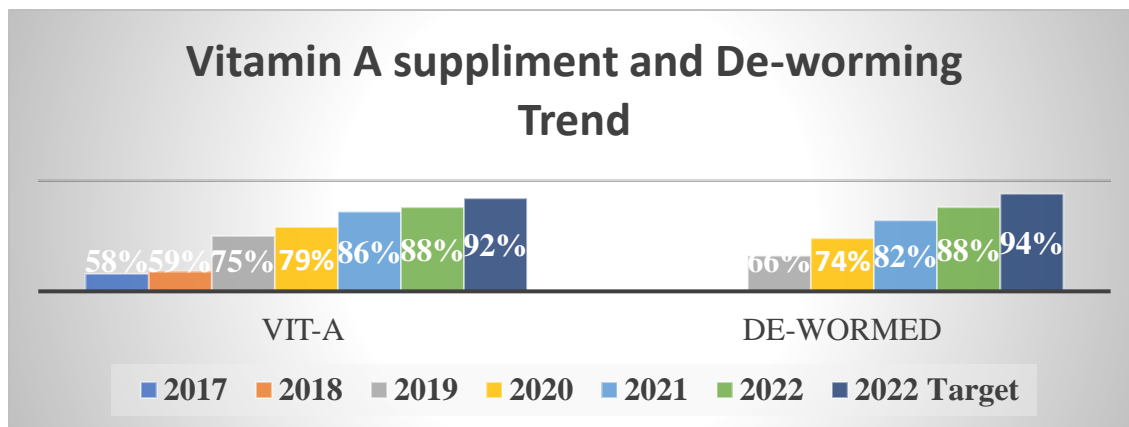
## Nutrition

249. In the past many years, Ethiopia has been implementing different strategies and programs to ensure food and nutrition security and improve the nutritional status of the population. The Food and Nutrition Policy was approved in 2018 and a ten-year National Food and Nutrition Strategy was developed for the period 2021 to 2030. The Strategy is under implementation intending to improve and attain optimal nutritional status at all stages of life span and conditions to a level that is consistent with quality of life, productivity and longevity.

250. Growth monitoring and promotion services were one of the nutrition-specific interventions implemented in Ethiopia. More than 2.7 million (55%) children under 2 years of age have received growth monitoring and promotion services in 2021/2022. The performance is higher than the 51% in 2020/2021 but lower than the 59% plan for the year.

251. Biannual supplementation of Vitamin A to children aged 6-23 months of age is a key nutrition intervention to eliminate Vitamin A deficiency and its consequences. According to the national health report in 2021/2022, more than 11.8 million (88%) children aged 6-23 months have received two doses of vitamin A supplementation. The performance is higher than the baseline but lower than the 92% plan for the year.

252. Supplementation with Albendazole (de-worming) is a critically important intervention for the prevention of anemia in children and it has an impact on reducing child mortality. De-worming is provided for children aged 24-59 months, twice a year. In 2021/2022, more than 8.9 million (88%) children aged 24-59 months received biannual de-worming services. The performance is higher than the baseline but lower than the 94% plan for the year.



The proportion of children who received 2<sup>nd</sup> dose of vitamin and de-wormed (2017-2022).

253. *Seqota* Declaration (SD) is another initiative of the government of Ethiopia with high-level commitment to end stunting in children less than two years old by 2030. The *Seqota* Declaration builds on and accelerates the implementation of the food and nutrition strategy. It has a 15-year roadmap with three phases. The innovation phase (2016-2020) focused on the implementation of priority nutrition-specific and nutrition-sensitive and infrastructure intervention packages. It is implemented in 40

*woredas*. The expansion phase (2021-2025) builds on learnings from the innovation phase. Launching of the expansion phase was conducted for an additional 200 *woredas* to the existing 40 *woredas*, making the total SD *woredas* 240. At the end of this phase, the plan is to increase the number of SD implementing *woredas* to 700. The national scale-up phase (2026-2030) involves full-blown implementation of evidence-based, innovative, and socially sensitive multi-sectoral interventions. It will include previously unreached *woredas*.

254. With the implementation of the different strategies and programs, promising achievements in improving the nutritional status of the population were registered, though more efforts are required to further reduce the problem. Stunting among under-5 children has decreased from 38% in 2016 to 37% in 2019. The prevalence of wasting and being underweight has also been reduced from 10% and 23% in 2000 to 7% and 21% in 2019, respectively. Even though malnutrition has decreased over time in Ethiopia, the problem is still high. According to the 2023 national food and nutrition strategy baseline survey and preliminary report, 39% of children under five years of age are stunted, 11% wasted, 22% underweighted and 6% overweighted.

### **Immunization/Vaccination against Major Infectious Diseases**

255. The Ethiopian expanded program on immunization provides different vaccines to children and other groups of the population. The EPI program is conducted routinely through different modalities: static, mobile, outreach campaigns, periodic intensified routine immunization (PIRI), and other approaches. The immunization program is one of the high-impact interventions that contributed to the reduction of mortality and morbidity in under five years children. In the past five years, notable achievements were registered in improving routine immunization program coverage, addressing equity, and improving cold chain management.

256. Different strategies have been implemented to address performance disparity and equity at *woreda* levels. Periodic intensified routine immunization (PIRI) strategy was

one of the strategies designed to address the challenges of low-performing *woredas*. In 2019, coverage with three doses of the pentavalent vaccine and all basic vaccines among children under 1 year of age reached 61% and 44%, respectively (EDHS 2019). In 2021/2022, the Country vaccinated 86% of 14-year-old girls with the human papilloma virus vaccine, COVID-19 vaccination provided to more than 55% of the target population. Catch-up vaccination was conducted in conflict-affected areas, IDP sites, and drought-affected areas. Tetanus Toxoid (TT) vaccine was replaced by tetanus-diphtheria (Td) vaccine with the rationale of providing dual protection for both tetanus and diphtheria, Switching from two doses of Pneumococcal conjugate vaccine (PCV 10) to four doses of PCV 13 vial, and introduction of new life-saving vaccines such as Inactivated Polio Vaccine (IPV), Human papillomavirus (HPV) to girls aged 9 years, second dose of measles in the routine immunization program introduced to improve the performance and address children who missed measles-containing-vaccine first-dose (MCV1). Successful integration of vaccine supply management into the Integrated Pharmaceuticals Logistics System has been also performed.

257. In 2020/21-2024/25 it is targeted to strengthen the vaccine supply chain in order to implement effective vaccine management strategies at all levels, enhance and sustain the accelerated vaccine-preventable diseases control, elimination, and eradication initiatives, introduce and rapidly scale up new vaccines into the immunization program and strengthen surveillance, detection, and communication for vaccine-preventable diseases and adverse events following immunization, to rapidly detect and respond to outbreaks, enhance immunization safety, improve management of outbreaks, and diminish incidence of adverse events. There has been steady progress in Expanded Programme on Immunization (EPI) coverage over the years. The percentage of children aged 12-23 months who received all basic vaccinations increased from 20% in 2005 and 24% in 2011 to 39% in 2016 and 44% in 2019. Also, the

proportion of children with no vaccinations decreased from 24% in 2005 to 19% in 2019 (EDHS).

## **Prevention and Control of Major Communicable Diseases**

258. Ethiopia has registered commendable achievements on Millennium Development Goals (MDGs) mainly in combating HIV, TB, and malaria. In the last two decades, morbidity and mortality from common communicable diseases such as HIV, drug-susceptible TB, malaria, and vaccine-preventable diseases like measles have decreased.

### **HIV/AIDS Prevention and Control**

259. Ethiopia has been implementing HIV prevention and control programs for the last many years, in order to prevent the further spread of HIV, and to increase accessibility to HIV care, treatment, and support for people living with HIV. The Country achieved better performance on the second and third 90's on 2020 90-90-90- targets for HIV and switched to 95-95-95 targets to achieve by the end of 2025.

260. A National HIV/AIDS Strategic Plan for the years 2021-2025 has been developed with the goals of attaining HIV epidemic control and reducing new HIV infections and mortality due to AIDS. The major strategic initiatives intensify combination prevention interventions (structural, biomedical and behavioral) targeting key and priority populations and high incidence geographic localities, scale up pre-exposure prophylaxis for population groups at substantive risk and experiencing high levels of HIV incidence and strengthen post-exposure prophylaxis, strengthen case finding through targeted HIV testing, especially for key and priority populations, using innovative approaches (such as index case testing, partner notification, social network services and HIV self-test) and expand the service to health posts and community level, implement fast-track cities initiative against HIV, strengthen implementation of ART regimen optimization and rollout of third-line ART treatment, expand and strengthen viral load testing services and strengthen HIV prevention

and control mainstreaming and social enablers that includes gender based violence prevention and mitigation, economic empowerment of women, elimination of stigma and discrimination, empowerment of communities to respond to the HIV program.

261. The Country has been implementing various HIV prevention and control interventions including HIV testing and counseling services, STI prevention and treatment, HIV care and treatment interventions, TB/HIV collaborative interventions, pre-exposure and post-exposure prophylaxis services, multi-sectoral HIV/AIDS response interventions, and others.

262. In order to improve HIV case identification and link the identified positives to HIV care and treatment services, the government started an initiative called Replicate Operation Triple A (RoTA) initiative in 2020/2021 and strengthened in 2021/2022. It focuses on high-risk individuals so that the positivity yield can be higher and contribute to the better performance of case identification. Among the total individuals tested by the ROTA initiative, the positivity yield was 1.2%, which is more than double the yield by the routine HIV testing and counseling service. The “HIV risk screening tool” was revised. In 2021/2022 HIV self-test service was provided and 148,797 self-test kits were distributed.

263. As part of the response to the HIV epidemic, various multi-sectoral response interventions were provided. Some of these interventions include care and support for orphans and vulnerable children, care and support for People Living with HIV/AIDS (PLHIVs), support for vulnerable women, HIV prevention for school youth, condom distribution, and others. Orphan and Vulnerable Children (OVCs) were supported with food and education support. In 2021 and 2022 food and education support were provided for 317,079 OVCs and 415,230 OVCs, respectively. Regarding support to PLHIVs, 132,714 PLHIVs received food support.

264. From the total estimated adult PLHIVs, 84% of the estimated adult PLHIVs were receiving ART while only 35% of estimated children under 15 years of

age were receiving ART. Routine viral load tests have been performed on PLHIVs on ART at standard intervals following ART initiation to monitor virologic response to ART. In 2021/2022 78% of the total PLHIVs then on ART were tested for viral load.

## **Tuberculosis Prevention and Control**

265. In Ethiopia, tuberculosis (TB) is one of the major public health problems. The Country has identified and implemented high-impact interventions in line with global strategies. The successful implementation of the TB prevention and control program has resulted in significant achievements in reducing morbidity and mortality due to tuberculosis. TB incidence and mortality due to TB have dramatically decreased over the past years and Ethiopia was removed from the multidrug-resistant tuberculosis (MDR-TB) high-burden countries list in 2019/20. Ethiopia has expressed commitment to end the TB epidemic by 2035 by endorsing the END TB strategy.

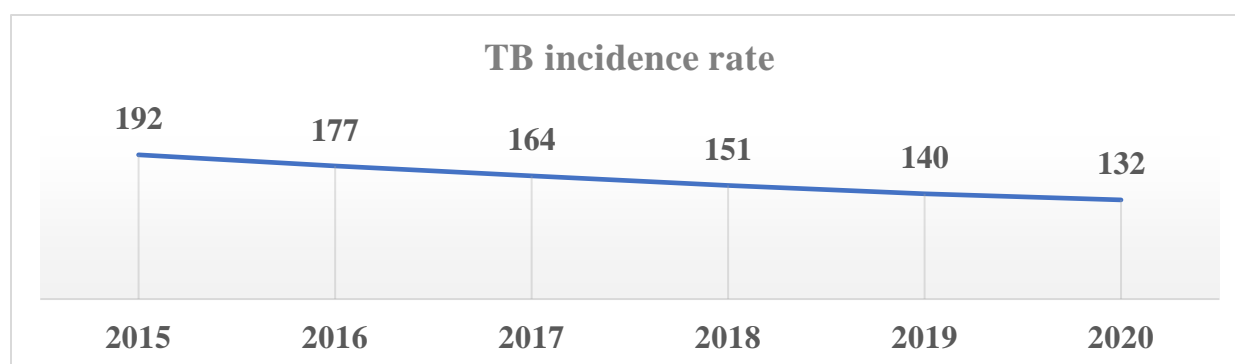
266. The Country revised the National TB Strategic Plan that spans the period between 2021/22 to 2025/26. The strategic plan aims to end the TB epidemic by reducing TB incidence to 91, mortality due to TB to 7 per 100,000 population, and reducing families facing catastrophic costs due to TB to  $\leq$  25% by addressing gaps across the patient pathway, preventing infection and active disease, provide people-centered equitable quality services, enhance bold policies and supportive systems and generate and use strategic information and research outputs. Enhanced community-based TB prevention and control implementation guidelines and clinical and programmatic management of TB, TB/HIV, DR-TB, and leprosy were revised.

267. The major strategic initiatives on TB prevention and control are; to enhance implementation of integrated, patient-centered TB prevention and care (shift from a TB control to Ending the TB epidemic mode), strengthen TB case finding, contact tracing and screening services, strengthen TB/DR-TB diagnostic services, enhance provision of community TB screening and treatment support services, engage private facilities in TB diagnosis and



treatment services, strengthen and expand TB prevention therapy for HIV+ cases and household contacts, strengthen and expand universal drug susceptibility testing services, strengthen and expand drug-resistant TB treatment initiating and follow up sites, strengthen and expand house-to-house screening and capacity building of clinical and laboratory diagnosis. Moreover, it is also targeted to increase the TB detection rate from 71% to 81%, increase the TB treatment success rate from 95% to 96%, and increase the number of DR TB cases detected from 720 to 1,365 by the end of 2025.

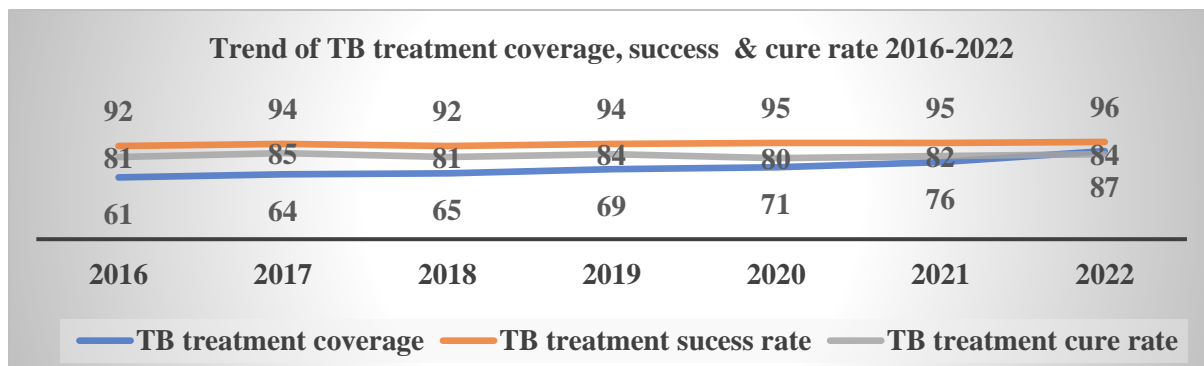
268. Ethiopia is on track to achieve one of the three targets of the Global End TB Strategy. The annual incidence of TB in Ethiopia has decreased over time. The incidence has decreased from 192 cases per 100,000 population in 2015 to 132 in 2020 (World TB Report, 2021), and Ethiopia has already achieved the end TB targets for 2020. Between 2015 and 2020, Ethiopia decreased the incidence of TB by 31.3%. TB case notification has been improving, with a detection rate of 71% in 2019/20.



Trend of TB incidence in Ethiopia, 2015 to 2020

269. Tuberculosis treatment coverage is one of the key indicators in evaluating the effectiveness of TB prevention and control programs. According to the national routine health report, 87% of the total estimated TB cases were treated in 2022. This performance is higher than the performance in 2021. As shown in the Figure below, TB treatment coverage has consistently increased in the last seven years. It has increased from 61% in 2016 to 87% in 2022. TB

case treatment success rate among all forms increased from 92 in 2016 to 96 in 2022 and TB treatment cure rate increased from 81 in 2016 to 84 in 2022.



Trend of TB treatment coverage, success & cure rate 2016-2022 Ethiopia,

### Malaria Prevention and Control

270. Considering the achievements made so far and the global momentum in the fight against malaria, Ethiopia has planned to eliminate the disease by 2030. Accordingly, National Malaria Elimination Roadmap and implementation manuals were developed, and sub-national level elimination was launched in March 2017. Based on the National Malaria Elimination Strategic Plan (2021-2025), the Malaria Elimination Roadmap and implementation manuals that support malaria elimination activities were revised. National malaria diagnosis and treatment guideline, which is in line with the WHO guideline, were also developed.

271. Accordingly, malaria elimination activities are being implemented in 536 *woredas* in the first round and 326 *woredas* in the second round in seven regions of the Country. Monitoring of insecticide susceptibility, survey on geographical distribution and other entomological works have been carried out. Malaria drug stock availability has increased over the years. Different activities have been implemented to bring behavioral change including broadcasting and various spot messages to reach the community. Mortality and morbidity attributed to malaria declined significantly from 2016 – 2019, though morbidity has increased in 2020 and 2022. Death due to malaria has declined

by 54% from 0.71/100,000 population to 0.33/100,000 population at risk between 2017 and 2022. Similarly, the annual parasite incidence has declined by 17% from 35/1000 population to 29/1000 population between 2017 and 2022.

## **Mental Health**

272. Ethiopia has been implementing the Mental Health Gap Action Program (mhGAP) starting from 2012. Mental health specialized hospitals and sub-national/regional health facilities worked collaboratively to increase awareness of the public on mental health. Health center and hospital staffs were trained on mhGAP and mentoring was provided.
273. The Country scales up the integrated mental health service into primary health care by adapting the WHO mhGAP version 2.0 training materials. A national mental health symposium was conducted to start mental health service at the primary health care unit (PHCU) and a national mental health strategy task force was formed. Reports from regions and supervision findings indicated that integrated mental health services increased from 26% in 2019 to 65 % in 2022.
274. To strategically address mental health problems, the (2020-2025) National Mental Health Strategy (NMHS) was launched in July 2021. Mental health promotion, prevention and management of common mental health problems such as depression, bipolar disorder and schizophrenia are among the top priorities. Advocacy, social mobilization, behavioral change communication, strengthening social support, capacity building and expansion of access to medication, psychosocial services and rehabilitation are the prioritized interventions outlined.
275. The limited access to mental health-related information remains a challenge and to overcome this challenge facility- level mental health education material was developed to enhance facility-level health education. Furthermore, substance use problems information and counseling training material were prepared for hotline workers and initiated the service. The follow-up report shows that there is an increasing trend of the public using this platform to access information related to substance use and other mental health issues.

276. In-service training manuals that can enhance mental health service quality, on neurological illness management and substance use/addiction management are developed and implemented. In-service training was given to mental health professionals. Moreover, to enhance mental health and psycho social support in conflict-affected regions health work force capacity building was provided.

### **Traditional Medicine**

277. To ensure the safety and efficacy of traditional medicines, efforts are underway to strengthen research on and production of quality-assured traditional medicine in Ethiopia. Improving traditional medicine is among the 14 strategic directions the Government of Ethiopia developed along with their major activities, to achieve the targets laid out in HTSP-II (2021-2025). This direction promotes public health by ensuring the safety, efficacy and quality of locally produced traditional medicines and standardizing and regulating the practices of traditional healers. Major strategic initiatives include developing and implementing an inclusive and integrated policy framework and legislation for traditional medicines and practices.

278. The Government prepared a three-year strategic plan with relevant stakeholders to integrate traditional medicine with modern medicine. Herbal pharmacopeia has been prepared by identifying herbal medicines that are widely used by the community and have been scientifically proven to be curative. Capacity-building training and awareness raising works have been conducted to traditional medicine experts and regional health offices to get traditional medicine experts into the registration system and health service delivery. Extensive work is being done in order to enable proper traditional medical delivery (patient information management, basic medicinal spice preparation, etc.), necessary support and supervision as well as strengthening the work of integrating it with modern medical services. The traditional medicine team was established to strengthen standardized and coordinate the national traditional medicine practice.

## Protection of Environmental and Industrial Hygiene

279. Measures have been taken to ensure adequate and safe sanitation, personal hygiene, water safety and quality, food hygiene and safety, indoor and outdoor air quality, healthy living environment, occupational health and safety, and liquid and solid waste management. There has been also a focus on building climate-resilient health systems and water, sanitation, and hygiene (WaSH) including in emergencies that require concerted efforts of various sectors.
280. The Country plans to increase the proportion of health facilities (health centers and hospitals) with basic amenities (improved water supply) from 59% to 90%, improved latrine from 61% to 86%, basic health care waste-management services from 16% to 50%), proportion of households having basic sanitation facilities from 20% to 60%, increase proportion of *kebeles* declared open defecation-free (ODF) from 40% to 80% and increase proportion of households having hand washing facilities at the premises with soap and water from 8% to 58%, by the end of 2025.
281. Ethiopia has implemented different strategic initiatives in hygiene and environmental health programs: rollout an urban sanitation strategy; scale-up of community and school-led total sanitation; and hygiene, sanitation marketing, and building adaptation for resilience to climate change in the health sector. One of the key initiatives, which have been implemented towards improving basic sanitation was the strengthening of market-based sanitation at the *woreda* level. The number of sanitation markets increased from 274 in 2021 to 431 in 2022. ‘Hand Hygiene for All’, a ten-year road map has been developed and launched at the national level. Menstrual Hygiene Management (MHM) blocks have been constructed and equipped in 151 schools.
282. In order to provide safe food in the school feeding program, the National Food and Personal Hygiene implementation protocol for the school feeding program has been prepared. Hygiene and Environmental Health Guidelines and Toolkits for religious institutions and prisons have also been developed. The Government has prepared various guidelines

around climate change, the management and use of chemicals, and the management and disposal of domestic and atmospheric pollution, and chemical and hazardous waste.

283. Institutional WASH and environmental health are also the key intervention areas for the prevention and control of disease and ensuring healthy and safe facilities. Regarding health facilities, according to the national health report in 2021/2022, 182 (44.5%) water supply schemes were constructed and rehabilitated from the planned 409 schemes; out of the planned 387 latrines, 249 (64%) latrines have been constructed or rehabilitated. In addition, a total of 262 incinerators and 103 placenta pits have been constructed which is 105% and 108% of the annual plan, respectively.

284. Households have constructed or upgraded their latrines to improved standards through intensive community mobilization and demand creation made at the community level. Currently, about 51% of households have improved latrine whereas the households with any type of latrine are 75%. The Country is verifying *kebeles* on open defecation-free using a new verification protocol.

## **Article 17. The Right to Education and Culture**

285. Article 90(1) and (2) of the FDRE Constitution provides for the right to education.

The Ethiopian Government is committed to helping as many students as possible to achieve high-level qualifications and has put in place support programmes to assist students including those in receipt of special educational needs.

286. The Government has given high priority to education for which it is allocating ever-increasing resources to the sector with the view to realizing the right to education. Education remains the priority sector, for instance, with a 24 percent share of the total budget in 2020/21. The Government's national education budget allocation increased by 70 percent in nominal terms, from ETB 95.7 billion in 2017/18 to ETB 162.2 billion in 2021/22. Furthermore, to improve the quality, access, and equity of education the School System Organization, Finance, and Community Participation

Directives clearly stated regional governments to allocate Block Grant according to the number of students. In addition to this, the federal government also allocates Block Grants according to the number of students to avoid significant damage to the quality of education due to the insufficient budget of the state government. More than one billion birr is allocated for this every year. Moreover, The Sixth Education Sector Development Programme (ESDP VI): 2020/21–2024/25, demonstrates the government’s plans to increase the budget allocation for general education.

287. The government’s prioritization of education has translated into a number of policies aimed at increasing access to schooling for all Ethiopians, particularly amongst marginalized groups such as girls, the rural poor, and pastoral communities. The revised Education and Training Policy (2023) improved the gaps in terms of encouraging technological and creative activities, avoiding indigenous knowledge, and impeding activities underway to ensure a range of national benefits. The policy aims to provide quality education to all children and youth and produce a multilingual and competitive generation cognizant of global realities.

288. Another important initiative is the development of the Ethiopian Education Development Roadmap (2018-30), which recommends a fundamental shift in the way that education is administered and practiced in the Country, calling for an educational system founded on indigenous knowledge that is supportive of national development goals and encouraging civic engagement. This includes a reorganization of the structure: six years of primary education, two years of middle school, and four years of secondary education, to facilitate better implementation and management. The Roadmap viewed education and training as an instrument for holistically cultivating the individual, including moral, cognitive, social, spiritual, physical, psychological and vocational attributes. Indeed, these will enhance the full development of the human personality and the sense of its dignity. Furthermore, the Roadmap set goals to achieve universal access and full enrolment of all children from pre-school to middle school education; increase secondary school enrolment for 15-18 years old to 70%, and post-secondary enrolment for 19-23 years old to 17% by 2030.

289. The second phase, the General Education Quality Improvement Programme (GEQIP-II)(2013-2018), continued the resource provision and improvement

activities in GEQIP-I and added support for information and technology. The third phase, GEQIP-E(2018-2022), continues many of the prior reforms but adds a stronger focus on equity, aiming to address education-related challenges facing girls, children from pastoralist communities and children with special needs. A bundle of interventions implemented; nationally, school grants, performance-based awards, textbooks, and support for children with special needs provided to all government primary schools. In regions where education support has historically been limited, the regions of Afar, Ethiopia Somali, and Benishangul-Gumuz, equity-enhancing interventions focusing on gender, children with disabilities and children of pastoralist groups were implemented.

290. The Ministry of Education of the FDRE and Ethiopian Human Rights Commission are jointly working to comprehend human rights contents in formal and informal education curriculum, to inculcate the human rights theme to the society. The inclusion of human rights content in the education system presents paramount importance to the promotion of understanding, tolerance, and friendship among all nations, ethnic and religious groups.

291. The Government of Ethiopia has been taking several measures to reduce the gender gap in education and admirable trends have been observed in recent years. The Government has also incorporated gender issues as one of the prior agendas in its policies and programs. The Sixth Education Sector Development Programme (ESDP VI), 2020/21–2024/25, delineated special steps and measures to reduce gender gaps in enrollment, academic performance, and successful graduation, and it suggests several specific activities at the regional, *woreda*, and school levels. The gender parity index (GPI) for both primary and secondary schooling declined; for primary schooling from a baseline of 0.92 in 2014/15 to 0.9 in 2018/19, and secondary schooling from a baseline of 0.92 to 0.87 in 2018/19.

292. Furthermore, to improve equal opportunities, educational attainment and pathways to education for female students, a gender-responsive pedagogy training manual was prepared and sent to regional education offices and teacher training colleges to make schools comfortable and accessible for all children (girls, those with special needs, and those from rural areas). Furthermore, to support and monitor the schools in their area to become inclusive school environments, master trainer training has been



given to teachers and gender experts working in teachers' colleges, as well as gender and special needs education experts from the regional/city administration education offices.

293. The Ethiopian Government has also begun a process of reforming qualifications at various levels to improve progression and outcomes for students. Since 2014, additional support has been allocated to improve educational outcomes and social mobility in most parts of Ethiopia. This is done through, for example, improving school standards, attendance, teaching quality and recruitment, careers training and advice, literacy and maths skills, and tackling barriers to learning that exist “beyond the school gates”, including health and nutrition issues. Educational attainment outcomes continue to improve with improved access to educational facilities and services. The completion rate to Grade 8 increased from 51.3% in 2014/15 to 63.1% (female 61.9% and male 64.3%) in 2021/22.

294. During the COVID-19 pandemic, extra measures were put in place to ensure ongoing access to education. The Ministry of Education has tried to use different technological approaches to maintain the education system. These include but are not limited to using printed materials distribution, using radio and television transmission, and using social media apps like Telegram. However, the approaches and efforts did not bring the required output (learning outcome) because of challenges such as little support for distance learning from any source and limited access to the government’s TV and radio distance learning lessons, thus the Government decided on free promotion for the year 2020 except for grades 8 and 12.

295. For the year 2021, even though the pandemic still exists and is still a threat, the Government decided to reopen safely by making schools strictly follow the COVID-19 guidelines and protocols. It has also used shift systems to resume the school system. This shift system is aimed at decreasing the number of students in a classroom and decided to teach a maximum of 25 students per classroom. MoE also distributed face masks, sanitizer, disinfectant chemicals thermometers, maintaining latrine and hand washing stations for more than 25,000 schools throughout the Country. In addition to this, the regional governments and the local authorities

mobilized resources for the construction of new classrooms and achieved in a short period around 78,000 classrooms all over the Country.

296. The situation in the northern part of Ethiopia has continued to be a challenge to the education system since 2021. Thousands of schools have been damaged or destroyed while many other schools have been sheltering IDPs depriving children of their rights to an education. However, following the peace agreement, schools are reopening in the Tigray region and, teaching and learning supplies are being distributed as well.

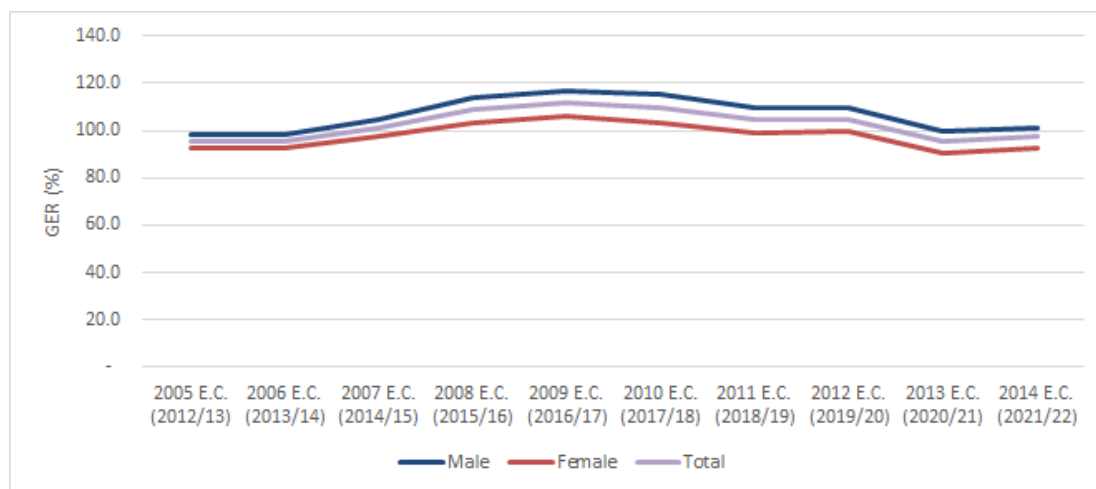
### **Primary Education**

297. The Government of Ethiopia is devoted to ensuring that all children going to pre-primary school have access to an equal education opportunity, regardless of their social class, ethnicity, background, or disabilities. The sector annually tracks progress towards Early Childhood Care and Education's (ECCE) access and equity through major indicators; such as Enrolment, gross enrolment ratio (GER), net enrolment rate (NER), GPI, and Regional Distribution of ECCE centers and enrollments in 'O' Class, Child to Child, Accelerated School Readiness (ASR) and Kindergarten.

298. As per the Education and Training Policy adopted in February 2023, Primary and middle education (pre-primary to 8th grade) is free and compulsory, while secondary education is free. Following the review of the current education policy, a new draft general education proclamation is undergoing to make free and compulsory education obligatory. The Policy also states that primary education is to be given in the mother tongue and students will learn at least three languages. The Early Childhood Care and Education (ECCE) approach is built on an understanding of child development and of putting the needs of the child, regardless of background, at the heart of the provision.

299. Following the National Early Childhood Care and Education Policy Framework (NECCEPF) and its Implementation Strategic Plan, new initiatives such as O-class (School Readiness Program), Child to Child, and Accelerated Learning Readiness have been initiated in the Country. These undertakings have not only drastically increased the pre-primary school enrollment rate from 5.3% in 2011/12 to 44.0% in 2023 but also raised awareness and public interest in the program.

300. Primary education is basic for citizens to participate in all-round socio-economic activities of the Country thereby contributing to holistic development and thus taking the largest share of government spending on education in Ethiopia. The government has steadily increased its share of primary education through the construction of new schools, availing facilities to schools, and carrying out standardized inspections. For this and related reasons, the highest numbers of learners have been engaged in primary schools compared to any other level of education. Gross Enrolment Ratio for primary and middle-level Education (1–8) including Alternative Basic Education (ABE) increased from 95.3% in 2013/14 to 97.2% in 2021/22.



GER Trend, Grades 1-8, 2012/13 – 2021/22

301. The National Alternative Basic Education (ABE) strategy also responds to differing needs and contexts, improving the enrolment and participation of students in pastoralist and semi-pastoralist areas.

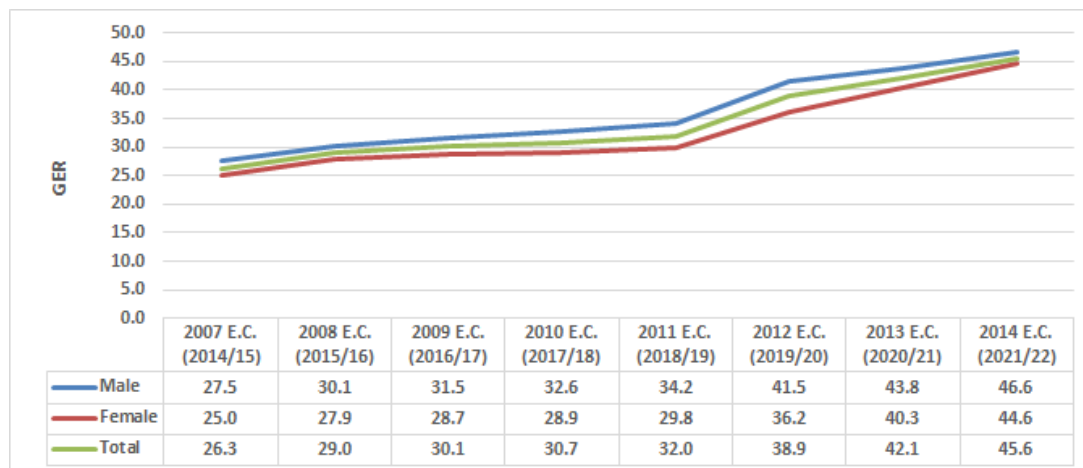
302. In recognition of multiple issues affecting the health and education of school-age children (SAC) in Ethiopia, and of the importance of school health and nutrition (SHN) to health and education, the Ethiopian government has listed SHN as a cross-cutting issue in the new Education Sector Development Plan and in 2012 launched a National School Health and Nutrition Strategy based on the Focusing Resources on Effective School Health (FRESH) approach. Following the strategy new programme known as Enhanced School Health Initiative (ESHI) has been initiated, which

integrates three complementary health interventions: deworming; school feeding; and provision of a water, sanitation, and hygiene (WASH) package in schools, which in delivery aim to maximize the benefits of each of the individual component. The program was rolled out further during the period under review. Nationally a total of 5 million students including internally displaced persons and refugee camps, mainly from elementary schools are currently benefiting from school feeding programs. This has helped to reduce dropout rates among primary school students, especially girls, ethnic minorities, and the poor.

303. In the efforts to eliminate or reduce the costs of attending primary education, textbooks are free across the Country. Furthermore, the Addis Ababa City Administration public schools are providing free uniforms.

### Secondary Education

304. The Government has also increased access to secondary schools, with the building of new schools and equipping them with necessary inputs both in urban and rural areas. The total number of secondary schools for 2021/22 is 3,636, with an increment of 806 schools from 2014/15. With respect to ownership, Government schools took the highest share with 89.8%. The national Secondary Gross Enrolment Rate (GER) (grade 9-12) has also increased from 25.6% in 2014/15 to 45.6 % in 2021/22, and school enrollment has increased with an average annual growth rate of 9.7% in the last five years. More interestingly, there is a very small difference, 0.5 percentage points, between males and females where female (33.4) GER is greater than male (32.9) nationally in 2021/2022.



Trends in GER for Grades 9-12, 2014/15-2021/22

305. Net enrollment for grades 9-12 also increased from 1,728,695 (881,448 male and 847,247 female) in 2014/2015 to 2,808,762 (1,405,355 male and 1,403,407 female) in 2021/2022.
306. More specifically, with the new Education Road Map, students at this level will learn all subjects in common as “General Education” and will split into social and natural science streams at Grade 11. The Natural Science stream will provide five Career and Technical Education (CTEs) and the Social Science stream will give three CTEs in which students will graduate with full technical skills in their chosen CTE.
307. Since the presentation of the combined fifth and sixth periodic report, there has been considerable expansion in Technical and Vocational Education (TVET) institutions in Ethiopia, both in terms of public spending and increased provision by private institutions to improve the productivity of the enterprises and increase their competitiveness in the global market. The number of trainees attending TVET programs progressed from 352,144 in 2014/2015 to 425,682 in 2021/2022. Of 425,682 trainees, 48.8% are women and 27% are trainees with special needs. Furthermore, in 2021/2022, 1,424,156 trainees were trained in short training.

### **Higher Education**

308. The Higher Education Proclamation No. 1152/2019 is primarily prepared based on the existing gaps in quality and relevance and satisfying public demands in producing the required human capital. The Proclamation focuses on the knowledge, skill, and attitudinal maturity of graduates. Furthermore, the proclamation emphasizes the preparation of qualified graduates based on the needs of the Country by developing various programs. The emphasis is done by including the labor market actors in the composition board members. Since the board is the top decision-making body, including industry representatives may have a great impact in designing and implementing different work-related meso-level policies and strategies to enhance graduate employability. Moreover, the proclamation encourages government organs, professional associations, business organizations, and other appropriate persons to work jointly with universities on matters concerning education, training, research, practicum or apprenticeship, and research and technology transfer.

309. The government also issued the Granting of University Autonomy Proclamation No. 1294/2023 to ensure the academic independence of higher education institutions and to allow them to carry out teaching and research activities free from political and administrative interference. The Proclamation is necessary to establish higher educational institutions that are competitive internationally and are places where knowledge is acquired through profound teaching-learning and research; innovative ideas and works flourish; quality and appropriate health and other services are supplied expansively to the community via community engagement; faculty, researchers, employees, and students are committed to human growth and development and who undertake their works with full freedom.
310. The National Entrepreneurship Strategy of Ethiopia (2019) sets out to build the capacity of Ethiopian universities to develop strategies related to entrepreneurship education to improve the entrepreneurship mindset and practice of the university community. This will enhance graduates' employability by improving entrepreneurial opportunities for students, instructors, and industry personnel.
311. Within the last five years, the Government increased the number of public higher education institutions from 36 to 48. The number of private higher education institutions increased from 50 to 360 as well. This has brought a significant change in making higher education accessible to all and increased student enrollment.

### **Fundamental Education**

312. The Ethiopian Government is committed to providing fundamental education for persons who have not received or completed the whole period of their primary education. The government has introduced a range of measures to encourage and intensify fundamental education, including adult and non-formal education, distance education, evening school accelerated learning programs, skill training programs, and education light programs.
313. During the reporting period, the government has been working hard to ensure equitable access to the Adult and Non-Formal Education (ANFE) programs for youth and adult learners aged 15-60 years old. In addition to the Integrated Functional Adult Education (IFAE) program, which was created by the National Adult Education Strategy (2008), currently, there are various programs incorporated

under the Adult and Non-Formal Education sub-sector that include distance education (grades 5-12), evening school (grade 1-12), accelerated learning program and skill training program.

- 314.** The provision of ANFE programs continued to improve the participation of communities in the national development and poverty reduction struggle and make adult learners more productive and self-reliant. Based on the Ethiopian Statistics Service (ESS) 2016/17 abstract, there were around 21,047,152 (males 7,289,109 and females 13,758,043) illiterate adults (aged 15-60) in the Country. Out of these illiterate adults, a total of 3,604,546 adults completed/graduated the two-year IFAE program for the last five years, from 2016/17 to 2020/21. Adult enrollment in the IFAE program increased from 42.78 in 2014/15 to 43.7 in 2021/22.
- 315.** The Adult and Non-Formal Education (ANFE) programs also include illiterate adults with special needs education. A total of 36,006 adults are enrolled in 2021/22 with special education needs nationally in ANFE programs, of which 16,977 (47%) are females.
- 316.** The other non-formal education, the Accelerated Education program continued to improve access to education for those who can't get primary education at conventional schools due to various reasons; mainly poverty, man-made and natural factors. The program played a significant role in enabling over-aged out-of-school students to complete more than one grade level in one year and later join conventional schools. A total of 3,831 over-aged out-of-school students have been enrolled in the Accelerated Education Program in the year 2021/22.
- 317.** To overcome the irony of categorizing people who can read, write and calculate numbers without joining the conventional schools as illiterate in the Country, an evaluation called "Education Light" has been introduced as a system. The system is set in place to assess youth and adults who can read, write, and calculate numbers; or individuals, who, through different opportunities, have skills to read, write, and compute numbers. After they are assessed, on the basis of their results, recognition will be given to these citizens.

## Refugee Education

318. In its recent policy reforms, the Government of Ethiopia enacted the new Refugees Proclamation No. 1110/2019 which provides refugees with access to Early Childhood Care and Education (ECCE) and primary education in the same circumstances as nationals. The Government's efforts to integrate refugee education into the national system are reflected in the development of the Education Sector Development Plan Schedule IV (ESDP VI, 2020-2024) and the continued use of the national curriculum in all camp-based schools. All these efforts include opening new schools and expanding facilities to old schools; expanding the teaching force; including refugee education in the national system, planning and policies to improve the quality and relevance of refugee education. In the academic year (2021/22) a total of 149,225 (male 83,145 and female 66,080) refugee students enrolled in the different levels of general education; from ECCE 48,117 (male 24,343 and female 23,774), primary 88,506 (male 49,088 and female 39,418) and secondary 12,602 (male 9,714 and female 2,888).
319. In May 2019, the then Administration for Refugee and Returnee Affairs (ARRA), now renamed Refugees and Returnees Service (RRS) signed a Memorandum of Understanding (MoU) with MoE that outlines the principles, technical and coordination arrangements between the two government entities with a long-term aim of facilitating joint efforts on the integration of refugee education.
320. In 2016, at the Leaders' Summit in New York, Ethiopia reaffirmed its commitment to the protection of refugees and the provision of basic services including education. There, the Government promised to continue improving the enrolment of all refugee children, without any discrimination, by adopting the Comprehensive Refugee Response Framework (CRRF). This is also in line with the UNHCR's Global Education Strategy 2030: a strategy for refugee inclusion and UNHCR Ethiopia Refugee Education Strategy towards Inclusion 2020-2025.
321. The implementation at the federal and regional levels of the Global Compact for Refugees (GCR)/(CRRF) in Ethiopia and the adoption of the 2017 Djibouti Declaration on Education for Refugees, Returnees, IDPs, and Host Communities (as IGAD member states) have strengthened these commitments and have paved the



way for gradual inclusion of refugee education into the national education system reflected in the government policies, plans, budgets, and the Education Management Information System (EMIS).

322. The National Refugee Education Strategy (2020-2025) marks an important milestone in the integration of refugee education into the national education system. It stipulated the importance of the EMIS for measuring the progress of refugee education as a top priority for the inclusion of refugee education in the national system. The Strategy recognizes the significance of partnership with MoE and other stakeholders to converge towards sustainable refugee inclusion more meaningfully in the national system.

### **Special Needs Education**

323. Acknowledging the importance of inclusiveness, The 10-year Master Plan for Special Needs Education/Inclusive Education in Ethiopia 2016-2025, enlarges the concept of inclusive education meaning merely special needs education for disabled learners towards the principle of providing education to all who may face any kind of special need or learning difficulty, be it of temporary or more permanent nature. The plan contains measures to give more visibility to inclusive and special needs education and to strengthen the structures and environment enabling inclusion.
324. The number of students with special educational needs who are attending pre-primary, primary and middle schools increased from 4,615 and 72,110 in 2014/15 to 32,282 and 310,014 in 2021/22, respectively. The total number of student with special needs who are currently attending higher education programs is 1,482. A total of 3,831 over-aged out-of-school students have been enrolled in the Accelerated Education Program in the year 2021/22.

### **Development of System of Schools**

325. Another important development of a system of schools is the school cluster system, which covers a variety of activities involving cooperation between schools; that can be administrative, material, pedagogical, or extracurricular. Schools are usually grouped into clusters of 5 or more in *woredas*. In 2021/22 there were 7,050 cluster schools throughout the Country. The school cluster system created better

coordination and sharing of resources between schools and also served teachers' professional development through experience sharing.

326. The number of primary schools increased from 33,373 in 2014/15 to 36,492 in 2021/22. Secondary schools also increased from 2,830 in 2014/15 to 3,636, in 2021/22. With respect to ownership, government schools both primary and secondary took the highest share with 89.8%. In Addis Ababa and *Dire Dawa*, exceptionally, non-government schools are higher in number than government.

327. Ethiopia has made good progress in increasing the number of textbooks available to students and the national average textbook-to-pupil ratio (TPR) ratio for primary schools is 2.7 in 2021/22, which increase in access to learning materials children receive when they go to school compared to 4.2 in 2014/15.

### **Establishment of Adequate Fellowship System**

328. The Ethiopian Government introduced the Public Private Partnership Proclamation No. 1076/2018, which established a legal framework for public-private partnerships (PPPs), recognizing that the private sector can be an essential partner 'to improve the quality of public service activity.' It states that partnering with the private sector is an essential strategy to realize the Country's development objectives, particularly in the realm of infrastructure projects. The legal framework will bring the public and non-state sectors in education together to complement each other's strengths in the financing and provision of services to pursue fundamental education goals, such as improving quality, access and equity.

329. The Ethiopian Education Development Roadmap (2018-30) foresees an expanded role for the non-state sector across pre-primary, primary and secondary education, specifically referencing the need to 'diversify sources of funding, including significant participation of the private sector; and introducing Public-Private Partnerships' at the secondary level. It suggests that there is a role for government to play in encouraging and supporting this private-sector investment. The system will enhance equality of educational access for individuals from disadvantaged groups.

330. The ESDP VI recognized the need to create partnerships with the private sector, CSOs and other organizations, including industrial bodies and domestic and foreign companies for the provision of equitable quality education. It aims to support and

encourage their participation in the education and training sector by establishing and strengthening partnerships with sector ministries, institutions, the private sector, development partners (DPs), and civil society organizations.

### **Improvement of the Material Conditions of Teaching Staff**

331. Education Sector Development Plan (ESDP VI, 2020-2024) aims to transform teaching into a profession of choice and to ensure that teachers are of high quality that is appropriately qualified. Furthermore, the plan aims to ensure favorable working conditions for teachers, educators and leaders; review and implement an attractive competency and performance-based career progression and incentive mechanism; provide adequate benefits and incentives for teachers; organize a nationwide award ceremony for model teachers; and ensuring teacher qualification, professional development and support.

332. Through the Colleges of Teachers' Education (CTEs), the government continues equipping prospective teachers with the necessary knowledge, attitude, behaviors, and skills they require to perform their tasks effectively in the classroom/school and to the wider community at large. As of 2010/21, there are 39 colleges of teachers' education throughout the Country. CTEs provide three years' education and training in teaching and awarding a diploma through regular, summer, and extension (evening and weekend) programs. Currently, CTEs are preparing themselves for the provision of degree programs, while 5 colleges of teachers' education have already started degree programs in teaching to fill the gap in qualified teachers. Nationally, the number of teaching forces across all levels; kindergarten, primary (including "O"-class), and secondary schools increased from 497,737 in 2014/15 to 716,319 in 2021/22.

### **Right to Choice of School, Liberty to Establish and Direct Educational Institutions**

333. Article 27(4) of the FDRE Constitution states that parents and legal guardians have the right to bring up their children ensuring their religious and moral education in conformity with their own convictions. Also, the Constitution under Article 27(2) permits to establish institutions of religious education. Thus, parents and guardians

are at liberty to establish and choose schools for their children, other than those established by the public authorities, so long as these schools conform to minimum educational standards laid down by the State.

334. In 2021/2022 only, the total number of kindergarten schools nationally is 4,840, of which 4,295 of them are owned by non-governmental organizations such as communities, private institutions and religious organizations. In the same year, the total number of higher education institutions nationally was 408, of which 360 are private higher education institutions.

### **The Right to Culture**

335. The FDRE Constitution under Article 41(9) and Article 91(3) precisely show the government's duties and responsibilities to protect, preserve, and support cultural heritage and arts.

336. The Ethiopian Government is committed to realize the right of everyone to take part in cultural life. Since the last report in 2014, progress has been made on the matter of legislating for and promoting the conservation, development, and diffusion of culture. The Government has undertaken specific activities to strengthen intercultural/religious dialogue, foster mutual understanding of the Country's heritage, and the sharing of common values with a view of contributing towards social progress and social cohesion. It has been implementing policies and providing legal frameworks for the protection and safeguarding of Ethiopia's natural resources and its tangible and intangible cultural heritage. All the nations, nationalities and peoples of Ethiopia have the right to express, develop, and promote their culture and preserve their history.

337. The Government is involved in numerous actions and measures to respect, protect, and promote cultural rights and to enrich national culture both at federal and regional state levels. The Ten-year Plan 2020-2030 has set out in its "multi-sectoral" section, a framework and guiding principles to formulate and implement a cohesive development strategy, within which the development and enrichment of the Country's traditional and natural heritage and values will contribute to its growth as well as to play a prominent role in the building of democratic order and good governance. Of particular relevance to the development of the sector is the

participation and benefit of women and youth, and their full-fledged contribution to the exploitation of traditional heritage and natural attractions to help build a truly remarkable image of the Country.

338. The adoption of a new National Cultural Policy (2015), promoting the role of culture in peace, independence, democratization, and sustainable development, was a key achievement. The basic principles of the policy which are accepting and respecting diversity, ensuring culture-based social and economic development, popular participation and public benefit, building a Pan-African identity and interconnection, and building international solidarity and cooperation have all to do with the creation, production, distribution, and enjoyment of the cultural expressions.
339. This policy recognizes the strategic importance of cultural industries for the diversity of the Country and calls for action through, for example, support to cultural associations, investment incentives for entrepreneurs; access to training and credit to associations, individuals, and institutions engaged in the cultural industry development sector; protection of intellectual property and other related rights of cultural professionals. The missed link between culture and development in the previous policy has come up vibrant in the revised one. “Development of Cultural Industries” has been genuinely addressed, taking into account its economic and social impact. In achieving the great ultimatum of the policy, the document sets strategies to access investment incentives, credit facilities, and training for creators, producers, and distributors. It also witnesses the commitment of the government to implement a motivating award system and monitoring and evaluation mechanisms to increase competitiveness. Within the policy, culture is viewed as a pillar of sustainable development and poverty reduction efforts in the nation.
340. Ethiopia’s new Film Policy (2017) is the other development protecting the freedom of artistic creation and performance. The Policy has identified a range of key policy issues, covering human resources; infrastructure; production, distribution, and market development; copyright; financial support, and incentives. It also puts forth an implementation strategy, with institutional, legal, and regulatory frameworks to be established (e.g., Film Development Fund; Arts Council, National Film Institute; Film library and museum; fiscal incentives; copyright protection; training;

infrastructures for digital distribution; support for film clubs; health and work-related insurance for film workers; etc.). It also reaffirms the importance of protecting freedom of creation the right to creativity and the role of public, private, and civil society actors in implementing this policy.

341. A clear understanding of the need for decentralized cultural policies, activities, and institutional structures that take into account the cultural diversity of the Country and the needs of the regions has been incorporated. Each region has its own culture and tourism bureau; many festivals are decentralized and organized in regions by both federal and local governments; and artists can access rehearsal spaces in youth centers and other district-level infrastructures like *woredas* and *kebeles*.

342. The opening of the Master of Fine Arts (MFA) program in 2015 at Addis Ababa University (AAU) enhanced professional education in the field of culture and art. The primary mission of AAU's program is to provide excellent graduate teaching in the study of cinema and the practice of creating films on the principle that the study of cinema and the artistic production of moving images complement one another.

343. During the reporting period, new degree programs in music, theater, fine arts, film production, and literary arts have been established in more than 10 universities throughout the Country.

344. The Ministry of Culture and Tourism in collaboration with Wollo University and Dessie Education Office hosted a nine-day national-level capacity building for Visual Artists from all regions of Ethiopia. The capacity building has created opportunities by bringing different key stakeholders from all regions that can create a more collaborative platform and develop the visual art sector from several perspectives that will increase the engagement among stakeholders from the Government and CSOs.

345. On August 30, 2018, Ethiopia participated in the Cultural Exchange in Venice, the 75th International Film Festival, which increased cultural exchanges and mobility of artists. Addis Ababa University's (AAU) film department has organized a cultural exchange trip to the Festival in collaboration with the Italian Cultural Institute and Mediterranean Universities Union (UNIMED).

346. During the period under review, the Ministry of Culture and Tourism together with MoE has worked hard to create training opportunities for youth in the culture

and creative sector through technical, vocational and educational training (TVET) for youth and middle-level professionals. In the great endeavor exerted, 59 occupations at various levels (L1-L5) have been identified; occupational standards (OS) and assessment tools (AT) for each were prepared and dispatched to the training institutions to design curricula in accordance with the OS and start the training. These played a great role in the production of skilled youth in the cultural and creative industries.

347. A workshop by the Ministry of Culture and Tourism to promote all UNESCO conventions was held in 2016 involving all the regions to raise awareness with regional governments. Short and long-term trainings at different levels have been also provided for the protection and preservation of heritage and other allied subjects as well as for awareness development and reinforcement schemes and systems.

348. *Selam* Culture Forum jointly organized by the Ministry of Culture and Tourism (MoCT), *Selam* Ethiopia, and the Ethiopian Film Producers Sectoral Association (EFPSA) has been used as space to discuss and debate key cultural issues, connect experts and stakeholders in the culture and social affairs to advocate and share solutions for the occurring problems.

349. Besides the annual nations, nationalities, and peoples day event which is aimed at the promotion of cultural identity as a factor of mutual appreciation among nations, nationalities, and peoples of Ethiopia, since 2014, the Cultural Festival for Persons with Disabilities has been held every year. The measure has aimed to increase the social inclusion of people with disabilities by bringing to the stage various forms of cultural expression performed by disabled people.

350. An authority was established to regulate all broadcasting in the Country (radio and television) and to promote the culture and history of the nations, nationalities, and people of Ethiopia, by utilising new technologies to reach further regions to broadcast in different languages and become a primary source of information.

351. National institution called the Ethiopian National Cultural Center has been established as a government body mandated to conserve and develop cultural values through research, technology application, training, literary and artistic criticism, memorial forums, and organizing events like culture week. On the basis of these

mandates, the Center is trying to create a platform for the implementation of policies to promote popular participation in culture. It also helps as a platform for professionals and society and to mainstream culture as a vector for development.

352. The Center in collaboration with other public sectors of the Country are promoting, conserving, and developing culture and art. One of the achievements of the Center is the support it provides for emerging regions. These peripheral regions are relatively not well developed like other regions by infrastructure, facilities, and human resources. Therefore, the Center is supporting each emerging region (Afar, Somali, Gambela, and Benshangul-Gumuz) in various possible ways, for example, by providing technical support for the cultural centers in the regions. Also, it promotes awareness and enjoyment of the cultural heritage of national ethnic groups and minorities.

353. The culture week organized in each regional state is a hub for other regional states and city administrations to participate and promote, conserve, and develop culture and artistic products, services, and activities. In each platform, the Center invites not less than 20 participants on average from each region. All the participants are showcasing their cultural performances, cultural goods, and services for all visitors.

354. Ethiopia has signed bilateral treaties on cultural cooperation with more than 17 countries since it became a party to the Convention on the Protection and Promotion of the Diversity of Cultural Expression in 2008. The measure creates a conducive environment for the performing of arts by Ethiopian and foreign artists. It facilitates the exchange of cultural goods and services. It promotes both art and the artists of the Country. The capacity of schools of art, association of artists and writers, and other cultural institutions will likely be built. It helps to share best experiences and information dissemination and enhances better understanding between the peoples of Ethiopia and other countries.

355. The Nile Basin countries' cultural cooperation was launched in 2013; and, the first visit was conducted in 2014. Up to 2016, the project is in its preliminary phase (two visits by Ethiopian delegations and three performances in 3 countries: Egypt, Sudan, and Ethiopia). Political bilateral cultural cooperation treaties have been signed between Ethiopia and Uganda. Cultural cooperation agreements with Sudan, Egypt, and South Sudan were signed before the launching of the project. Other countries of



the Nile basin are also considered in the plan of the project. The project aims to deepen the common understanding and strengthen the relationship between the Nile basin countries, by demonstrating the creativity of their artists and the traditions of their people; to highlight a common heritage, where it exists, between the basin countries. It has also aimed to strengthen the relationship between basin countries through the promotion of cultural exchange.

356. The Ministry of Culture and Tourism partnered with the Theatre Arts Professionals Association by developing content and using media spots to promote the diversity of culture by creating awareness of the creative sector, promoting the small-scale cultural industry in the nation, and increasing the reading habits of the young generation.

357. The new Science, Technology, and Innovation Policy was adopted in 2022, to develop a policy that provides special attention to the development of domestic technology, innovation, and improving the technological capabilities of enterprises as well as strengthening their linkages with productivity. And to support agriculture and manufacturing, tourism, mining, and information communication technology (ICT) through technology and innovation as a basis for national prosperity and development.

358. The national Intellectual Property Rights (IPR) regime creates a conducive environment for imitative learning and the protection of new knowledge; and fosters the development of indigenous knowledge.

359. Considering the problem of piracy, the Ethiopian Film Producers Association (EFPA) came up with the Encrypted Video Display Software Development for fighting piracy in the film sector initiative to reduce the amount of digital piracy by making content hard to steal. EFPA has collaborated with Science Revolution Earth, a local tech company, to develop an Encrypted Video Display. With Encrypted Video Display now a mandatory component for local distribution and forensic watermarking being used more widely, anti-piracy measures have become a standard part of the workflow in forty movie theaters in Addis Ababa. This initiative has helped hundreds of film producers in protecting their works with traceability. If the content is stolen and redistributed, the film producer will know where the stolen content came from. If a film exhibitor misuses content, it will be tagged by the

system EFPA has developed and we can trace it back to the exhibitor. With anti-piracy measures increasing in independent film distribution in Ethiopia, many local filmmakers are now able to boost their movie ticket sales and benefit better from theatrical distribution. Thus, allowing filmmakers to secure funding and continue producing films with a better budget.

## **Article 18. The Right to Family, Women, Children, Elderly People and People with Disability**

### **Protection of the Family**

**360.** The FDRE Constitution under Article 34(3) emphasizes the weight it gives to the importance of the family. It states that “family is the natural and fundamental unit of the society and is entitled to protection by society and the State. In order to implement this constitutional protection, the proclamation which defines the Powers and Duties of the Executive Organs, Proclamation No.1263/ 2021 under Article 36(t), for the first time, provided family protection and mandated the MoWSA, in collaboration with regional organs and other stake holders, to design, and implement strategies necessary to family protection. Accordingly, in the year of 2022 the MoWSA established a department responsible to execute these duties. This department has two main focus areas regarding family that is economic strength and protection. Global family day was celebrated for the first time in Ethiopia in May 2023 and awareness creating programs were organized. During the preparation of this report, five years Plan of Action for Family (2024-2029) and a Family Management Skill Manual are under progress. These documents are expected to contribute for the better protection and promotion of family.

**361.**The Constitution, the Revised Family Code and the regional family laws govern marriage and family relations in Ethiopia. Although the Federal Family Code was further amended to ban inter country adoption by Proclamation No. 1070/2018, there has been no change in terms of the protections accorded to the family during the reporting period. The contents of the constitutional protections also remain intact. These family laws provide full consent of parties to a marriage is required while entering, during and to remain in marriage.

- 362.** Recognizing reliable, timely, updated and regular statistical information is necessary to make relevant policy and decision-making, including resolving court cases regarding succession, paternity and others, the Government has enacted Vital Events and National Identity Card Proclamation No. 760/2012 and its amendment Proclamation No. 1049/2017. The Proclamation provides for compulsory, permanent, and universal registration and certification of vital events which includes birth, death, marriage, and divorce. The vital registration system became operational in August 2016 pursuant to the Proclamation.
- 363.** Immigration and Vital Events Service is entrusted with directing, coordinating and supporting the registration of vital events at national level. However, the Proclamation envisages for the registration of vital events at the lowest level of the administrative hierarchy (*Kebeles*). The government institution works in close collaboration with international partners such as UNICEF to train professionals that set up the system for vital registration and for facilitating the institutional system.
- 364.** In relation to social security programs, the Country implemented two subsequent food security programs the first from 2010-2014 and the second lasting 2015-2020. The second food security program introduced specific gender and social development provisions to address the severe impacts of food insecurity on family, vulnerable women and children. The gender provision of the food security program addresses the demands of female heads, pregnant women, and women in marriage. The program has a special emphasis on female heads of households, people living with HIV and AIDS, divorced women, and women with disabilities. The program provides for joint client card entitlement for husband and wife in order to ensure women in married households have equal say.

### **Elimination of Discrimination against Women**

- 365.** Equal enjoyment of opportunities and rights between men and women as well as non-discrimination on the basis of sex are one of the core principles of the FDRE Constitution. During the reporting period, the government has taken steps that guarantee better protection of women's rights under the Charter. As a result, various policies, legislative, judicial and administrative measures were taken.

- 366.** As a millstone, Ethiopia has ratified the African Protocol to the African Charter on Human and Peoples' Right on the Right of Women in Africa (Maputo Protocol) in February 2018. By doing this, the government further committed itself to respect, protect and promote the rights of women.
- 367.** The 1993 National Policy on Ethiopian Women is being revised in a way that takes in to account the current economic, social and political environment. The draft National Policy on Gender equality and women empowerment policy includes transformative measures, such as the positive engagement of men and women in the process of addressing gender inequality and enhancing social protection. It also acknowledges and aims to transform the structural root of gender inequality, and the role of actors outside the government in the process of implementing the Policy. On the other hand, the government is also preparing Gender Based Violence Policy that can play a huge role in systematic prevention and effective response to all the gender based violence.
- 368.** Moreover, different legislative measures were taken to guarantee equal protection of human rights for men and women. The Revised Federal Civil Servants Proclamation enacted in 2018 and the Labor Proclamation enacted in 2019 extended maternity leave from 90 days to 120 days and paternity leave from 5 days to 10 days. Additionally, the legislations prohibited work place harassment by recognizing it as administrative offences. The civil servant proclamation requires government institutions to establish day care service within the institutions to support breast feeding workers.
- 369.** A national migration policy has been developed and finalized. One of the main thematic issues in the policy is human trafficking, migrant smuggling and border management. The policy is expected to be approved after public consultations. In addition, the Country has passed a comprehensive legislation Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants Proclamation No. 1178/2020 with emphasis on protecting women and children. The proclamation envisages strict measures on perpetrators of these crimes and provides redress for victims. A national committee and task forces at regional and federal levels have been established to follow up the implementation of this legislation.

- 370.** At the national level, a national movement has been launched to prevent and control human trafficking and migrant smuggling in 2021. In the presence of the Deputy Prime Minister, regional presidents and ministers a national conference was held with the participation of heads of various institutions. Direct awareness-raising forums and workshops were held in various areas, with the participation of youth, religious leaders, elders and other stakeholders on topics such as the scourge of illegal migration, employment opportunities at home and human trafficking.
- 371.** Ethiopia has also ratified the African Union Convention for the Protection and Assistance of Internally Displaced Persons (Kampala Convention) with ratification Proclamation No. 1187/2020. Following this, a draft legislation to domesticate the Convention is in progress. The target of this draft proclamation is to prevent internal displacement and to protect and provide comprehensive protection and assistance to victims.
- 372.** To ensure equal access to justice and prevent discrimination against women during marriage, the Federal Supreme Court Cassation Division has set several binding legal precedents as to the effective implementation on equal division of common property upon divorce.
- 373.** Regarding political participation, following the reform in 2018, Ethiopia marked a major milestone for the participation of women in politics by achieving gender parity at federal cabinet level by appointing women to 50% of the ministerial posts in the cabinet of 20 ministers. Even though, there are some variations in number, currently women lead key national institutions such as the Ministry of Health, Ministry of Planning and Development, Ministry of Labor and Skill and Ministry of women and Social affairs, amongst others. In October 2018, Ethiopia also elected its first female president in its history. These efforts have been and will continue to be replicated at regional levels. In the year of 2020, at federal level women's decision making in the house of people representative has reached 38.8 %, in the judiciary system 20.6%, in the executive organs 50% and 22% in mid leadership level.
- 374.** Efforts have also been exerted towards economic empowerment of women during the reporting period. In 2017/18 alone, more than 6 million women participated in large scale awareness and advocacy platforms on the subject of economic empowerment at federal and regional levels and 13,421,215 women were able to save

3,252,050,038 Birr through small scale micro finance associations throughout the Country while 2,140,105 women were given credit opportunity and received a total of 13,325,717,507 Birr. Currently, in 2023, 439,117 women are engaged in small scale enterprises out of which 144,597 were provided with market access and networking opportunities.

**375.** Regarding the provision of medical services to women, significant developments have been registered in the ante-natal care, skilled delivery, reduction of maternal and child mortality, contraceptive use and other indicators. The number of health stations and health centers at *kebele* level has increased leading to better access of the facilities for women. As a result, the proportion of women aged 15-49 in Ethiopia who received antenatal care (ANC) from a skilled provider has increased from 27% in 2000 to 34% in 2011, 62% in 2016 and 74% in 2019. During the same period, home deliveries decreased from 95% in 2000 to 90% in 2011, 73% in 2016 and 51% in 2019. Institutional deliveries increased from 26% in 2016 to 48% in 2019. Regarding postnatal check, 17% of women and 13% of new-born received a postnatal check within the first 2 days of birth in 2016. 34% of women and 35% of newborns received a postnatal check within the first 2 days after birth in 2019. Home deliveries decreased from 73% to 51% over the same period.

**376.** Concerning gender based violence and harmful traditional practice, in 2014, the Government pledged to eliminate child marriage and female genital mutilation/cutting (FGM/C) by 2025, through strategic and programmatic measures. These include putting in place a national strategy founded on the three-pillar approach: prevention, provision, and protection. This targeted approach guides the national effort and helps to galvanize the support of stakeholders to end the practice as well as mitigate the impact of FGM/C. furthermore, focusing on the two harmful practices, national coasted roadmap to end child marriage and FGM/C (2020-2025) aimed to make accelerated efforts to eliminate these harmful practice in short period of time. As a result, a national alliance is formed to implement the roadmap at federal level as well as in regional state structures. However, HTPs such as female genital mutilation or Cutting and early marriage still remain as major challenges.

**377.** There is also a national coordinating body established in 2012 to prevent and respond to violence against women and children in Ethiopia. This coordinating body

has launched a revised five years VAWC strategic plan (2023-2028) to strategically prevent violence and provide comprehensive and coordinated response to violence.

**378.** In order to undertake an effective investigation into all incidences of human rights and humanitarian laws violations committed in the context of the northern conflict, the Government established the Inter-ministerial Taskforce on Accountability and Redress (IMTF) in November 2021. The IMTF is also entrusted with the responsibility to craft, adopt and oversee the implementation of a comprehensive strategy that enables the government of Ethiopia to investigate the allegations, bring all perpetrators of serious crimes to justice, and provide redress and psycho-social support to victims of the violations in Tigray, Afar and Amhara regions. Coordinating all investigation and redress measures relating to sex and gender-based violence constituted a central pillar of the IMTF's activities.

**379.** For this reason, the IMTF organized, within its structure, the Sexual and Gender-based Violations Committee. As a result, a team carried out the field-based assessments from 28 May 2022 to 27 July 2022 - covering all the conflict-affected *zones, woredas* and cities within Afar and Amhara National Regional States. The team identified 2,212 (two thousand and two hundred twelve) cases of survivors of SGBV who were victimized in connection with the conflict in northern Ethiopia. Following the assessment results different supportive measures were taken to survivors.

### **Protection of the Rights to Children**

**380.** Children's wellbeing and protection continue to be the main area of concern for the Government. Apart from the constitutional, international and regional agreements as well as other legislative protection regimes of child rights mentioned in the previous report, the Country has further adopted a comprehensive National Child Policy in 2016 and its implementation strategy which adds up to the Government's commitment to this effect.

**381.** The Child Protection Policy set key strategic focus areas in terms of development and growth, prevention and protection, rehabilitation, care and support. With due consideration of the principles and provisions of ACRWC, it has fostered the work of various actors dealing with children and also promote the rights of children. The document particularly aims to promote the healthy living conditions of children

which consist of the reduction of infant mortality rate, the provision of access to primary education and quality of education at national level as well as protection of children from child labor and exploitation.

**382.** Moreover, the Government undertakes measures to ensure special protection and assistance for children who are deprived of their family environment. With the view of protecting the best interest of the child and providing permanent family environment, the Government has also undertaken a measure to restrict inter-country adoption under the revised Family Code Amendment Proclamation No. 1070/2018.

**383.** Accordingly, the Ministry of Women and Social Affairs has focused on strengthening domestic adoption within the Country. MoWSA has adopted a directive on Alternative child Care and Support in 2023. The main goal of the directive is responding to vulnerable children by recognizing different continuum of care. Family preservation and strengthening, reintegration and reunification, kinship care, foster care, domestic adoption, supported and independent living and residential care are the types of care recognized. Finally, consideration may be given to appropriate institutional care as a last resort.

**384.** The launching of a permanent, compulsory and universal registration and certification of vital events aligns with the design and implementation of children's vital registration indicated in the policy. From September 2016 to June 2023, a total of 7,023,387 births were registered. In 2022/23 alone, a total of 1,035,656 births, 108,791 marriages and 123,561 deaths were registered. Ethiopia also began providing birth, death and marriage registration for refugees in 2017.

**385.** The Criminal Justice Policy adopted in 2011 has included various changes to address a number of gaps observed in the criminal justice system and ensure compatibility, among others, with the provisions of the CRC and ACRWC. The Policy devoted separate sections for care and special handling of victims of crimes and children in conflict with the law. For instance, section 6 of the policy focuses on the circumstances of vulnerable children, the rights of victims to participate in criminal investigation and procedures for charging and trial, legal protection and handling of children in conflict with the law, alternative remedial measures and establishment of special units for children. Most of these provisions provide



protection to children who are victims of gender based violence, female genital mutilation, early marriage, child labor, neglect and abuse. Accordingly, the government has taken different measures to implement the policy including establishing institutional structures.

**386.** The expansion of child friendly institutional structures in the justice system has complimented the comprehensiveness of service delivered to children. Currently, child protection units in all police stations are working together with special investigation and prosecution units in the prosecution and court structure, at federal level and in some regional states. Moreover, the number of child friendly courts has expanded and reached around 100 throughout the Country. In line with these structures, there are 63 One-Stop Centers that are established to provide medical, legal, psychosocial services all in one and 15 hospitals that provide only medical services to survivors of sexual violence. Similarly, there are around 20 safe houses throughout the Country to ensure the safety and rehabilitation of victims of sexual violence and psychological abuse. There were only two one-stop- centers in 2014.

**387.** The Government has also included the concept of diversion and alternative to detention in the draft criminal procedure and evidence code to ensure better respect of rights and protection of the special needs of children in conflict with the law. The government has taken coordinated measures to facilitate the effective implementation of the laws and procedures.

**388.** In addition, the government is also committed to take measures to implement Article 28 of Federal Prisons Proclamation No. 1174/2019 which provides that a dependent infant not beyond twenty four months which needs close maternal care may stay with its mother who is in custody where its interest so requires. In this regard, the government took various institutional measures for the realization of the interests of children who are separated from their family when there is less possibility for the children to be given to their close relatives. Additionally, this proclamation provided various institutional measures to facilitate social, educational, psychological and recreational services to young prisoners (prisoners under 18).

**389.** In order to prevent children from going out to the street, and to rehabilitate and integrate those who are already in the street, the government took different measures. The government mobilized all actors and allocated budget to create

awareness. For instance, in 2020, in rural and urban *woredas*, 10,432 community based networking were created to prevent children from going down to the street. 285,896,877 (two hundred eighty five million, eight hundred ninety six thousand, and eight hundred seventy seven birr) was collected from the community to support the people living on the street. As a result, 21,793 people (including children) who used to live on the street were rehabilitated, reunited with their families.

### **Protection of the Rights of Persons with Disability**

**390.** The Ethiopian Constitution has provided an obligation, under Article 41, to allocate resources for the rehabilitation and assistance of the physically and mentally disabled. Disability is also a prohibited ground of discrimination under Article 25 that guarantees to all persons equality before the law and entitles all to the equal protection of the law. Ethiopia has also developed national plan of action for persons with disability (2012-2021). This action plan presents a plan for enabling the Country to become a more inclusive society. It addresses the needs of persons with disabilities for a comprehensive rehabilitation services, equal opportunities for education, skills training and work, and full participation in the life of their families, communities and the Nation.

**391.** In order to eliminate any form of discrimination against persons with disabilities at work place and related to employment, the government issued a directive to implement the Right to Employment of Persons with Disability Proclamation No. 568/2007. The directive prohibits employers from discriminating persons due to his/her physical disabilities, including at the time of recruitment. In order to encourage applicants with physical disabilities, the directive requires for priority to be given to an applicant with physical disability.

**392.** Furthermore, the Federal Civil Service Proclamation No. 1263/202021 provides different provisions to protect and create favorable environment for employees with disability. For instance, it entitles persons with disabilities to affirmative actions in recruitment, promotion, transfer, redeployment, education and training. It also demands government institutions to create conducive environment to employees with disability and provide them with the necessary tools and materials and train them how to use such tools and materials.

393. The Government of Ethiopia has adopted Directive number 41/2015 to provide opportunity for persons with disabilities to import tax free personal vehicles. Until the beginning of 2020, above 1500 persons with disabilities have got a tax free imported car support services to resolve their mobility challenges.

394. The Ministry of Women and Social Affairs has been given the responsibility of ensuring that citizens with physical and mental disabilities enjoy their rights to equality and participation. Other government ministries have also been made responsible, in the discharge of their responsibilities to ensure the participation and benefit of the physically and mentally disabled. There exists one focal person responsible to follow up the issue of disabilities in every ministry. Similar structures have been created in regional bureaus of labor and social affairs to address issues of persons with disabilities.

395. Regarding budget, in 2022 alone the Government of Ethiopia in collaboration with World Bank and other non-governmental organizations, budgeted 3, 447, 446, 562 (three billion four hundred forty seven million four hundred forty six thousand five hundred sixty two) birr and supported 1,028,359 people (persons with disability, physically weak or aged people and people who are seriously ill) under the rural and urban productive safety net project.

### **Protection of the Rights of Older People**

396. The FDRE Constitution provides that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. Article 41(5) of the Constitution further provides that the State shall, within available means, allocate resources to provide for rehabilitation and assistance to the physically and mentally disabled, the elderly and others.

397. Ethiopia has ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa, with ratification Proclamation No. 1182/ 2020. The Protocol has been translated in to Amharic and is being distributed to federal and regional organs and other stakeholders. Moreover, trainings have been provided at federal and regional levels to introduce the Protocol.

398. The government has also prepared a draft National Action Plan, standard of operating procedures for institutions established to care and aid older peoples and

directive to regulate the network of civil society organizations working on this subject. The National Action Plan identified thirteen specific areas and needs for the elderly in Ethiopia among which are social security, poverty reduction, HIV/AIDS, education and training, employment, income generation, health and welfare, family and community care, housing and living environment, gender issues, food and nutrition, and protection of life and property. The Action Plan and the operational procedure indicate the roles that relevant federal and regional stakeholders ought to play and the standard of integration mechanisms they should apply. Furthermore, an inclusive leveling tool is developed by MoWSA which can assist to regulate the level of inclusion of the issue in other institutions.

**399.** The Ministry of Women and Social Affairs and the relevant regional bureaus are responsible to respect, protect, promote and fulfill the rights of elderly people. Furthermore, the Government has created favorable conditions and encouraged CSOs to work for the elderly.

**400.** The Public Servant Pension Proclamation number 1267/2022 as well as the Private Organization Employees' Pension Proclamation No. 1268/2022 provides better protection through pension benefit for both public and private employees and is in the course of implementation as part of the National Action Plan stated in the above paragraph.

## Section 3: PEOPLES' RIGHTS AND INDIVIDUAL DUTIES

### Article 19. Equality of All Peoples

- 401.** The FDRE Constitution stipulates that all persons are equal before the law and are entitled to equal and effective protection of the law without discrimination on grounds of national or social origin, sex, language, religion, political or other opinion, property, birth or other status (Article 25 of the FDRE Constitution). Since language is one of the main cultural markers that differentiates minorities and enables their existence as an identified group, it promulgates under Article 5(1) that all Ethiopian languages shall enjoy equal state recognition.
- 402.** The government has the duty to provide special assistance to Nations, Nationalities and Peoples which are least advantaged in economic and social development. The Constitution guaranteed in its article 89(4) the provision of special assistance to economically least advantaged groups in promoting minority rights. The representation and participation in decision-making process is very crucial concern. The Ethiopian federal system, hence, provides through the constitutional provisions under Articles 54 and 61 on representation of all minorities at federal level in the two Houses: in the House of Peoples Representatives and the House of Federation.
- 403.** With regard to the rights and needs of specific vulnerable groups, Articles 35 and 36 of the Constitution are devoted to the rights of women and the rights of children, respectively. These Articles are very instrumental for protection and promoting the cases of women and children.
- 404.** Moreover, Ethiopia has ratified several international and regional instruments that can be cited to protect the rights of people affected by crisis (including internally displaced persons). The Constitution endows pertinent provisions to disaster affected and displaced people. Article 89 (3) stipulates that the “Government shall take measures to avert any natural and man-made disasters, and, in the event of disasters, to provide timely assistance to the victims.”
- 405.** The Ethiopian Disaster Risk Management Commission (EDRMC) was re-established in 2015 by the Council of Ministers through Regulation No. 363/2015 and was relocated in late 2021 to report directly to the Prime Minister. It is

responsible for coordinating and supporting the cases of internally displaced persons throughout its organizational structures, at all administrative levels.

406. The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention) was ratified by the Ethiopian Government In February 2020.

407. As Positive strides that have been made with respect to the participation of IDPs in line with article 9(2) of the Convention especially in ensuring the constitutional rights of IDPs to elect and be elected, for instance, Ethiopia issued the Electoral Proclamation No. 1162/2019, followed by a Directive No.13/2021, which are considered major headways in the meaningful inclusion of IDPs, and in guaranteeing their political participation through special polling stations. Moreover, Ethiopia has been preparing comprehensive national IDP legislation that is found at its final draft level.

## **Article 20. Peoples' Right to Self-Determination**

408. Self – Determination is constitutionally guaranteed right of the Nations, Nationalities and Peoples of Ethiopia. In the previous Country report, the constitutional and other legal provisions relevant to the subject were indicated. While these constitutional principles and the Government's unreserved endeavor towards the realization of self-determination still remain valid, a number of issues pertaining to demands of self-governance have become subject of an increasing attention since the last report. These cases range from demands to form one's own local government and a shift in administrative demarcation to claims of recognition as one of the regional states constituting the federal government.

409. Since the last report, the House of Federation has received a number of submissions on the request of self-determination. In November 2018, the Regional Council of SNNP Regional State accepted request of the *Sidama* People, which then exercised Zonal Self-governance, for statehood and referred the case to the House of Federation (HOF). After the House discussed on the matter passed resolution for referendum.

410. The new federating unit the *Sidama* Regional State in southern Ethiopia was formed on 18 June 2020 in split-up the Southern Nation Nationalities and Peoples Regional State (SNNPR) after a 98.52% vote in favor of increased autonomy in the 2019 *Sidama* referendum.
411. Similarly, the other new regional states, the South West Ethiopia Peoples' Regional state and the South Ethiopia Regional State were formed in departure from the Southern Nation Nationalities and Peoples' Regional State (SNNPR) in 2021 and 2023, respectively after a successful referendum.
412. The SNNPR Regional state Council also approved a law for the formation of a new regional administrative structure according to which 3 zonal and 44 *woreda* level administrations have been given recognition in the Regional State's administrative structure.

## **Article 21. Peoples' Rights to Freely Dispose Their Natural Resources**

413. Ethiopia has prepared a 10-year strategic roadmap in mining sector, which will be implemented in two 5-year strategic plans. The process was conducted in 2020. To ensure its the work of the Ministry of Mines is firmly guided by a number of international, continental and national ambitions. Globally, the Ministry supports the Sustainable Development Goals (SDGs). At a continental level, the African Union's Agenda 2063 to build 'The Africa We Want', the Continental Free Trade Area (CTFA) and the Africa Mining Vision are taken into account while at the sub-regional level, Ethiopia is a member of the Intergovernmental Authority on Development (IGAD), and the Common Market for Eastern and Southern Africa, COMESA. Nationally, the goal is reflected on the "Pathway to Prosperity" through its newest home-grown economic reform agenda all the way ensuring environmentally resilient 'Green Economic Growth and Industrialization' and growing the private sector's role in Ethiopia's economy.
414. After the launching of national political reform, the Ministry of Mines was re-established in 2018 under Proclamation No. 1097/2018 as a regulatory organ of the mines and petroleum sector of the Country. Currently, the Proclamation is repealed and replaced by Proclamation No. 1263/2021. The Ministry has taken different

measures to make it easier than ever to invest in Ethiopia on mining, encourage exploration and mining, and unlock the sector's full potential and value and prepared new national cadastral system.

415. The new national cadaster portal brings transformative changes to the efficiency and transparency of regulating and investing in the Ethiopian mining sector. The portal enables mining and exploration companies to conduct their operations remotely, from any country in the world.

416. The reform in the sector includes geo-data management, transparency and ease of licensing process and the artisanal mining sector, among others. Specific reforms for the mining sector that are currently underway are:-

- Formalize and support of artisanal and small-scale mining;
- Review gold pricing to reduce incentives for contraband(illicit) trade;
- Address political and legal issues with local communities and incentivizing miners to engage and invest in local communities;
- Address technical and institutional barriers against large-scale mining projects;
- Develop policies and institutional capacities to create a sustainable and inclusive mining sector with strengthened geological information and diversified product base with industrial input focus.

417. Mining operations is governed by multiple legal instruments which promotes the sustainable development of the sector. Proclamation No. 678/2010 (as amended by Proclamation No. 816/2013 and 1213/2020) governs the conduct of all mining operations and related activities to develop in an orderly and suitable manner. Some of the key provisions in the proclamations state that no mining licenses may be granted within areas reserved for natural habitats or national parks or within 500 meters from the boundary of a village, city or water reservoir or dam without the permission of the competent body.

418. Pertaining to the steps and standards that should be followed in the sector, the reform strictly focuses on the Environmental Impact Assessment (EIA) issues. In this regard, Proclamation No. 299/2002 prescribes that no person shall commence any new development activity under any category listed as a project without an



environmental impact assessment or authorization of the Environmental Protection Authority.

419. Regulation No. 423/2018 on Mining Operations is the major legislation that regulates the principle of custodianship of the Country's mineral resources by the Government; promote socio-economic growth of the Country; provide for security of tenure for all investors in respect of exploration and mining operations; and ensure that the Country's mineral resources are developed in an orderly and sustainable manner. The regulation provides additional incentives, government participation, royalty regulations, social responsibility as well as limitation as to the size of the licensed area.

420. Concerning regulatory framework that promote, regulate and control the transaction of all mineral resources and modernize the mineral transaction scheme so as to create a proper structure that enhances the contribution of the sector in the national economy, the Transaction of Minerals Proclamation No. 1144/2019 provided mechanisms to determine the roles, powers and duties of all stakeholders that participate in mineral transactions.

421. Commercial Registration and Licensing Proclamation No. 980/2016 is also applicable to the mining sector. One of the objectives of the instrument is to enable the business community in the sector obtain the services they require and expect from the commercial system. Furthermore, it maintains the principle of transparency, accountability and good governance in commercial registration and retrieval of tax identification numbers, registration of trade names, obtaining a business license, franchise registration, determination of export and import of goods and various penalties.

### **Land Use and Ownership**

422. The land policy of the Federal Democratic Republic of Ethiopia, which confirms the constitutional provisions which are embedded under Article 40, states that the right to ownership of urban and rural land, as well as of all natural resources is exclusively vested in the state and in the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subjected to sale or to other means of exchange.

423. The existing National Policy on Ethiopian Women was milestone for Article 35 of the FDRE Constitution that affirms women have equal rights with men in social, economic and political spheres. Further it emphasizes on ensuring women's equality through legal reforms, awareness creation, initiating women's participation in formulation of government policies and implementation of programs. Furthermore, the Policy put women's equal access to productive resources, particularly land as basic for women's equality.
424. With regard to the safeguards to protect people from arbitrary and forcible expropriation of land, the power of expropriation in Ethiopia is vested in the state by virtue of Article 40(8) of the FDRE Constitution which provides that the government may expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of the property.
425. The Expropriation of Landholdings for Public Purpose and Payment of Compensation Proclamation No. 1161/2019 and the Expropriation Proclamation and Payment of Compensation for Property Situated on Landholding Expropriated for Public Purposes Regulations No.472/2020 gives priority rights to the landholders either individually or in group to develop their land when the landholders are capable to develop the land as per the approved land use plan; urban structural plan; or development master plan. However, a household who is to be permanently displaced shall get an equivalent substitute land, and one year land holding income compensation shall be paid calculated by the current price which is equivalent to the highest annual income he generated in the last three years preceding the expropriation of the land.
426. For permanent land acquisition and in times equivalent substitute land is not available, the landholder shall be paid displacement compensation, which is equivalent to fifteen times the highest annual income he/she generated during the last three years preceding the expropriation of the land. In addition to cash compensation, according to the Proclamation, displaced people shall be compensated for the breakup of their social ties and moral damage they suffer that resulted from the expropriation of their land.
427. A household whose landholding has been provisionally expropriated shall be paid displacement compensation for lost income based on the highest annual income

secured during the last three years preceding the expropriation of the land until the repossession of the land. Moreover, the compensation paid shall take into consideration the amount of additional time necessary for the land to regain its productivity, which shall be determined by the surrounding authorized institution. The Proclamation also stipulates payment of compensation either for persons who lost income permanently or temporarily without being displaced because of land expropriation.

428. Regarding the subject of the kinds of natural resources, Ethiopia has diverse resources for exploration and development. These include metallic minerals (gold, platinum, iron, nickel, chromite and base metals); fertilizer raw minerals (potash and phosphate); gemstones (sapphires, emeralds, fiery opals); energy minerals (lithium, graphite and tantalum, oil shale and coal); cement raw minerals (limestone, gypsum, clay, pumice); ceramics raw minerals (kaolin, feldspar); glass raw minerals (silica sand); dimension stones (marble, granite, limestone, sandstone, diatomite, bentonite, soda ash, salt, graphite and sulphur); natural gases and hydro-carbons and many more can be mentioned.

### **Activities Being Undertaken in Extractive Industries**

429. Ethiopia's long history of artisanal mining spans very long time. The gold deposits in Ethiopia's rivers, for example, have been exploited for thousands of years by small-scale miners. Today, artisanal happens all around the Country and still plays an extremely important role in Ethiopia. However, much artisanal mining activity remains informal, and historically the sector has not benefitted from much formal support or regulation from the Government. Due to this, major reforms are undergoing to transform artisanal activity into a sustainable livelihood which will enable to increase the revenue from the sector, create responsible and inclusive small enterprises to engage safely and legally in the mining sector, create jobs and pave the way for the collaborative coexistence with large-scale mining which could lead to sustainable development.

430. Ethiopia put in place in 2019 a comprehensive Artisanal Mining National Strategy for all strategic minerals mined at the artisanal level. The aim is to modernize the

process and make the mining sector an attractive jurisdiction for large-scale investment. The strategy plays a vital role in advancing the development of the sector to contribute in a more meaningful way and increase its overall contribution as well as assist in capturing revenues in a systematic manner. Its primary objective is to formalize the artisanal mining sector and promote responsible, inclusive and productive operations that contribute to sustainable development.

431. A Gender Equality Working Group (GEWG) has been established since the reform to help improve gender equality in mining community. The main focus of the working group is on integrating gender concerns and opportunities into all relevant policies, legislations, strategies, program designs, plans and budgets coming out of the Ministry. This is intended to further advance Ethiopia's Home Grown Economic Agenda objectives, while also making sure that, in the mining sector, Ethiopian men and women benefit equally from the Home Grown Economic Agenda.

#### **Government Bodies Responsible for Natural Resources**

432. The Environmental Protection Authority (EPA) is the Federal Executive organ accountable to Ministry of Planning and Development as per Proclamation No. 1263/2022 responsible to ensure the realization of the environmental rights, goals, objectives and basic principles enshrined in the Constitution.

433. It is mandated to formulate or initiate and coordinate the formulation of strategies, policies, laws and standards as well as procedures and up on approval monitor and enforce their implementation. It is also responsible for the synergistic implementation and follow-up of international and regional environmental agreements. Including those pertaining to hazardous chemicals, industrial wastes and anthropogenic environmental hazards in which Ethiopia is a party.

434. The Ministry of Mines is a regulatory organ of the mines and petroleum sector of the Country including the granting of exploration and mining licenses. As one of the priority sectors for the homegrown economic reform agenda of the Country, the Ministry is encouraging private sector investment, streamlining bureaucratic and regulatory procedures, updating policies, and building institutional capacity by introducing a digital mining cadaster system. The Ministry has two autonomous institutions under it. The Geological Survey of Ethiopia (GSE) that focuses on

strengthening the generation and dissemination of geo-science data, drilling and laboratory analysis and The Ethiopian Mineral, Petroleum and Bio-fuel Corporations (EMPBC), a public enterprise is engaged in the commercial activity of mining, petroleum and bio-fuel sectors.

435. The Ethiopian Investment Commission (EIC) is mandated in Promoting the Country's investment opportunities to foreign and domestic investors, issuing investment permits, business licenses and construction permits, issuing work permits, including renewals, replacements, suspensions or cancellations, registering technology transfer agreements and export-oriented non-equity-based foreign enterprise collaborations with domestic investors, advising the Government on policy measures needed to create an attractive investment climate for investors, amongst others.

436. The Ministry of Water and Energy has powers and duties to initiate policies, strategies and laws with respect to water and energy; ensure that projects, activities and interventions related to water in the basins are in line with the integrated water resources management process; develop use basin models in order to guide and support strategic planning of water resources; follow up and monitor potable water supply and sanitation infrastructure development projects financed by the federal government and loans and grants obtained from foreign sources are carried out in compliance with designed quality standard based on study and their design; prepare national potable water and sanitation study and design, construction and institutional management standards and manuals and disseminate the same and follow up their implementation.

437. With regard to the fiscal regime of the sector, there are a set of proclamations, regulations and directives including the Mining Operation Proclamation, Mining Income Tax Proclamation (Amendment) No. 802/2013, Income Tax Proclamation No. 979/2016. A holder of a small scale mining license pays 35% income tax on taxable income and the provincial state governments collect this payment. The income tax for large scale mining is collected by the Federal Government. This federal tax was recently lowered to 25%. There is also a 10% tax on dividends which is calculated after appropriate income tax are paid.

438. There are provided package of incentives for investors which engage in explorations in mining sector. The Mining Operations Proclamation provides for exemptions from custom and duties regarding any consumable, equipment machinery and vehicles that any holder of an exploration license or contractor that import to Ethiopia useful for the purpose of mining operations and in accordance with the approved work program. Moreover, the holder of small or large scale mining license may import free of custom duties consumables required to start and sustain commercial production for the first three months.

## **Article 22. Rights of All Peoples to Economic, Social and Cultural Development**

439. Ethiopia has planned to develop itself along a green economic trajectory. It has consequently outlined a strategy to build this green economy. So far, it has identified and prioritized more than 60 initiatives that could help the Country to achieve its economic development goals while at the same time limiting net Greenhouse gas (GHG) emissions in 2030 below today's 150 Mt CO<sub>2</sub>e – around 250 Mt CO<sub>2</sub>e less than estimated for the current development path. Building a green economy will lead to further socio-economic benefits and allow Ethiopia to tap climate finance.

440. The Government has a well-articulated set of economic, social and cultural development strategies and policies with overarching vision to become a middle income Country in the near future.

441. Its pro-poor economic policies have yielded encouraging results in the expansion of health, education, infrastructure, clean water supply, etc. The agricultural sector has also seen significant improvement in productivity and food security. It has set up milestones for social, cultural and economic development based on the assumption that economic growth will continue to run at least 8% a year, which will also lead to advances in social development and poverty reduction.

442. The Constitution also guarantees Nations, Nationalities and Peoples of Ethiopia the right to speak, write and develop their own language, culture and preserve their history. Significant efforts have been undertaken to preserve heritage and cultural sites in many parts of the Country.

443. Moreover, efforts have been undertaken to preserve heritage and cultural sites in different parts of the Country. The Government has undertaken activities to strengthen intercultural/religious dialogue, to foster mutual understanding of heritage and the sharing of common values with a view of contributing towards social progress and social cohesion. It has been implementing policies and legal frameworks for the protection and safeguarding of natural, and tangible, intangible cultural heritages of the Country.

444. Ethiopia continuously strives to improve the implementation of economic, social and cultural rights of its citizens. To attain its goals of ensuring the enjoyment of economic, social and cultural rights, the Government is also collaborating with other governments and international organizations.

### **Article 23. Rights of All Peoples to National and International Peace and Security**

445. Some of the specific measures taken by the government to ensure the rights of all peoples to national and international peace and security incorporated in the previous report are still valid. Particularly the national legislations including the Constitution contained provisions calling for the government to fully respect and protect the rights of all peoples' peace and security.

446. With respect to international peace and security, Ethiopia is one of the top troop contributing countries to the United Nations (UN) and AU peacekeeping missions on the ground. It's also one of the leading countries deploying the highest number of women in peace operations.

447. Ethiopia has been at the forefront in dealing with regional peace and development matters since the inception of the Intergovernmental Authority on Development (IGAD) in 1996. Under Ethiopia's leadership, IGAD made tremendous efforts to have strong regional governments that fight against terrorism and transnational security threats that are formidable menaces of security and the dominant disrupter of stability in the East African Region.

448. Ethiopia worked with commitment for the successful conclusion of the peace agreement between the Government of the Federal Democratic Republic of Ethiopia, and TPLF in Pretoria, South Africa. The Pretoria Agreement sought to

secure a cessation of hostilities agreement between the parties, paving the way for the restoration of peace, security and stability in the Tigray Region.

449. The agreement marked an important step in efforts to silence the guns, and provided a solid foundation for the preservation of Ethiopia's sovereignty and territorial integrity, the immediate cessation of hostilities, the resumption of unhindered humanitarian access, the restoration of services as well as healing and reconciliation.

## **Article 24. Peoples' Right to Satisfactory Environment**

450. The Constitution of the FDRE recognizes and protects substantive as well as procedural environmental rights. Article 44(1) of the Constitution proclaims that 'all persons have the right to a clean and healthy environment'. All federal and state organs are obliged to ensure that all Ethiopians live in a clean and healthy environment. By taking into account the information on the environmental rights applicable in Ethiopia submitted in the previous Country report, information on this part focuses on progresses.

451. Concerning the steps taken and the roles that responsible actor bear for responding to and addressing the pollution of the environment, Ethiopia ratified the Kyoto Protocol Amendment to the United Nations Framework Convention on climate change by Proclamation No. 890/2015 for enhancement of energy efficiency in relevant sectors of the national economy; promotion of sustainable forms of agriculture in light of climate change considerations; promotion, development and increased use of, new and renewable forms of energy, of carbon dioxide sequestration technologies and of advanced and innovative environmentally sound technologies and so on.

452. The Country is in the process of economic transformation from agricultural to industrial led economy which in turn steadily increases the demand of imported or domestically produced chemicals. The proclamation to provide for the registration and administration of industrial chemicals Proclamation No. 1075/2018 is a key legislation to prevent and control adverse effects to the human and animals health as well as environmental safety that may arise from mismanagement of the chemicals in



the process of production, importation, expropriation, transportation, storage and use of industrial chemicals.

**453.** Considering that the forest sector plays an important role in addressing the adverse effects of climate change and sustainable forest development, conservation and utilization plays a crucial role to halt environmental, social and economic problems caused by the high level of forest degradation in the country, Proclamation No. 1065/2018 Forest Development, Conservation and Utilization incorporated the appropriate measurements including to introduce community and association forest development in addition to developing forest by state and private ownership. Moreover, the Proclamation provides classifications of forest into productive, protected and exclusively protected forests based on their environmental, social and economic significance and also incorporates provisions to strengthen forest sector research, education, investment, trade and information system. Moreover, a significant progress is made in rehabilitating the forest resources of the Country through the legacy campaign which have been under implementation for the last five years now.

**454.** The Council of Ministers Regulation No. 411/2017 established the National Bio-safety Advisory Committee. The objective of the Committee is to advise the Government on issues related to bio-safety; transactions of genetically modified organisms; the issues of national policies and laws of bio-safety; identifying effective methods to create public awareness regarding transactions of genetically modified organisms on any other matters related to bio-safety. The Committee is comprises members with relevant qualification, experience and organizational representations from government bodies, higher education institutions, civil societies and non-governmental institutions.

**455.** To minimize the environmental impact of electrical and electronic waste materials, the Council of Ministers Regulation No. 425/2018 is applicable to producers, distributors, importers, transporters, collection centers, recyclers and customers not to cause the environmental disturbances with electrical and electronic waste materials. The waste management systems include reduction of waste generation, refurbishing and reuse of waste, recycling and disposal.

456. The existing Environmental Impact Assessment Proclamation No. 299/2002 is very significant to provide the framework for environmental impact assessment (EIA), to predict and manage the environmental effects of a proposed development activity as a result of its design sitting, construction, operation, or of an ongoing one as a result of its modification or termination.
457. Any one that initiates a project is required to carry out EIA and submit an EIA study report that identify the possible adverse impacts of the project and the means for their prevention or mitigation..
458. The Bio-safety Proclamation No. 896/2015 was issued to protect human and animal health, biological diversity and in general, the environment, local communities and the Country at large by prevention or at least managing down to levels of insignificance the adverse effects of modified organisms. As regards risk measurement, any person who wants to engage in the making or use of any modified organism in teaching, production, import, export, transit, release, contained production, transport, placing on the market, or use as pharmaceutical, as food, as feed or for processing is required to obtain an advance informed agreement from the government on the basis of a risk assessment report. The Proclamation provides that the public has the right to be notified and comment on the risk assessment report.

#### **Consultation and Participation.**

459. The consultation should be carried out as early as possible in the project implementation so that views of affected groups are taken into account in the implementation of the program activities and its environment and social mitigation measures. Such consultation will also take place during project implementation to identify and help address environmental and social issues that arise proactively.
460. The EIA proclamation also provides for public participation in the environmental impact assessment process requires environmental bodies to ensure that the comments made by the public (in particular the comments by the communities likely to be affected by the implementation of a project) are incorporated into the EIA study report as well as into its evaluation (Art. 15). To this end, it requires environmental bodies to make any EIA study report accessible to the public and to

solicit comments thereon. The proclamation also requires public instruments, which are identified by directive as requiring EIA, to pass through environmental impact assessment process prior to their approval. In line with this, it obliges government organs to ensure that their policies have passed through EIA process prior to their submission for approval (Art. 13).

461. The consultation mechanisms include: development of brochures and booklets on the activities; use of ICT materials, media and traditional media (local radio, television programs) presentations, organizing dialogue platforms, workshops on the program and safeguard activities. The stakeholders' consultation strategies uses conducting consultative focus group discussions and collecting their views and concerns.

#### **Sanctions and Grievance Mechanisms: Judicial Enforcement**

462. Article 37 (1) of the Constitution of the FDRE provides “everyone has the right to bring a justiciable matter to obtain a decision or judgment by, a court of law or any other competent body with judicial power”. The Constitution also guarantees this right to any association representing the collective or individual interest of its members. The right is guaranteed equally to everyone without discrimination.
463. Article 11 of the Pollution Control Proclamation No. 300/2002 has opened the door for individuals and environmental rights advocacy groups to bring cases before administrative bodies or courts. It guarantees any person the right to “lodge a complaint at the Environmental Protection Authority (EPA) or the relevant regional environmental agency against any person allegedly causing actual or potential damage to the environment” without the need to show any vested interest.
464. A complainant is granted with the same broad right of standing before a court when the EPA or regional environmental agency fails to give a decision within thirty days or when he/she is dissatisfied with the decision. Similarly, Regulation No. 159/2008 on the Prevention of Industrial Pollution, under article 10, provides that any person without the need to show any vested interest can submit his complaint before the competent environmental organ.

## **Article 25. Duty to Promote Awareness of the Charter**

465. Different mechanisms exist to promote the awareness of the Charter and one of them is through conducting extensive training and education on human rights for legislators, judges, public prosecutors, police officials and prison administration officials. Accordingly, trainings have been offered to the members of the federal and regional parliament by the Ethiopian Human Rights Commission. The Commission conducted trainings for federal and regional legislators on such topics as an introduction to human rights and freedoms and corresponding duties, the role of the legislative organs in the promotion and enforcement of human rights, and women's and children's rights.
466. Similar training on human rights, have been provided to officials and experts from all regional governments, For instance, during the reporting period, different trainings on different human right issues were provided for 17,970 federal police members. Moreover, trainings have been given to journalists as they are one of the main tools in the promotion and protection of human rights. Private mass media have received training on these topics. Election executives were also been trained in election procedures and human rights.
467. Efforts are already on-going the Federal Ministry of Women and Social Affairs and the Federal Ministry of Education to integrate human rights education and in school curricula. Moreover, higher education institutions have also the mandate to incorporate and provide human rights related education to students and to the community around them, with the purpose of enhancing the awareness of citizens about their rights and duties.
468. Regarding the availability of legal aid strategy, the government has in collaboration with regional and other stakeholders in the justice sector in Ethiopia developed a national legal aid strategic plan to enhance access to justice delivery to needy and vulnerable Ethiopians. The National Legal Aid Strategy which has been adopted in November 2023 will enable the legal aid service providers to work more cohesively and this would definitely impact the protection of human rights more positively in Ethiopia.

469. The translation and publication of agreements ratified by Ethiopia is the mandate of the Ethiopian Human Rights Commission, and EHRC has accordingly translated in to different local languages for the better understanding and implementation of such instruments.
470. The justice professionals training institutes established at both federal and regional levels have been playing a crucial role in promoting human rights through its training programs. The institutes conduct trainings for nominee judges and prosecutors of different levels and special custom-designed trainings for professionals.
471. The Ministry of Defense additionally promotes the understanding of human rights through the formal military training courses it offers and via the workshops and awareness programs it conducts through the mass media. The Ministry transmits a regular radio program whose target audiences are members of the military. One of the objectives of the program is to raise the awareness of the military personnel regarding their roles in the protection and promotion of human rights. Topics covered in the program include people and the military, prisoners of war, the loyalty of the military to the Constitution and rights and freedoms of citizens, human rights trainings delivered by the ICRC, laws of war, the core values of the military, and lessons on the Constitution.

## **Article 26. Duty to Guarantee Independence of the Judiciary and Human Rights Institutions**

472. An independent judiciary has been established by the FDRE Constitution. Courts at all levels are free from any interference or influence of any governmental body, government official or from any other source. Judges exercise their functions in full independence and are directed solely by the law. No judge could be removed from his duties before he reaches the retirement age determined by law except when the Judicial Administration Council decides to remove him for violation of disciplinary rules or on grounds of gross incompetence or inefficiency; or when a judge can no longer carry out his responsibilities on account of illness, and only when the HoPR or the concerned state council approves by a majority vote the decisions of the judicial administration councils.

473. Since 2018, the Government has initiated reforms in the judicial sector sectors to solve some of the legal and practical challenges for an independent judiciary as well as the independence of judges. The reforms consisted of projects ranged from creating more suitable working spaces and courtrooms to drafting a new Federal Court proclamation and Judicial Administration Proclamation.
474. Among the first steps taken towards the reform was, in line with Article 79 of the Constitution, directly submitting a budget proposal to the House of Peoples' Representatives, instead of having the proposal reviewed by the Ministry of Finance, an unconstitutional practice that had been conducted previously. Such deviation from the Constitution contributed to the judiciary's shortcomings, along with an insufficient budget. There had been a 30 to 40 percent increase in the budget of federal courts since then. Activities that necessitated an increased budget included taking over employee administration, establishing additional benches, and improving court buildings and the use of technology.
475. The government has enacted Proclamation No. 1234/2021 Federal Courts Proclamation. The proclamation come up with a legislative framework under which courts would have full autonomy to prepare, manage their own budget requirement and submit it directly to the House of Peoples' Representatives, unlike the previous procedures.
476. It also focuses that courts recruit and assign their non-judicial personnel, and administer them which is essential for a strong judiciary. In line with the constitutional principle of judicial independence, the Court has prepared a relevant directive and took over the administration of around 4,000 federal court employees from the Civil Service Commission. This creates an opportunity for the judiciary to ease the challenges which had been facing.
477. The Supreme Court has also taken steps to guarantee the independence of judges and the judiciary. Measures include amending the Federal Judges Code of Conduct and Disciplinary Procedure Directive to improve transparency and accountability of federal judges.
478. The Judicial Administration Council Proclamation 1233/2021 recognizes the vital role of courts in the administration of justice and the need to ensure the courts exercise their judicial functions free of all internal and external influences and in the

spirit of complete independence and accountability. It altered the composition of members of the council and increased members from judicial institutions. In the past, the Council has been criticized for taking undue measures against judges who resisted government interference, and also for lack of sufficient knowledge of court activities.

479. In relation to the establishment and improvement of appropriate national institutions entrusted with the promotion and protection of the rights and freedoms guaranteed by the present Charter, the Ethiopian Human Rights Commission's institutional and execution capacity was strengthened by Proclamation No. 1224/2020 (Amendment) on Ethiopian Human Rights Commission Establishment. **The Proclamation** enabled the EHRC to fulfill its mandates of promoting, ensuring the respect of and protection of human rights in Ethiopia and also made nomination and appointment process of commissioners participatory and transparent, in addition to making improvements to provisions related to the structure of the EHRC, hiring and management of staff and the budgetary independence of the EHRC in order to enhance public trust.

480. EHRC has made a reform through the amendment of its establishment proclamation, with a view of solving some of the challenges witnessed during the past. As per the amended establishment proclamation, EHRC has a more autonomous and independent status from the executive organ and is expected to practically implement its mandates in such fashion.

481. The Ethiopian Human Rights Commission played a very significant role especially during the conflict in the northern part of Ethiopia. Among others, the a Joint Investigation Team (JIT) was established by the Ethiopian Human Rights Commission (EHRC) and the UN Office of the High Commissioner for Human Rights which reported violations of international human rights, humanitarian and refugee law by all parties involved in the conflict to varying degrees, including unlawful killings and extra-judicial executions, torture, sexual and gender-based violence, violations against refugees, and forced displacement of civilians.

482. The Institution of Ombudsman, is the other national institution that made reform entrusted with the promotion and protection of the rights and freedoms. It has been mandated to oversee the protection of the rights and freedoms of citizens by the

executive, to ensure good governance and rule of law and to duly rectify or prevent unjust decisions and orders of executive organs and officials. Moreover, with a view to bring about good governance, the Ombudsman makes recommendations for revision of existing laws, practices or directives and for the enactment of new laws and formulation of policies.

## **Article 27. Individuals Duty to Family, the State and the Community**

483. The Constitution of the FDRE guarantees individual rights and also stipulates that regard should be paid to public morality in the enjoyment of these rights, as well as to the rights of fellow individuals and security of the State. In this context, each and every person must carry the burden of serving the society and making contributions to the development of the community. This sets the proper limits of conduct by individuals including state officials. Practically, the duties imposed on citizens helps to strengthen ties among the various peoples and enhance social cohesiveness with the objective of sharing a common vision.

484. All citizens are under a duty to respect the dignity of other citizens and the rights and legitimate interests of others to live in peace, unity and harmony and in the spirit of common goals; to contribute to the development and well-being of the community and cooperate with the appropriate organs in the maintenance of law and order.

485. Regarding an individual's duty towards his family, the society and other communities, the state as well as the international community, the information mentioned in the previous report is still valid.

486. In this line, the Revised Family Code stipulates the duty of spouses to each other, and under Article 49, it stipulates that they owe each other the duty to respect, support and assist each other, and under Article 50(2) it stipulates the duty to cooperate, to protect the security and interest of the family to bring up and ensure the good behavior and education of their children in order to make them responsible citizens.

487. Moreover, individuals have the obligation to respect the religious belief of others within their community. Freedom of religion and belief is a constitutional right and it



has a legal guarantee from being infringed by other individuals during exercise. Moreover, the Inter-Religious Council of Ethiopia that was established in 2010 is working develop religious freedom and equality based on peace, love and tolerance, in the community which will be mutually beneficial to all.

488. The information incorporated in the previous report of the Country regarding the duty of individuals to pay taxes to the government authorities is still valid. Individuals are duty bound to pay taxes to the State according to tax laws. Non-compliance with the duty of paying legally due taxes may entail administrative and criminal liability. The law pertaining to civil servants provides that an employee shall perform his duty to the best of his abilities and competence.

489. There are different categories of taxation in Ethiopia. Taxes are levied on employment income, sale transactions and custom duties and tariffs. Citizens pay taxes on a variety of taxable incomes provided by law including income from employment, rent of buildings and business activities. Moreover, they are required to pay value added tax or turnover tax as sales taxes. Excise tax shall be paid on imported goods.

490. Individuals with special profession are duty bound to render a free service of limited time to their fellow citizens. For instance legal professionals such as attorney at law and legal councilors are expected to provide a pro bono service of up to 50 hours a year to those in need. The Ministry of Justice has prepared (which has been recently adopted) a legal strategy which deals with how free legal aid shall be provided to those in need and by whom. The main purpose of this strategy is to provide a platform where free legal aid can smoothly and effectively be provided.

491. It is normally expected that in cases of national or international emergencies professionals shall provide services to the needy in an exceptional situations. One type of emergency service is, when health professionals are expected to render assistance in situations like the COVID-19 pandemic. Given the special nature of the disease, the Ethiopian government has established a special service providing centers and enacted laws that limit the movement of individuals from place to place.

492. Accordingly, health professionals were deployed as part of national duty to respond to the special situation, to different places of work and many health professionals have provided services to citizens across the Country.

## Conclusion

The report features several legal, institutional and administrative measures that the Government of Ethiopia embarks on to meet the obligations under the African human rights system.

The report reflects the National policies and laws implemented to give effect to the African Charter on Human and peoples' rights and the Maputo Protocol. Ethiopia engaged in a wide range of activities to transform the political, economic and social situation in line with its commitment to the promotion and respect for human rights.

The report highlights the country's political, social, economic and development endeavor took human rights standards at the center. Legal and institutional reforms implemented to establish transparent and impartial institutions, such as the justice sector. Laws enacted and administrative measures applied to ensure transparency, neutrality and accountability of the judiciary.

While discussing the successful implementations, the report also identifies drawbacks that impact Ethiopia's effort towards the full realization of the provisions of the Charter. Ethiopia's journey to radical reforms since 2018 has been challenged by a series of circumstances that impede full-scale implementation of the reforms. The war in the northern region of Ethiopia, armed movements by some insurgent groups and the COVID-19 pandemic affected the Government's efforts towards the promotion and protection of human rights.

As challenging as the situation, the promotion and protection of human rights remains a priority, and the Government surfaced several measures to alleviate the security issues that posed unprecedented scales of violations of fundamental rights and freedoms of citizens. The government is taking vigorous steps to implement the peace agreement signed in 2022 by advancing on human rights, justice and accountability initiatives. In line with the African Union "Silencing the Guns by 2030" initiative, disarmament, demobilization and reintegration of armed forces in Tigray is underway. Ethiopia is in the process of adopting a transitional justice policy to address current and past human rights violations, and also undertaking a national dialogue to chart a new path towards justice, peace and prosperity. Ethiopia put forward a new phase of economic reform to get through the economic downturn encompassed by the COVID-19 pandemic and the domestic conflict. The

homegrown economic reform agenda targets productivity and generating adequate jobs through macroeconomic, sectorial and structural reforms.

Ethiopia will continue to execute concrete measures to meet obligations under the African Human and Peoples' Rights Charter.



**FEDERAL DEMOCRATIC REPUBLIC OF  
ETHIOPIA**

**PART B**

**INITIAL REPORT ON THE  
IMPLEMENTATION OF THE PROTOCOL ON  
THE RIGHTS OF WOMEN (MAPUTO  
PROTOCOL)**

**January 2024**

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## **Introduction**

1. The Federal Democratic Republic of Ethiopia signed the Protocol to the African Charter on Human and Peoples' Rights on the rights of Women in Africa (here in after the Protocol) on 1st June 2003 and ratified it on 30 March 2018. Accordingly, the initial State Party Report of Ethiopia was due on 30 March 2020. Ethiopia was unable to timely submit the report due to pressing humanitarian crisis at the time including the conflict in the northern part of the country.
2. This Initial Report is prepared and submitted in accordance with Article 26 of the Protocol which requires States Parties to indicate the legislative and other measures undertaken for the full realization of the rights recognized under the protocol in their periodic reports submitted in accordance with Article 62 of the African Charter. The Report followed the Commission's Guidelines for state reporting under the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

## **Preparation Process of the Report**

3. This report was prepared through a participatory process with the Ministries of Women and Social Affairs and Justice coordinating the process. Primary data and information were gathered from responsible government sector ministries and regional states.
4. Consultation with relevant stakeholders including civil society organizations were held from 5-6 September 2023 and input gathered on the draft report. The consultation brought together participants from sector ministries and government institutions, members of the legislative, national human rights institutions, academic institutions, and civil society organizations, particularly women's rights organizations. Further consultation with regional states and city administrations was held on the draft report. The consultations were valuable in enriching the report with data and information on legal, policy and institutional frameworks as well as concrete measures taken to advance women's rights enshrined in the protocol. Participants in consultations also forwarded challenges and additional steps that need to be taken by the Government of Ethiopia.

## Section I: Background Information

### Legislative framework to implement the Protocol

5. The Constitution of the Federal Democratic Republic of Ethiopia (hereinafter the FDRE Constitution) allocated one-third of its provisions to a bill of rights. The FDRE Constitution under its third chapter has enshrined many of the rights recognized under the Universal Declaration; International Convention on Civil and Political Rights (ICCPR); International Covenant on Economic, Social and Cultural Rights (ICESCR), the African Charter on Human Rights and its Protocol on the Rights of Women and Children; and other human-rights treaties. In addition, according to the FDRE constitution Article 9 (4) all international agreements ratified by Ethiopia are an integral part of the law of the land.
6. Article 25 of the FDRE Constitution vividly stipulates that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law. Women benefit from all rights enshrined under the Constitution. Besides, the FDRE Constitution has specifically guaranteed many of the rights of women guaranteed in the Protocol. Article 34 of the constitution on Marital, Personal and Family Rights recognizes the right to marry and found a family for both men and women, who have attained marriageable age, irrespective of distinctions as to race, nation, nationality. It further states that men and women have equal rights while entering into, during marriage and at the time of divorce. The provision also states that marriage will be entered into with the free and full consent of the spouses. Article 35 on the Rights of Women elaborates that women have equal rights with men in the enjoyment of the rights and protections provided for in the constitution. It specifically stipulates women's right to maternity leave; the right to acquire, administer, control, use and transfer property; the right to equality in employment, promotion, pay and transfer of pension entitlements and the right to full consultation in the formulation of national development policies and projects. The provision is the basis for affirmative measures to remedy historical inequality and discrimination suffered by women. The provision also lays a duty on the state to enforce the right of women to eliminate the influences of harmful customs.
7. In 2000, the Federal Government revised the federal family law with a view to realize equality of the spouses during the conclusion, duration, and dissolution of marriage as well as to ensure rights of women in family settings. The Revised Federal Family Code raised the minimum legal age of marriage to 18 for both men and women (article 7);



repealed the provision conferring marital power on the husband as the head of the family; added additional grounds for divorce (article 76) by mutual consent of the spouses; made optional stating reason for divorce in the petition (Article 81(2)) and so on. Subsequently, many regional states have followed the same approach and revised their family laws. To date, only two regional states, Afar and Somali Regional States have not finalized the revision process and advocacy efforts are on-going for these regions to finalize their revision in alignment with the Federal Family Code.

8. In 2005, Ethiopia adopted a Criminal Code, replacing the 1960 Penal Code, addressing the human right violations that women face. The 2005 Criminal Code has been developed in a gender-sensitive manner that caters for the protection of women's rights. The Criminal Code criminalized and prescribed severe penalties for violence against women including rape (article 620) and a wide range of harmful traditional practices like abduction (article 586); female circumcision, infibulations, or other harmful practices (article 565, 566 & 567); early and forced marriage (article 648); widow inheritance and polygamy (article 650). It also criminalised domestic violence (art. 564). The Code further allows women to optionally terminate their pregnancy under exceptional conditions including when the pregnancy resulted from perpetration of rape. The Criminal Law is playing a significant role in the fight against violence perpetrated against women and harmful practices infringing women's rights and freedoms.
9. In 2019, Ethiopia has adopted a new refugee law, Proclamation No. 1110/2019, which allows refugees to obtain work permits, access primary education, obtain driver's licenses, legally register life events such as births and marriages and access national financial services such as banking. Refugee law has taken into account the peculiar vulnerabilities and specific needs of categories of asylum seekers or refugees such as children and women. Hence refugee women benefit from this law on an equal basis with refugee men. The new law has been hailed as one of the most progressive refugee laws in Africa and it will have significant role in advancing rights of refugee women in Ethiopia.
10. In 2020, Ethiopia has enacted the Proclamation for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants, Proclamation No. 1178/2020, to bridge the gaps in the Criminal Code in this regard. The Proclamation introduced clear provisions and stringent penalties, including a fine of up to 500,000 and death penalty where the victim suffers severe injury or death in the course of trafficking in persons and smuggling. As women are the primary victims of trafficking and smuggling crimes in most cases, this proclamation has a paramount importance in protecting women from such

kind of practices that have the effect of impairing their rights.

11. The newly adopted Electoral Law, Proclamation 1162/2019, has given due attention for the participation of women in the electoral process, both in context of serving as election officials and election observers as well as running for the election and voting. Accordingly, the proclamation provides that gender representation should be considered in the recruitment of election officials, grievance hearing committees, and election observers. Political parties are also required to consider gender in conducting elections for leadership. The amount of financial support that is disbursed to political parties is also determined among other criteria on the number of female candidates the party nominates, the number of female members of the party and the number of females in leadership positions.
12. Ethiopia has recently adopted a revised labour law, Proclamation No. 1156/2019. This Proclamation addresses a number of issues relevant in the context of women's right in the workplace inter alia, sexual violence and harassment, maternity leave, paternity leave, affirmative action for women on employment and promotion. In particular, the proclamation extended maternity leave with pay provisions from 90 days to 120 days pre-natal and post-natal. This legislation further enhances employment opportunities for women, particularly in the private sector.
13. In 2017, The Government has promulgated a new Civil Servants' Proclamation No. 1064/2017 with a view to create a favourable working environment for civil servants particularly working women. In a similar manner to the labour proclamation, maternity leave provisions for civil servants have also been increased to 120 days and paternity leave with pay for 10 working days. The proclamation stipulates that committing sexual harassment or abuse is considered as an offense entailing rigorous disciplinary penalties. As per the proclamation, all government institutions are required to establish, "a nursery where female civil servants could breastfeed and take care of their babies...". The proclamation provides a duty on all government institutions to establish childcare facilities. The Ministry of Women and Social Affairs has developed and issued a directive for the effective implementation of this provision.
14. Ethiopia has introduced Vital Events Registration and National Identification Card in 2012 through Proclamation No. 760/2012 provides for the registration of vital events including birth, marriage, divorce and death which provides the basis for efficient services to citizens, including women. In addition, the registration protects women from harmful practices such as early marriage, serves as evidence of age in the aggravation of offenses

of gender-based violence and protects women from the effects of unlawful bigamy. The vital events registration law was revised in 2017 (Proclamation No. 1049/2017) which has included vital events registration for refugees.

15. Right to Employment of Persons with Disability Proclamation 568/2008 lays a responsibility on employers to take, “all reasonable accommodation and measures of affirmative action to women with disability taking into account their multiple burden...”. In addition, employers also have the responsibility to protect women with disabilities from sexual violence in the work place and take administrative measures against perpetrators of acts of violence.
16. The ratification of the new Civil Society Organizations Proclamation 1113/2019 gives wider space for human rights civil society organizations, including those working on women’s rights and gender equality. In addition, the new proclamation emphasizes the need for CSOs to mainstream issues related to gender equality, children, the elderly, and people living with disabilities. It also encourages CSOs to engage in advocacy and lobbying for improvements in laws and policies in their respective thematic areas.
17. The Revised Sentencing Guideline No.2 /2012 was issued by the Federal Supreme Court in 2012 to guide determination of criminal sentences. Pursuant to this guideline, judges are required to increase the lower end of the penalty in sentencing gender-based violence and sexual violence crimes. This guideline adds significant value in ensuring accountability of perpetrators of violence against women.

### **Policy measures taken to advance rights in the Protocol**

18. The Government of the Federal Democratic Republic of Ethiopia has designed and implemented numerous policies and strategies to advance human rights in general and women’s rights.
19. In 1993, Ethiopia adopted the National Women’s Policy. This Policy has mapped the problems of Ethiopian women in all fields of development and identified the patriarchal system as the root cause of discrimination and marginalization women face in political, economic, and social spheres of life. The Policy has taken into account traditional practices embedded in the cultural and religious norms hampering women’s rights. It further indicated the status of women in relation to their roles of sustaining the household that consequently hampers their access to social services, public affairs, access to and control over property. The policy has identified harmful traditional practices as an area that needs a concerted effort by all stakeholders. While the National women’s policy has

pioneered other policies, strategies, programmes and initiatives on the participation and benefit of women and girls, it was not aligned to the international, and regional commitments Ethiopia has entered into and the does not reflect current realities. Taking this into account, the GoE is in the process of replacing the policy with a national policy on gender equality and women's empowerment.

20. The Development and Change Strategy and Package (2017) aims to ensure the active participation of women in the developmental, social, political, and decision-making spheres and their equal benefits. It has 4 strategic focus areas namely; bringing attitudinal change; ensuring women's participation and benefit in the political, economic and social spheres; ensuring the rights and benefit of women who need special protection [homeless women, women with disabilities, women living with HIV/AIDS, migrant and returnee women, women in prostitution and women heads of households] and enhancing the participation and benefit of pastoralist and semi-pastoralist women.
21. Since 2013, Ethiopia has designed and implemented two national human right action plans (NHRAPs). The first NHRAP was adopted in 2013 and implemented from 2013 to 2015. The second NHRAP has been implemented from 2016-2020. Both NHRAPs have dedicated a stand-alone section for the rights of women. Various activities related to women's rights have been identified by the NHRAPs and were implemented accordingly. A third NHRAP has been prepared and sent to the council of ministers for approval and endorsement. The draft NHRAP has also dedicated a stand-alone section for the rights of women. It has identified many activities to be implemented to realize women's rights in Ethiopia.
22. Ethiopia developed the Strategic Plan for an Integrated and Multi-Sectoral Response on Violence against Women and Children (VAWC) and Child Justice in 2010. The Strategy provided for a multisectoral approach through a National Coordination Body under the leadership of the Ministry of Justice and notable results were achieved including the establishment of One Stop Centres. The strategy's first phase was completed in 2016, and a new strategy "National Strategy on Violence Against Women and Children in Ethiopia" has been launched in 2023. The new strategy aims at strengthening multi-sectoral prevention, response and rehabilitation of survivors with strategic objectives centered around improving the legal and policy environment, law enforcement, transforming values and norms, economic strengthening and data and evidence.
23. In 2011, Ethiopia adopted the Criminal Justice Policy which lays the foundation for special protection of vulnerable groups such as women and children. The policy caters for

the needs and special situation of women - both as defendants and victims of crimes. It further provides for the establishment of a separate system for prevention, investigation, and prosecution of crimes committed against women, children and persons with disabilities.

24. The 2013 National Strategy on Harmful Traditional Practices (HTPs) was issued to provide targeted approach to the national efforts on the prevention, provision, and protection to HTPs, particularly child marriage and FGM/C and galvanize the coordination among stakeholders. The government has accelerated its action to eliminate these practices through developing a costed national road map to end Child marriage and FGM/C in 2019 for the period 2020-2025. A community readiness verification tool has also been developed to monitor the implementation of the roadmap which assesses the belief, practice and attitude of the community towards child marriage and FGM/C.
25. The Government has developed and implemented policies and strategies in different sectors which have benefited women and girls. These included policies and strategies in Education (Education Policy, Gender Strategy for the Education Sector); Health (Health Policy, Reproductive Health Strategy, Adolescent and youth Reproductive health strategy); Social Protection (Social Protection Policy, Social Protection Strategy, Social Security Policy, The Rural Productive Safety Net Program), agriculture, water resource management, nutrition and food security.

### **Applicability of the Protocol**

26. Under the Ethiopian legal system, the Protocol can be applied directly or indirectly as the case may be. According to article 9(4) of the FDRE Constitution, international treaties ratified by Ethiopia are an integral part of the law of Ethiopia. In other words, human-right instruments ratified by Ethiopia such as the Protocol are considered as one of the laws enacted by Ethiopia. This approach of the Constitution allows direct application of the Protocol. Furthermore, pursuant to article 13(2) of the FDRE Constitution, the fundamental rights and freedoms guaranteed by the Constitution should be interpreted in a manner conforming to the principles of the UDHR and other international instruments adopted by Ethiopia. This includes the Protocol as Ethiopia has ratified it. This approach of the Constitution necessitates taking into account women rights' standards contained in the international and regional human rights instruments like the protocol when interpreting the rights and freedoms, including women's rights recognized by the Constitution. In doing so, the Constitution left the room to indirectly apply the Protocol

in the context of interpretation of rights. Consequently, the Protocol has been already incorporated in the Ethiopian Legal System and it is applicable accordingly.

### **Reservations to the Protocol**

27. Ethiopia has entered reservations in relation to Article 6(c) (preferred form of marriage), Article 6(d) (registration of marriage), Article 6(f) (names), article 7 (a) (separation of spouses), Article 10(3) (reduction of military expenditure) article 21(l) (right of a widow to inherit her deceased spouse) and Article 27 (interpretation) of the Protocol. Furthermore, Ethiopia has made interpretative declarations with respect to Article 4 (2) (a), 6(b),6(j),7(d), 13(j) and 14 (b) of the Protocol stating their application will be in accordance with the laws of Ethiopia. The reservations and declarations are stipulated in the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa Ratification Proclamation No1082/2017".
28. These reservations and interpretative declarations do not pose an impediment to the realisation of women's rights guaranteed by the Protocol. Instead, in instances they provide better protection for rights and freedoms of women. The Government of Ethiopia does not have plans for lifting these reservations.

### **Institutional frameworks to advance rights in the Protocol**

29. The Government of Ethiopia has put in place responsive institutional frameworks to give effect to the rights of women guaranteed by the Protocol.
30. At the federal level, the Ministry of Women and Social Affairs (MoWSA) is mandated to ensure the equal participation and benefit of women in the political, social, and economic spheres. Proclamation 1263/2021 on the Definition of Powers and Duties of the Executive Organs provides an extensive list of duties and responsibilities for the ministry including initiating laws, policies, strategies and laws on the rights of women and the mainstreaming of the issues of women; implementing awareness creation on the rights of women, devising strategies for the proper enforcement of affirmative action and designing strategies to prevent harmful practices and violence against women and girls. Bureaus of Women and Social Affairs have also been established at the regional level and lower administrative structures, zonal and Woreda level, tasked with leading activities related to the protection and promotion of women's rights.
31. In order to ensure the effective mainstreaming of the issues of women, women's and social affairs departments have been organized in various federal offices. The women and social

affairs departments are structures in ministries, commissions, agencies, or authorities, at federal level with similar structures and roles and responsibilities in all regions and city administrations that are vested with the responsibility of ensuring mainstreaming of the issues of women in the formulation and implementation of development plans in their respective institutions.

32. The Health, Social, Development, Culture and Sport Affairs Standing Committee of the House of Peoples' Representatives (HoPR) has been established to monitor and evaluate the performance of the executive branch including the Ministry of Women and Social Affairs and to ensure that laws and policies adopted by Ethiopia consider the needs and interests of women. Similar structures also exist in regional legislative councils. A Women's caucus comprising of female members of parliament has also been formed. Similar structures exist at legislative organs at the regional and lower administrative levels.
33. The Ethiopian Government has also established child and women protection units in police stations responsible for handling cases of violence against women and special investigation and prosecution teams at justice bureaus both at the federal and regional levels. Furthermore, it has established child friendly and victim friendly benches within federal as well as regional courts. On top of this, gender sensitive criminal proceeding; including investigation and evidence gathering, has been rolled out throughout the country to ensure that the criminal justice system effectively and efficiently serves the needs of women in Ethiopia.

### **Gender budgeting**

34. The Government of Ethiopia has introduced the National Gender Responsive Budgeting (GRB) Guidelines for Mainstreaming Gender in the Programme Budget Process in 2012 through collaboration between the Ministry of Finance and Economic Development and the Ministry of Women, Children and Youth with support from UN Women. The GRB Guideline was developed with the purpose of providing an operational framework for mainstreaming gender perspectives in the Ethiopian budgeting process, especially in the program budgeting system. The guideline has made great contributions in ensuring that the planning and budgeting processes are gender responsive. In addition to the national guideline, gender responsive budgeting toolkits have been developed and successive capacity building initiatives on GRB have been implemented for legislative and executive branches of government. However, there are still challenges in implementing GRB because of the difference in budget systems at the federal level which follows programme budget and regional level which implements line-item budget system. Further efforts to

institutionalise GRB and the use of gender budget statements, budget circulars and follow up are required.

35. The MoWSA has developed a performance levelling tool which assesses the performance of sectors on a range of indicators on gender equality and women's empowerment including gender responsive budgeting. *(See below section on Gender Mainstreaming for more details on the levelling tool).*

## **Gender Mainstreaming**

36. Proclamation 1263/2021 on the Definition of Powers and Duties of the Executive Organs provides as a common power and duty of government ministries "ensuring that the policies, strategies, laws development programs and projects they formulate benefit women, children, youth, persons with disability and elderly" which is the basis for the mainstreaming of gender. In the same line, the proclamation has given the MoWSA the power to devise strategies and standards for the mainstreaming of issues of women and the duty to follow-up and supervise implementation.
37. National Gender Mainstreaming Guideline has been developed and sector specific guidelines and regional mainstreaming guidelines are also being implemented. Each sector ministry and regional bureau also has directorates/focal points responsible for mainstreaming. Gender audit, analysis and GRB tools have been prepared and gender audits have been conducted in different sector institutions. Capacity building trainings for executive organs, and parliamentarians at federal and regional level have been provided on gender mainstreaming.
38. The Ministry of Women and Social affairs adopted institutionalizing gender mainstreaming and ensuring women benefit monitoring, evaluating and rating (levelling tool) in 2014. The levelling tool has the objective of evaluating/levelling sectors on a range of indicators on Gender Equality and Women's Empowerment (GEWE) in order to draw best practices and provide tailored support to sectors. The ultimate aim of the tool is institutionalizing accountability for GEWE. After adopting a leveling tool the Ministry of Women and Social affairs utilized to evaluate the performance of 29 sector ministries in 2018. Based on the challenges/gaps that have been identified during the evaluation process, the ministry has put in place monitoring and supporting mechanisms to address the challenges and gaps. The levelling tool has been revised in 2020 to include additional indicators on gender responsive budgeting and accountability mechanisms and is being used to further evaluate sectors' performance.



39. The Ministry of Women and Social Affairs has also developed a National Gender Information System (NGIS) in 2019 order to consolidate plans, performance and gender disaggregated administrative data at federal and regional level as well as with other sector ministries. The NGIS includes indicators on education, economic benefit, health related services, public life, and decision-making and human security. The system is instrumental in identifying progress and gaps and to institutionalize evidence-based policy advocacy and programming.

## Section II: Equality/Non-discrimination

### Article 2. Elimination of Discrimination

40. The Government of the Federal Democratic Republic of Ethiopia has implemented several legislations, policies, and institutional measures with the objective of eliminating discrimination against women. The Constitution provides<sup>1</sup> that all persons shall be equal before the law and shall be entitled to equal protection of the law without any discrimination. It further indicates equal protection is guaranteed without any distinction based on race, nation, nationality, colour, sex, language, religion, political or social origin, property, birth or other status and equal rights of women with men in the enjoyment of all rights and protections particularly equality in marriage, employment, property rights and education are pointed out. The Ministry of Women and Social Affairs has the power and duty “to undertake studies to identify discriminatory practices affecting women and create conditions for the elimination of such practices and follow up their implementation” under Proclamation 1263/2021.
41. Equality as a value is embedded in different domestic legislations to ensure elimination of discrimination. The Criminal Code<sup>2</sup> applies to all people without discrimination as regards persons, social conditions, race, nation, nationality, social origin, color, sex, language, religion, political or other opinion, property, birth, or other status. During the conclusion, duration and dissolution of marriage, inheritance and property, the Revised Family Code<sup>3</sup> guarantees the equal rights to women and men. Federal Civil Servant Proclamation<sup>4</sup> and Labor Proclamation<sup>5</sup> prohibit discrimination on the basis of nation, race, color, sex, religion, political opinion, social origin, HIV/AIDS status, disablement, and others which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.

### Article 8. Access to Justice

42. Access to justice is a right guaranteed by the Constitution<sup>6</sup> and its notion is built from recognition of rights like access to courts, trial by competent, independent and impartial

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<sup>1</sup>Constitution Article 25

<sup>2</sup> Criminal Code Article 4

<sup>3</sup> Proclamation 213/2000

<sup>4</sup> Proclamation 1064/2017 Article 13(2)

<sup>5</sup> Proclamation 1156/2019 Article 2(15)

<sup>6</sup> Constitution article 37

- courts; fair and public proceedings, effective redress, and legal assistance and legal aid.
43. A National Free Legal Aid Strategy has been designed with the aim to ensure better coordination of the various stakeholders and to improve the availability and quality of legal services to needy. The Strategy consolidates the efforts of governmental and nongovernmental organizations that offer free legal advice and representation. There are different models of legal aid services in Ethiopia, which are in operation. These include legal aid services delivered by the government, the legal profession and NGOs. The provision of legal aid services in criminal matters is the primary responsibility of states. Accordingly, the Ethiopian government provides legal aid services in criminal matters through the Public Defender's Office (PDO) which is under the supervision of the Ethiopian Federal Supreme Court. In civil matters, the Ministry of Justice is tasked with providing legal aid for vulnerable members including women. The provision of legal aid services by the legal profession can be either mandatory pro bono services or voluntary services of legal professional associations. The requirement to offer mandatory pro bono services is statutory. The Federal Court Advocate's License and Registration Proclamation<sup>7</sup> imposes an obligation on practicing lawyers to render 50 hours of pro bono legal aid service to the poor annually.
  44. The Ethiopian Human Rights Commission, higher education institutions and civil society organizations have been involved in the provisions of legal aid services to women.
  45. A series of trainings continue to be provided to police officers, prosecutors and judges on human rights and other legal issues to enhance the compliance of the criminal justice system with constitutional and international human rights standards. For example, in the period 2013/2014 – 2016/17, the Ministry of Justice provided nine rounds and in the period of 2017/2018 – 2020/2021 rounds of trainings to the police and prosecutors. The Federal Justice and Legal Affairs Research and Training Institute and its regional counterparts also provide regular trainings to judges, prosecutors and police officers.

#### **Article 9. Political Participation and Decision-Making**

46. Equal participation of women in leadership and decision-making positions is critical for gender equality and women's empowerment. The FDRE Constitution guarantees equal participation of women and men in public affairs and the formulation of national development policies. There are efforts by the government to create a conducive environment for increasing the political participation of women at different levels.

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<sup>7</sup> Proclamation No 199/2000

International and regional conventions have inspired the national legal and policy frameworks towards the inclusion of affirmative action provisions in the Constitution as well as the Labour Proclamation No. 1156/2019 and The Federal Civil Servants Proclamation 1064/2017. The new electoral law provides more incentives to political parties to enhance the political participation of women.

47. The Ministry of Women and Social Affairs has the power and duty to ensure that due attention is given to assign women in decision-making positions in various government organs; devise strategy for the proper enforcement of women's right to affirmative action at the national level and follow up the implementation of such actions. The Women Development and Change Package also places emphasis on enhancing women's participation in politics and decision-making. The Ten-Years Development Plan (2021-2030) aims at achieving gender parity at all levels of government in the legislative, executive and judiciary branches of government by 2030.
48. Ethiopia now has a female head of state. Women hold 7 out of 23 cabinet positions with a 30.4% representation, a regression from the 50% parity reached in 2018. Following the 2021 general election, the number of women holding seats in the parliament reached 42%, progressively increasing from 38.7% during the previous parliament session. Data suggests that women's representation in leadership and decision-making progressively decreases as we move up from the lower administrative structures with regional averages hitherto that the federal. The representation of women is higher in the legislative branch of government, followed by the executive and the judiciary.

## **Article 12. The Right to Education**

49. Ethiopia has adopted international treaties, and development goals that guarantee equal opportunities to high-quality education for all, including women and girls. The SDG goal in education recognizes that gender equality requires an approach that 'ensures girls and boys, women and men not only gain access to and complete education cycles but are empowered equally in and through education. The Education and Training Policy (1994), successive education sector programmes including the fifth education sector development program (ESDPVV), covering the period from 2015/16 to 2019/20, and the revised gender strategy in the education sector (Gender Equality and Girls Education Strategy) are aimed at eliminating gender barriers in education.
50. The GoE has taken several measures to increase women and girls' access to, retention in, and completion of education, technical and vocational education and training (TVET) and

skills development programs. Accordingly, several efforts have been made by the government to ensure the equal involvement of women in education. These efforts are bearing an encouraging outcome in terms of overall increase in the enrolment, retention and completion rate of girls at all levels of education. Improvements in girl's dropout for grades 1-8, grade 5 survival rates, and secondary school enrolment were noted.

51. The number of institutions as well as their intake has increased in the last few years. In order to strengthen girls' education and address challenges relating to distance between residence and schools, the Government has developed guidelines on the provision of hostel services for female students. The hostel is part of the ongoing effort to reduce girl's drop out. Hostels are built by the government and various non-governmental organizations to meet the needs of female students who travel long distances to get to schools and cannot afford to rent a house in the town. Similarly, the MoE is providing financial assistance to girls from underprivileged families to attend school. This program that targets reduction of dropout rates is operational in the four emerging regions of the country namely Benishangul Gumuz, Gambella, Afar and Somali Regional States. Further, the government has been implementing free primary education strategies to attract children to school such as school feeding program in selected chronically food insecure areas.
52. The Ministry of Education (MoE) has introduced a gender sensitive guideline for curriculum development and a specialized course for Teachers Training College integrated as a common course to deliver the teaching learning process gender-responsiveness. Moreover, with the view to mainstream human rights approach and gender-responsiveness in the education sector, gender equality and human rights trainings have been given on a yearly basis to gender experts, directors of directorates, educational experts, teachers and administrators, teachers' education trainers, and support level staffs working in education institutions and offices.
53. Focus has also been given to enhancing female leadership in schools. Female leadership in schools is expected to encourage more female participation among the teaching body of the school. The revised "Gender Strategy in the Education and Training Sector" aims at eliminating gender barriers in all levels of education and ensuring equal participation of women in teaching as well as educational leadership and management. Accordingly, it was targeted to increase the numbers of female school principals by training around 3000 primary school principals between the years 2018-2021. The initiative included providing short-term trainings, conducting consultative meetings with regional state officials and

experts, and the development of a strategic guideline on female leaderships as well as follow up and placement of the trained female teachers.

54. The measures in the past five years have also included increasing access to skills and training in new and emerging fields, especially in science, technology, engineering, and math (STEM). For the purpose of improving mathematics and science education outcomes for women and girls, practical training was provided to mathematics and science teachers. In such training programs, priority is given for female teachers, and this has helped them improve their knowledge and skills to deliver their teaching effectively and efficiently. In STEM education both male and female students were given the opportunity to participate in project work with particular attention devoted to encouraging female students. The STEM sector has trained selected female students in primary and secondary schools (e.g., on mobile application software), and further facilitated scholarship arrangement for advanced study abroad.
55. Measures have also been taken towards ensuring violence free, safe and gender-sensitive school environment. MoE's Gender Equality and Girls Education Strategy adopted during the reporting period provides for detailed strategies to address sexual harassment and other forms of violence in educational institutions. Further, anti-sexual harassment code of conduct has been prepared and rolled out for implementation at all levels of schools. School clubs were also created and supported. The other critical issue is access to water and sanitation in schools, a determinant factor for girls schooling and their potential to benefit from education opportunities. To increase access to water and sanitation in schools, the GoE in collaboration with the World Bank, UNICEF and other partners has made menstrual health management (MHM) available for high school girls across the country. A Water Sanitation and Hygiene (WASH) facility for primary and secondary schools has been delivered and has contributed to advance girls' access to water and sanitation in schools.

### **Section III: Protection of women from violence**

56. The FDRE Constitution under Article 24 recognizes everyone's right to respect for human dignity, reputation, and honour. It also stated the right of everyone to free development of personality in a manner compatible with the rights of other citizens. In addition, Article 18 of the constitution provides protection against cruel, inhuman, or degrading treatment or punishment and prohibits trafficking in human beings. The constitution also prohibits laws, customs and practices that oppress or cause bodily or

mental harm to women.

57. Ethiopia has enacted several laws and policies to address acts of sexual violence, domestic violence, sexual harassment, and harmful practices. The Ethiopian Criminal Code criminalizes various forms of violence against women, including rape, sexual harassment, and domestic violence. Intimate partner violence in the context of marriage or irregular union is also recognized as a crime wherein causing grave or common injury to physical and mental health leads to punishment. The Criminal Code of Ethiopia also criminalizes FGM/C. The prescribed punishment for FGM/C ranges from three months imprisonment and fine to three to five years for infibulation and can be increased to fifteen years if severe health complications are suffered by the victim. The Civil Servants Proclamation No. 1064/2017 and the Labour Proclamation No. introduce legislative measures to deal with sexual harassment in the workplace. Policy documents such as the 10 Years Development Plan, the second National Human Rights Action Plan (NHRAP II) and the Women Development and Change Strategy and Package also address violence against women and girls as one of the top priorities.
58. The Government adopted the National Strategy on Harmful Traditional Practices (HTPs) and the accompanying action plan on Female Genital Mutilation (FGM), child marriage and abduction in 2013. After this strategy was finalized the government has developed a national road map to end child marriage and Female genital mutilation from 2020 to 2024. The National costed Roadmap to end FGM and Child marriage outlines interventions and a robust monitoring and evaluation system to end FGM and Child Marriage in Ethiopia.
59. Furthermore, a comprehensive Standard Operating Procedure (SOP) on the Elimination of all Forms of GBV in both humanitarian and development contexts has been drafted and is ready for approval. The SOP plans to standardize national prevention, protection and service provision amenities and ensure multi-sectoral coordination in support of women and children. It describes clear procedures, roles, and responsibilities for each sector involved in the prevention and response to GBV. In addition, SOPs for One Stop Centers and Safe-houses and rehabilitation centers have also been developed and are in operation.
60. The government of Ethiopia has included a module on Gender Based Violence in the 2016 Ethiopian demographic and health survey (EDHS). Based on the survey, the percentage of women who have ever experienced physical violence was 23% and 10% have experienced sexual violence. The survey also includes data on HTP with the percentage of women who have undergone FGM in the age group 15-49 was 65% and the

percentage of women who were married before the age of 18 was 58%. The existence of such national data allows for the establishment of a baseline to measure progress and to undertake evidence-based policy advocacy.

61. There have been strong awareness creation campaigns against harmful traditional practices including child marriage and FGM/C. A coordinating body, the National Alliance to End Child Marriage and FGM/C brings together stakeholders from government, civil society organizations, development partners and, religious organizations for concerted efforts on child marriage and FGM/C. The Ministry of Women and Social Affairs serves as a Secretariat to the national alliance. There have also been significant initiatives launched by the main national religious institutions in Ethiopia, such as the Ethiopian Orthodox Church, the Catholic Church, the protestant churches and the Ethiopian Muslim Development Agency that condemned the practice and established declaration to abandon FGM. Moreover, the Government refreshed its commitment to end FGM/C and child marriage by 2025 at the London Global Girls' Summit held in July 2014.
62. The Government also established child and women protection units in police stations responsible for handling cases of VAW, the VAW investigation and prosecution team. The Child and Women Protection Units have expanded significantly in number and coverage through the country. In addition, gender sensitive criminal proceeding; including investigation and evidence gathering, have been rolled out throughout the country.
63. The Government of Ethiopia has made noticeable progress in the prevention of human trafficking. Measures taken include enactment of laws on human trafficking and smuggling of migrants; strict enforcement through prosecution and setting out the conditions for legal migration; continuous awareness creation efforts using several methods of communication; victim rehabilitation; conclusion of law enforcement cooperation agreements with neighbouring countries such as Djibouti and Sudan. The government promulgated the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants Proclamation No. 909/2015 (currently revised as proclamation 1178/2020) Article 39 of the Proclamation established a National Committee led by the Deputy Prime Minister and comprising the Ministry of Justice, Ministry of Foreign Affairs, Ministry of Federal Affairs, Ministry of Labor and Social Affairs, Ministry of Women, Children and Youth Affairs, Ministry of Education, Regional States, other governmental organizations, religious institutions, charities and societies, various structures and other respective organizations. Among the primary tasks of the National



Committee include prevention of human trafficking through, inter alia, raising the awareness of the public on the adverse effects of human trafficking.

64. In 2015, the National Committee adopted a Strategic Plan designed to be implemented from 2015-2019. The Plan incorporates prevention strategies to raise the awareness of the public and address social and economic factors that cause human trafficking. Such strategies include promoting entrepreneurship so as to create job opportunities for citizens of Ethiopia; protecting the rights of citizens of Ethiopia so as to make them benefit from the development endeavours of the country; encouraging citizens to follow lawful procedures while deciding to work abroad; and undertaking awareness raising campaign. The Plan underscores that preventive measures should make special focus to protect the human rights of vulnerable groups, especially women and children. The government, in addition, has taken legislative measures to strengthen border control as per the requirement of UN Trafficking Protocol highlighted above. The Proclamation criminalized and imposed severe penalties on fraudulent use of travel and identity documents.
65. Ethiopia's Overseas Employment Proclamation No 923/2016 (as amended through Proclamation 1246/2021) which prohibits direct employment of Ethiopian nationals in foreign countries with which Ethiopia has no bilateral relations. The law provides that employers in such countries can hire Ethiopian nationals only through the intermediary of legally registered private agencies or the Ministry of Labour and Skills of Ethiopia and protect the human rights violations of Ethiopians working abroad and discourage vulnerabilities to human trafficking. Concerted efforts are underway to ensure the safe return of irregular migrants detained abroad. Returnees are provided with emergency medication, shelter and pocket money to allow them to integrate with their family. The returnees received skills training and assistance enabling support themselves through engaging in business activities. However, substantial work remains with regard to facilitating victim's support.
66. The GoE has expanded access to One Stop Centers which provide comprehensive services consisting of medical and psychological treatment, legal support and temporary shelters for survivors of sexual violence. There are around 70 One Stop Centers with service centers in all regional states and city administrations. The One Stop Centers have improved service provision for survivors of violence and resolved a key issue of adequate medical evidence. There also safe-houses and rehabilitation centers which are operated by government as well as civil society organizations and hot-line services for easy reporting

of gender-based violence.

## **Section IV: Rights Relating to Marriage**

### **Article 6 (e to j). Marriage and its effect on property relations, nationality, name**

67. The Federal Democratic Republic of Ethiopian Constitution under its article 34 ensures that men and women, without any distinction as to nations, nationality, or religion, who have attained marriageable age as defined by law, have the right to marry and found a family. In addition, the constitution under Article 33(1) stipulates that “No Ethiopian national shall be deprived of his or her Ethiopian nationality against his or her will. Marriage of an Ethiopian national of either sex to a foreign national shall not annul his or her Ethiopian nationality. The constitution under article 34(d) states that “Ethiopian nationality may be conferred upon foreigners in accordance with law enacted and procedures established consistent with international agreements ratified by Ethiopia.” To govern this constitutional provision, a Proclamation on Ethiopian nationality (Proclamation No.378/2003) has been enacted. The proclamation lists conditions and requirements to get Ethiopian nationality one of which is marriage. Both the FDRE constitution and Ethiopian nationality proclamation No.378/2003 ensures that nationality can be acquired through Acquisition by Descent, Adoption, Marriage and Naturalisation. Such kinds of acquisitions are provided regardless of their sex and spouses have equal rights in relation to their children’s nationality. Accordingly, it states that “Any person with one or both parents of Ethiopian citizenship is an Ethiopian”. The constitution under article 36(b) clearly recognizes “Every child has the right to a name and nationality”. The child born to parents with mixed nationalities nationality is a matter of choice not an obligation.
68. In Ethiopia, it is not common for women to take their husband’s names up on marriage but retain their given names.
69. In relation to the effect of marriage on property, the constitution under article 35 (2) has provided that women have equal rights in the marriage. The revised family code expands on the constitutional protection and stipulates that both spouses have the right to jointly decide on their common property (article 67(1)) and common residence under (article 54). The revised family code under article 63(1) assures that “all property shall be deemed to be common property even if registered in the name of one of the spouses unless such spouse proves that he/she is the sole owner thereof. Regarding married women’s right to

acquire her own property, Ethiopia has made interpretative declaration.

#### **Article 6(b). Minimum Age of Marriage**

70. Article 34(2) of the Ethiopian constitution states that marriage is performed with the free and full consent of the spouses. Article 7 of the Revised Family Law stipulates that the minimum age of marriage for both women and men is 18 years. However, in a special case upon the request of the spouses or one of their parents with the permission of the Ministry of Justice the marriageable age can be reduce by two years. With the exception of these circumstances indicated in the Revised Family Code, marriage with a minor is punishable by imprisonment up to seven years according to the Article 648 of the Criminal Code. Therefore, Ethiopia made an interpretive declaration on marriageable age of women.

#### **Article 6(c). Protection of Women in Polygamous Marriages**

71. The FDRE Constitution under Article 34 (4) stipulates that a law giving recognition to marriage concluded under systems of religious or customary laws may be enacted. In addition, the constitution allows the adjudication of disputes relating to personal and family laws in accordance with religious or customary laws, with the consent of the parties to the dispute.
72. Article 11 of the Revised Family Code prohibits bigamy stating that, “a person shall not conclude marriage as long as he/she is bound by the bonds of a preceding marriage” and bigamy leads to the dissolution of the bigamous marriage. The criminal code of Ethiopia has criminalized polygamous marriages, with the exception of those concluded according to religious orders. The Supreme Court of Ethiopia, Cassation Bench has set a precedent which protects the property rights of the woman in the second marriage to equally divide her husband’s share of property. Ethiopia has entered an interpretive declaration on the provision.

#### **Article 7. Protection of Women during Separation, Divorce, or Annulment of Marriage**

73. The FDRE constitution, Article 34 clearly indicates that men and women, without any distinction, have equal rights while entering into, during marriage and at the time of divorce. The revised Family Code deals in detail about divorce and its effects. Divorce can be affected in two manners. The first is where the spouses have agreed to divorce by mutual consent and such agreement is accepted by a court. The second is up on petition

of one of the spouses to a court of law. In both cases, there is no obligation on the parties to state the reasons for the divorce and the court may only give a cooling period of three months.

74. The Revised family code of FDRE under article 63(1) stipulates that “all property shall be deemed to be common property even if registered in the name of one of the spouses unless such spouse proves that he is the sole owner thereof”. According to the family code, the pecuniary interests of the spouses are liquidated in accordance with the agreement entered into by the spouses or by the contract of marriage, where one exists. In absence of an agreement or contract, the court decides the division of property based on the principles that each spouse retakes his/her personal property in kind whether it is shown that he/she is the sole owner of such property and common property is divided equally between the spouses. Ethiopian family law (Articles 98-107) recognizes irregular unions wherein a man and women live together as husband and wife without having concluded a valid marriage. Property acquired during such relations is considered as common property provided that the relation has lasted for not less than three years and divided accordingly.
75. As per the revised family code Article 113, courts make decisions on the custody of children, care of their education, health, maintenance and rights of visitation. The court renders these decisions taking into account the income, age, health, and condition of living of the spouses as well as the age and interests of the children. Ethiopia has entered an interpretive declaration on the provision.

#### **Article 6 (i and j) Protection of Children in the Family**

76. The FDRE Constitution Article 36(1) (c) provides for the rights of children to a name and nationality, to know and be care for by his/her parents or legal guardians, to be protected from exploitative practices and to be free from corporal punishment and inhuman treatment. The constitution also states that the primary consideration in any action concerning children should be the best interest of the child. The constitution also ensures Children born out of wedlock shall have the same rights as children born of wedlock and under its article 34 expressly states that Laws shall be enacted to ensure the protection of rights and interests of children at the time of divorce. The Revised Family Code of Ethiopia Article 50(2) stipulates that spouses have equal rights in the management of the family. “The spouses shall, in all cases, co-operate, to protect the security and interests of the family to bring up arid ensure the good behaviour and education of their children in order to make them responsible citizens”. The family code

also provides detailed provisions under which paternity can be ascertained for the protection of children.

77. Ethiopia has adopted national child policy to promote the rights of children and guide the work of various actors dealing with children. The policy emphasizes on three central strategies, (1) development and growth, (2) prevention and protection, and (3) rehabilitation, care, and support. The National Policy Framework for Early Childhood Care and Education (ECCE) was developed in 2010 to ensure the provision of good quality services to all children from birth to the age of seven. The GoE has also established adequate institutional mechanisms for the protection of children including the Ministry of Women and Social Affairs and its corresponding structures which are mandated to ensure the rights, protection, and benefit of children.
78. The Revised Family Code of FDRE under article 63(1) stipulates that “all property shall be deemed to be common property even if registered in the name of one of the spouses unless such spouse proves that he is the sole owner thereof”. And in cases of divorce the spouses can make an agreement on how to share their common property, (Article 85(1)), but if they do not have agreement they will share it equally. According to the revised Family code of Ethiopia Article 90, the spouses have the right to equally share their common property during the time of divorce. Ethiopia made an interpretive declaration in equitable sharing of the joint property deriving from the marriage.

## **Section V: Health and Reproductive Rights**

79. The Federal Democratic Republic of Ethiopia (FDRE) Constitution states women’s right of access to family planning, education, information, and capacity to prevent harm arising from pregnancy and childbirth and safeguard their health. Accordingly, women have the right to control their fertility including the number and spacing of their children. In addition, the constitution lays an obligation on the state to allocate increasing resources to provide public health, education, and other social services. The constitution also states, “policies shall aim to provide all Ethiopians access to public health and education, clean water, housing, food and social security” depending on the country’s resources.
80. The Criminal Code of Ethiopia (2005) provides circumstances in which termination of pregnancy is allowed by law. Accordingly, termination of pregnancy by a recognized medical institution is allowed in cases of rape and incest, in situations when the pregnancy endangers the life of the mother or the child or the health of the mother or where the birth of the child is a risk to the life or health of the mother.

81. The Government of Ethiopia has made significant strides towards improving the health status of women. The government has introduced successive policies, strategies, guidelines and strategic plans in the health sector which expanded on women's right to health particularly maternal and reproductive health, access to family planning and addressing women's vulnerability to HIV/AIDS including the National Health Policy (1993), Policy on HIV/AIDS (1998), National Reproductive Health Strategies (2006-2015 and 2016-2020), National Adolescent and Youth Reproductive Health Strategies (2016-2020 and 2021-2025 ),the Health Sector Development Programs I to IV (2005/6-2014/15), the Health Sector Transformation Plan I (2015-2020) and II (2020/21 to 2024/25), Reproductive Health Strategic Plan 2021–2025, the National HIV Prevention Roadmap (2018-2020) and National Guideline for Family Planning Services (2019).
82. The Ministry of Health at Federal level and corresponding structures at the regional, zonal, Woreda and Kebele level are responsible for the implementation of health-related policies, strategies, and plans. The Maternal, Child and Adolescent Health Service Unit at the Ministry of Health is responsible for strengthening quality, efficient, effective, and equitable access to maternal, new-born and adolescent and youth health services and implements programmes on adolescent and youth health, family planning, maternal health. In addition, a revised National Gender Mainstreaming Manual for Health has been issued in 2021 in order to allow the Ministry and its structures to integrate gender perspectives into all aspects of work.
83. The Health Extension Program (HEP) was launched by the Government of Ethiopia in 2003 in response to the rural community's need for basic health services. The extension workers drawn from the community, the majority of whom are women, provide door-to-door services to facilitate access to quality and affordable health care. The Program gives special attention to mothers and children in rural areas focusing on maternal, neonatal and child health interventions to the community with the goal of reducing maternal and child mortality. The health extension workers have been using women development army (WDA) as a platform to engage with the community members. The introduction of WDA facilitates the scaling up of best practices in implementing the Health Extension Program (HEP) to all households, mainly through organized women.
84. Ethiopia has made significant progress in expanding health services. In 2020/21, there were 367 functional hospitals, 3,777 health centers and 17,699 health posts providing health services. Following the expansion of first level health systems at woreda level through health posts and health centers, presently 99 percent of the health centers and 79

percent of the health posts provide different forms of reproductive health services including family planning five days a week. The primary health coverage has potentially increased from 50.7% in 2000 to more than 90% in 2019.

85. Life expectancy in Ethiopia has reached an average of 65 years, with women's life expectancy at birth being 68. The total fertility rate is 4.6 births per woman (2.3 in urban areas and 5.2 in rural areas). Maternal mortality ratio has decreased from 871 maternal deaths per 100,000 live births in 2000 to 401/100,000 in 2017. In 2021, 73% of women in the reproductive age group have received a modern contraceptive method. 70% pregnant women have had at least 4 ANC visits, 63% pregnant women were attended by skilled delivery attendants, and 85% women received early postnatal care. [6] In 2021, HIV Prevalence rate among adults aged 15 years and above in Ethiopia was 0.96%; 0.6% among males and 1.12% among women.
86. Despite this progress, there are challenges in availability, accessibility, and quality of health services for women. Delays in health care seeking behavior, access to transport to health care centers, and receiving prompt care at health facilities remain as gaps. However, the Government of Ethiopia is implementing progressive measures to solve these drawbacks through different mechanisms including mass awareness mobilization about health seeking behaviour and infrastructural developments.

## **Section VI: Economic, social, and cultural rights**

### **Article 13. Economic and Welfare Rights**

87. The FDRE Constitution under Article 35, in stating out the rights of women, has underlined women's equal rights in employment, promotion, pay and the transfer of pension entitlements. It has also provided for temporary special measures in the political, social, and economic spheres to make up for past discrimination. Women are also entitled to maternity leave with full pay (article 35 (5)). In accordance with article 41 (2) of the Constitution, women have the right to choose their means of livelihood, occupation and profession. They are also entitled to the right to equal access to publicly funded social services. (Article 41(3))
88. The Labour Proclamation 1156/2019, while availing provisions that would help establish a fair and just work environment in the private sector, has included various provisions that guarantee the rights of women in employment. In particular, the proclamation has a dedicated section dealing with the rights of women and young workers. Accordingly, it

has guaranteed women equal rights with men in employment, promotion, pay and any other benefits and also stipulates the implementation of affirmative action for women in employment. The right to equal pay for equal work is guaranteed and women are assured to protection from any discrimination on the ground of sex. The proclamation provides protection against sexual harassment or sexual assault either by the employer or other workers. The proclamation has also provided for maternity leave and special protections with regards to women in such status. As such, they are entitled to payable maternity leave, protection from being assigned on such works that may be dangerous to their health and wellbeing. Women are also entitled to other rights availed in general to all workers in the proclamation, including, the right to paid public holidays, annual leave and sick leave. The proclamation has determined the minimum age for work to be 15 years as in congruence with the ILO Convention and has provided for parameters that would protect such young workers.

89. The Federal Civil Servants Proclamation 1064/2017 has stipulated various provisions that avail protection to women in the civil service. Article 13 has emphasized there shall be no discrimination among job seekers or civil servants on the ground of sex, among others. The principle of equal pay for equal work is assured. (Article 8) and maternity leave of 16 weeks is guaranteed (Article 42). Article 48 of the proclamation has stipulated any government institution shall take affirmative action that would enable women civil servants to improve their competence and to assume decision making positions and affirmative action shall apply in recruitment, promotion, transfer, redeployment, education and training. Women civil servants are also availed to further protections, such as right to leave as regards to their motherhood and government institutions are obliged to establish a nursery where female civil servants could take care of their babies. When listing offenses, entailing rigorous disciplinary penalties, the proclamation has included within the list committing sexual harassment or abuse in the workplace (Article 70).
90. Public Servants Pension Proclamation 907/2015 and Private Organization Employees' Pension proclamation 908/2015 have provided social security schemes that give protection to employees of public and private institutions and the protection may extend to other beneficiary persons related to the employee. As such employees and their beneficiaries are entitled to securities during their retirement by age or any grounds stipulate by the law.
91. Advertisement Proclamation 759/2012 when determining the rules about the content and manner of presentation of advertisements, under Articles 6 and 7, has underlined that it



shall not be contrary to law and morals, shall respect the social traditional values of the society and as such an advertisement that contains image, speech or comparison that violates the dignity, equality or liberty of mankind in relation to gender, among others or such that violates the rules of good behaviour and human dignity or an advertisement with obscene written message, image, picture, film, or similar presentation is prohibited.

92. Ethiopia's tax laws apply equally among all taxpayers irrespective of sex. The government provides special tax exemptions for the production and import of sanitary pads. The government allows tax free import of special vehicles for persons with disabilities, including women with disabilities.
93. The Ministry of Women and Social Affairs has been working on ensuring that unpaid care work and domestic responsibilities which heavily burdens women and girls is recognized and valued and has prepared a manual on unpaid care and domestic responsibilities.
94. A National Women's Economic Empowerment Forum (NWEFF) has been established to strengthen the coordination between government, civil society organizations and private sectors in ensuring the economic empowerment of women. The forum organizes platforms in which barriers to women's economic empowerment are identified engages with decision-makers to ensure it used as evidence to influence policy and action.

#### **Article 15. The Right to Food Security**

95. The FDRE Constitution in its social objectives aims to provide all Ethiopians access to public health and education, clean water, housing, food, and social security. Taking into account the fact that 66% of Ethiopian labour force is engaged in agriculture, land plays a critical role in ensuring food security. Accordingly, the constitution provides that right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the State and in the peoples of Ethiopia. Land is not subject to sale or other means of exchange. The constitution guarantees the right of Ethiopian peasant the right to obtain land without payment and protection against eviction from their possessions and similar protection is provided for Ethiopian pastoralists. According to the constitution, "women have the right to acquire, administer, control, use and transfer property. They have equal rights with men with respect to use, transfer, administration, and control of land".
96. The Urban Land Lease Proclamation No. 721/ 2011 and the Rural Land administration and Land Use Proclamation no. 476/2005 provide the standards for the administration and use of urban and rural land, respectively and have put in place mechanisms in which women are equally entitled to possess and utilize land for their self-sustenance and food

security. Including the issuance of joint land holding certificates. Through the implementation of nation-wide land certification programs, millions of women have acquired land use right certificates either jointly with their spouse or separately.

97. The GoE has issued a gender responsive Food and Nutrition Policy recognizing women and girls as the most vulnerable groups affected by the consequences of food insecurity. The policy aims at improving the nutritional status of people with special focus on pregnant and lactating women, children, and adolescents. The policy also considers women and women association as important actors in meeting the policy objectives and focuses on strengthening the capacity of women, women's organizations, and women development groups.
98. Important interventions with respect to improving the lives of rural women through the expansion and implementation of specific programs and projects have been in place in particular targeting the expansion of access to safe drinking water and sanitation facilities. These include Water Resource Management Policy, Water Sector Strategy, Guidelines for the Mainstreaming of Gender in Water and Energy Sectors and the One Wash National Program which is being implemented since 2013. These policies and programmes ensure equitable access to water and sanitation facilities for women and girls.
99. The Productive Safety Net Program (PSNP) introduces Water Sanitation and Hygiene (WASH) interventions that eased women's time and labor burden in fetching water from longer distance. It also provided linkages to social services including utilization of health and nutrition related services that empower women. Accordingly, women are supported to access maternal and child health services at every level and to support their nutrition and health seeking behaviors during pregnancy and during their child's infancy, and subsequently to support the development and growth of their young child.
100. In 2015, the GoE has made a high level fifteen-year commitment to end stunting in children under two years by 2030. This commitment known as the Seqota Declaration is a multi-sectoral programme has amongst its strategic objectives, "improving the health and nutritional status of women, children under two and adolescent girls", "improving nutrition status of pregnant and lactating women and children" and "improving gender equity, women empowerment and child protection".

#### **Article 16. The Right to Adequate Housing**

101. The Constitution provides for the right to property including immovable property on land. It has provided that the state has the obligation to allocate increasing resources to

public social services and has set out that policies shall aim to provide all citizens access to housing, among others. In particular, women are availed with affirmative measures under the constitution which includes those linked with improved living standards and in particular with the right to adequate housing.

102. The government has been taking several measures in order to achieve the adequate standard of living and continuous improvement of living conditions of the Ethiopian people, in particular with regards to the right to housing with due regard to the necessity of women. To ensure the progressive realization of the right, the government has adopted and implemented various policies and strategies to the maximum extent of available resources. The Urban Housing Policy and Strategy has set out the basic national framework. It has encompassed the interest of women as regards to housing and has provided for measures with the aim of fulfilling their need.

103. The GoE has rolled out public housing programmes to give effect to the right of adequate housing which sets aside 30% of the condominium houses built to women in addition to their share in the lot from the remaining 70%. In addition, 5% of the houses are reserved for persons with disability. Accordingly, 112,864 (44.39%) of women have benefited from the lottery from the 1st to the 14th round.

#### **ARTICLE 17. The Right to Positive Cultural Context**

104. The FDRE constitution Article 41 provides that everyone has the right to participate in and promote one's own culture. However, discriminatory, and harmful cultural practices are excluded from the sphere of this right. The constitution lays a duty on the government to support, on the basis of equality, the growth and enrichment of cultures and traditions that are compatible with fundamental rights, human dignity, democratic norms and ideals and the provisions of the constitutions. These provisions have the effect of ensuring that women enjoy their right to culture in a positive manner while being protected from harmful traditional practices such as early marriage, FGM and abduction. The constitution also provides women the right to full consultation in the formulation of national development policies including cultural policies.

#### **ARTICLE 18. The Right to Healthy and Sustainable Environment**

105. The protection and conservation of the environment is a constitutional imperative in Ethiopia. Article 44 of the constitution provides for the rights of all persons to a clean and

healthy environment. The constitution further lays a commensurate duty on the government to “endeavour to ensure that all Ethiopians live in a clean and healthy environment”. It further states that the design and implementation of programmes and projects should be in a manner that does not damage or destroy the environment. In addition, the constitution also provides the right to be consulted in the planning and implementation of environmental policies and projects. These constitutional provisions lay down the foundation for the rights of women to a clean and health environment and the participation of women in the “planning, management and preservation of the environment”.

106. The Government of Ethiopia has been playing a commendable role in climate diplomacy and negotiations and has vocally advocated on behalf of building a climate resilient green economy. In addition to being a member of the UN Framework Convention on Climate Change and the Paris agreement, Ethiopia has adopted policies, strategies and adaptation plans all centered around the green economy. The Environment Policy, the Climate Resilient Green Economy Strategy, the National Adaptation Plan on the Strategy, the Updated Nationally Determined Contribution and the National Disaster Risk Management Policy and Strategy demonstrate the commitment of the government to address climate change.

107. Gender has been integrated into these policy and strategy documents. The Environmental Policy issued in 1997, considers women as key actors in natural resource use and management and clearly states that women should be involved in policy, programme and project design, decision making and implementation. Gender is also a key consideration in the national adaptation plan which recognizes the particular vulnerability of women to climate change and provides for adaptation options which give special emphasis to women, children and impoverished communities.

## **ARTICLE 19. The Right to Sustainable Development**

108. The right to development is recognized under the FDRE Constitution, Article 43. The provision recognizes the right to improved living standards and sustainable development to the people of Ethiopia and the right of Ethiopian nationals to participate in the national development including the right to be consulted with respect to policies and projects affecting their community. It further states, “the basic aim of development activities shall be to enhance the capacity of citizens for development and to meet their basic needs” and that all international agreements and relations by the state should ensure the right to sustainable

development. The constitution has also guaranteed women the right to property pursuant to Article 35(7) and Article 40(1). Women have full right to acquire, administer, control, use and transfer property in equal terms with men including the use, transfer, administration, and control of land. Women also have the right to full consultation in the formulation of national development policies, the design and execution of projects.

109. The long-term development plan of the country, the 10 Years Development Plan has included gender and social inclusion as one pillar. The main objective of the pillar is to ensure that women benefit from economic development through skills development, capacity building and equitable participation. The plan sets out targets to be met by 2030 including enhancing land ownership rights to women, increasing women engaged and benefiting from micro-enterprises and increasing the number of women who are engaged in income generating activities through microfinance loans.

## **Section VII: The Right to Peace**

110. Ethiopia has adequate legal and policy frameworks towards promoting peace and security that is aligned with UN Security Council, African Union (AU) and Regional Economic Communities (RECs) resolutions on women, peace, and security. In addition to the regular structures in the peace and security sector, the GoE has established a Ministry of Peace with the mandate to ensure the maintenance of public peace, devise a strategy for protection of public peace and undertake awareness and sensitization activities as per Proclamation 1263/2021. Ethiopia has established the National Dialogue Commission in 2021, an impartial and independent body which will facilitate consultations between various segments of the society to identify the root causes of the difference on fundamental national issues and to undertake effective national dialogue process which is inclusive and transparent.

111. The importance of women's peace and security agenda is formally recognized into various national normative frameworks and customary laws. In this regard, the FDRE Constitution (1995), the Foreign Affairs and National Security Policy and Strategy (2002), and laws establishing security sectors including national defence force proclamation number 1100/2019 and Ethiopia federal Police Commission proclamation 720/2011 are among the prominent legal and policy documents that provide the country's vision for peace and co-existence. The existing frameworks are set out a detailed provision on the rights of women; and has ensured equality with men in every aspect of right protection and promotion which shall include their equal participation, decision making power and role on peace sustainment, conflict prevention and management, post conflict reconstruction and rehabilitation with special care and

protection availed to them. Apart from this, the issue of women peace and security is integrated into the national early warning system and strategy. In this regard, extensive trainings have been given to women in conflict exposed areas on early warning and prevention to develop their capacity in early warning and crisis prevention; and also help them to actively participate in peace and security activities. These trainings have not focused only on women and members of the community but also targeted relevant government officers to increase capacity and preparedness at all levels.

112. The Ministry of Women and Social Affairs in collaboration with the Ministry of Peace has established one federal and ten regional Women Peace Ambassadors' Associations. These are women groups organized to engage in conflict resolution and peace building taking into account the prominent role of women in customary conflict resolution. The mothers for peace were involved in resolving conflicts, promoting peace and disseminating messages of reconciliation across the country.
113. The Government of Ethiopia has given emphasis to the rights and protection of women refugees, asylum seekers and internally displaced persons (IDPs). The Refugees Proclamation No. 1110/2019 provides for a comprehensive list of rights to refugees including access to education and health services, right to work, right to association, freedom of movement, right to access to justice and right to financial and telecommunication services. The GoE has established the Refugee and Returnee Services to oversee the implementation of the rights. Ethiopia has ratified the African Union (AU) Convention for the Protection and Assistance of Internally Displaced Persons (IDPs) in Africa (Kampala Convention) in 2020 for better protection of IDPs. The National Disaster Risk Management Commission and a gender inclusive Inter ministerial tasks force chaired by the deputy prime minister responsible for humanitarian response, recovery and reconstruction ensure the rights and protection of IDPs.
114. The government of Ethiopia has taken various steps to advance the participation and decision-making role of women in various aspects including peace processes, conflict prevention and management and post conflict reconstruction and rehabilitation. To ensure implementation of provision on women peace and security, Ethiopia has begun the process of developing its first National Action Plan (NAP) on the United Nations Security Council Resolution 1325. Towards this goal, different background studies have been conducted; and steering and technical committees with the representation of relevant government ministries and CSOs working on peace and security are established.

## **Section VIII: Protection of Women in Armed Conflict**

115. The government of Ethiopia has signed and ratified international and regional instruments which are an integral part of the laws of the land as per the FDRE Constitution. The government gives due respect to the principles of international laws and conventions including humanitarian law, Geneva conventions in all circumstances. Moreover, international laws, standards and principles related to the protection of civilians and women's rights are integrated into the Ethiopian national defence force training curriculum and delivered accordingly. Moreover, an independent Ethiopia human right commission responsible to oversee implementation and violation of international law in the incidence of armed conflict is established and functioning.
116. Ethiopia is a signatory to various international and regional human rights instruments on the rights of children including the Convention on the Rights of the Child and the Optional Protocol on the involvement of children in armed conflict as well as the African Charter on the Rights and Welfare of the Child. Article 36(1) of Ethiopia's 1995 Constitution provides that children "will not be subject to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to (their) health and well-being". In addition, the National Children's Policy issued in 2017 also has an objective of protecting children from any form of sexual, physical and psychological abuse, exploitation of labor and trafficking. In Ethiopia, the minimum age of recruitment into the armed forces is above 18 years and there is no compulsory military service. As a precautionary measure to prevent recruitment, a national birth registration system has been put in place and is being implemented.
117. Ethiopia has been experiencing internal insecurity, and political instability including the conflict in the Northern part of the country from 2020-2022. These conflicts have increased the vulnerability of women and girls including enhanced risk to GBV. Based on the findings of the Ethiopian Human Rights Commission (EHRC), and other human rights bodies and civil society organization, the GoE has committed to taking necessary measures to prevent and respond to the needs of women and girls and hold perpetrators accountable. Towards this end, an Inter-Ministerial Task Force has been established to oversee the prevention, response and recovery efforts. In addition, the government in collaboration with development partners has allocated budgeted towards response, recovery and resilience building including interventions on GBV and women, peace and security.

118. The government of Ethiopia has launched and is implementing a post conflict response, resilience, reconstruction, and recovery plan targeting conflict affected women and girls in six regional state including Tigray, Amhara, Afar, Benishangul, Oromia and SNNPR. The Plan focuses on reconstruction of gender responsive public social services, infrastructure, rehabilitating survivors of violence, sustainable livelihood, and peace building dialogue and awareness creation.
119. The government of Ethiopia is in the process of developing a transitional justice policy is promote sustainable peace, reconciliation and ensure accountability through judicial and other means. The transitional policy options have been undergoing a series of consultations including women’s only consultations to ensure the needs and perspectives of women are considered.

## **Section IX: Rights of Specially Protected Women’s Groups**

### **Article 20 and 21. Widows’ Rights and Inheritance**

120. The FDRE Constitution provides for the equal rights of women in the enjoyment of rights and protections provided in the constitution which includes the protection against inhumane and degrading treatment. The constitution also ensures women’s right to property before marriage, during marriage and upon its dissolution including the right to acquire, administer, control, use and transfer property and women also enjoy equal treatment in the inheritance of property.
121. The Revised Family Law of Ethiopia also provides for women’s equal rights to common property and protection to personal property. Although spouses do not have an automatic right to inherit each other according to Ethiopian law unless it is decreed in a will, common property is equally divided and given for the remaining spouse before inheritance rights are applied. However, according to civil servants’ pension proclamation 1267/2021 and private employees’ pension proclamation 1268/2022, widows have the right to inherit their husband’s pension, regardless of whether they share children.
122. According to the family laws of Ethiopia, widows have the right to marry. Although the family code has put a restriction on women remarrying within one hundred and eighty days (180) of the dissolution of the marriage [by death] on account of avoiding paternity conflicts, this restriction will not apply if the women has given birth after the death of her



spouse, or it is proved by medical evidence that the woman is not pregnant.

123. During marriage, the father and mother are the joint guardians and tutors of their minor children according to the revised family code. “In case of death, disability, unworthiness, or removal of one of the parents the one who remains shall alone exercise such functions which gives full rights of guardianship to widows.

## **Article 22. Rights of Elderly women**

124. The FDRE Constitution addresses the issues of older people under article 41(5). It states that “the state shall, within available means, allocate resources to provide rehabilitation and assistance to the physically and mentally disabled, the aged, and to children who are left without parents or guardians”.
125. The National Plan of Action on Older People (NPAOP) (2005/6-2014/15) has been developed to improve the standard and quality of social welfare services for older persons, including elderly women in Ethiopia. This plan of action has set two priority directions for the development and humanitarian aspects of ageing. The main objectives of the action plan are expanding and strengthening services for the elderly through community participation, encouraging the elderly to use their reach experience towards development, and ensuring that the rights and interest of older persons are part of development plans of the country. The action plan includes a section on gender and older persons in recognition of the multiple responsibilities and vulnerabilities of older women. The section incorporates key activities that need to be undertaken with the objectives of fighting the wrong perceptions about elderly women and ensuring they receive the recognition and respect due to them; enhancing the political, economic and social roles of elderly women and putting in place care and support programmes. The government is planning o revising the national action plan.
126. The government has mandated the Ministry of Women and Social Affairs with the responsibility of protecting the rights and benefits of elderly persons, including women. The ministry has established a separate department in charge of elderly persons and family issues. The department coordinates and supervises policy and programmes on elderly persons focused on three priority areas namely advancing their health and well-being, ensuring the creation of a supportive environment, and enhancing their participation and

overall development.

### **Article 23. Rights of Women with Disabilities**

127. The Ethiopian constitution has provided an obligation, under Article 41, to allocate resources for the rehabilitation and assistance for those with physical and mental disabilities. Disability is also a prohibited ground of discrimination under Article 25 that guarantees to all people the right to equality before the law and entitles all to the equal protection of the law. Ethiopia has ratified the Convention on the Rights of Persons with Disability in 2007.
128. Following the ratification of the convention, the country has promulgated Proclamation No. 568/2008 on the rights to employment of persons with disability. The proclamation Under article 6(b) imposes responsibility on employers to “take all reasonable accommodation and measures of affirmative action to women with disability taking into account their multiple burden that arise from their sex and disability”.
129. The government issued a regulation to execute the Right to Employment of Persons with Disability Proclamation No. 568/2008. According to the regulation, employers are not allowed to discriminate against applicants or employees based on their physical disability. The regulation states that applicants with physical disabilities can move directly to examination stage of recruitment provided they meet the necessary minimum requirements without going through a screening process. It also states that applicants with physical disabilities should be given preference in hiring provided the difference with the candidate ahead of them does not exceed 4%.
130. Furthermore, the Federal civil service proclamation No. 1064/2017 provides different provisions to protect and create favorable environment for employees with disability. For instance, it entitles persons with disabilities to affirmative actions in recruitment, promotion, transfer, redeployment, education, and training. It also demands government institutions to create conducive environment to employees with disability and provide them with the necessary tools and materials and train them how to use such tools and materials.
131. The Ethiopian government has developed and approved directive number 41/2015, allowing people with disabilities to import accessible personal automobiles tax-free. Over 1500 PWDs have accessed to tax-free imported car assistance services until the start of

2020 to address their mobility issues.

132. The National Plan of Action for the Inclusion of Persons with Disabilities (2012-2021) is an important framework that makes disability issues part of the core activities of all government organs. The action plan has an objective dedicated to ensuring the full participation and equality of women with disabilities. Moreover, the criminal justice policy of Ethiopia imposes responsibility on the justice system to be conducive and enabling conditions for participation of women with disabilities as witness, parties and in other capacity. A new comprehensive law on the rights of people with disabilities is in a draft stage as this report was being written, and it encompasses comprehensive rights for people with disabilities.
133. The Ministry of Women and Social Affairs has been tasked with overseeing and coordinating equal opportunities and full participation for persons with disabilities. Pursuant to this mandate, the ministry has established a responsible department to oversee and manage policy and programming efforts on the rights of persons with disabilities. There also national associations working on the rights of persons with disabilities, and the Ethiopian Women with Disabilities Nationality Association works on promoting the rights and participation of women with disabilities. The Ministry of Women and Social Affairs works in close collaboration and supports the associations to build their capacities.

#### **Article 24. Women in Distress**

134. The FDRE Constitution under Article 41 (6) has stipulated that "the state shall pursue policies which aim to expand job opportunity for the unemployed and the poor and shall accordingly undertake programmes and public work projects". The Government of Ethiopia has developed a national social protection policy and strategy in 2014 which aim at creating a social condition conducive to a healthy life and sustainable development, particularly for the most vulnerable and marginalized women. The social protection policy fundamentally provides for a productive safety net programme; the promotion of employment and improved livelihoods; increasing social security and health insurance coverage; increasing access to basic services; legal protection and support for segments of the population vulnerable to abuse and violence.
135. The social protection programs for food security (2010-2014 and 2015-2020) specifically

targeting female heads of households, people living with HIV and AIDS, women in polygamous households, divorced women, and women with disabilities with the aim of protecting them from the impact of recurrent food insecurities and other risks, taking into account their household responsibilities and lesser bargaining power which impede them from engaging in works outside the home. The programmes are implemented in a gender responsive manner to accommodate women through flexible working hours and the incorporation of child-care services to allow mothers participate in public works. The programs provide direct support for pregnant women and lactating mothers. Further, it is not limited to addressing the immediate impact of food insecurity but also focuses on building livelihoods of poor and vulnerable households.

136. The FDRE constitution recognizes the rights of persons held in custody and has prohibited cruel and inhumane treatment under article 24 and 18 respectively. Federal Prison establishment proclamation No 365/2003 and Regulation No 138/2007 promulgated by Council Of Ministers on the treatment of Federal Prisoners are based on the principles of prohibition of discrimination based on gender, respect for human dignity, separation of female prisoners from male prisoners. The law also provides pregnant prisoners to the extent possible, be taken to a medical institution with adequate facilities at the time of her delivery and whenever a female prisoner comes with an infant not more than 18 months old and where his interest so requires, the infant shall stay in the prison with his mother and more importantly attention has been paid to give educational opportunities to female prisoners. Pregnant prisoners, women prisoners with infant, elderly prisoners, prisoners with grave health condition, and foreigners are given priority in determinations to grant pardon.