

**Federal Democratic Republic of Ethiopia
Country Response to the Questionnaire on
Violence Against Children
By
The Federal Ministry of Labor and Social
Affairs**

**Submitted to:
The UN Secretary General's Independent
Expert on the Study on Violence Against
Children
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List of Acronyms

ANPPCAN	African Network for the Prevention and Protection against Child Abuse and Neglect
BOLSA	Bureau of Labor and Social Affairs
BoE	Bureau of Education
CPU	Child Protection Unit
CSO	Civil Society Organization
CRDA	Christian Relief and Development Association
DHS	Demographic and Health Survey
EWLA	Ethiopian Women Lawyers Association
FDRE	Federal Democratic Republic of Ethiopia
FSCE	Forum on Street Children – Ethiopia
GO	Governmental Organization
IFSO	Integrated Family Service Organization
ILO	International Labor Organization
MOLSA	Ministry of Labor and Social Affairs
NCTPE	National Committee on Traditional Practices of Ethiopia
NGO	Non Governmental Organizations
NPA	National Plan of Action
OVC	Orphans and Vulnerable Children
PLHA	People Living with HIV/AIDS
PTA	Parent Teacher Association
SNNPR	Southern Nations, Nationalities and Peoples Region
WAO	Women’s Affairs Office
VAC	Violence Against Children
UNCRC	United Nations Convention on the Rights of the Child

Executive Summary

The Ethiopian Government has welcomed the global study on violence against children and is pleased to make its contribution through the submission of this report. The report is prepared by way of giving response to the questionnaire designed to obtain information from governments for the UN Secretary General's global study on violence against children. The report follows the format of the questionnaire and attempts to give a comprehensive overview of the existing legal and policy framework in the country as well as the institutional mechanisms and interventions related to violence against children.

The first part of the report highlights the legal framework related to violence against children. The welfare of children is a priority concern for the Ethiopian Government. The ratification of important international and regional instruments like the UN Convention on the Rights of the Child (CRC), the African Charter on the Rights and Welfare of the Child, and the ILO Convention on the Worst Forms of Labor is an expression of this commitment. Going beyond the acceptance of international and regional standards, there are ongoing efforts by the government to ensure national laws; policies and practices conform to the international standards.

In the national setting, the issue of violence against children is addressed by various laws, policies and programs. First and foremost, the supreme law of the land, which is the Federal Constitution, provides a sound framework for the protection and promotion of the rights of children. In addition to domesticating international instruments which Ethiopia has ratified, the Constitution contains key articles for the pursuit of the rights of the child. Particularly, article 36 of this Constitution replicates many of the rights in the CRC.

There are many subordinate laws that deal with the different aspects of violence against children. The Family law, the Penal law, the Criminal Procedure law and the Labor law are the notable ones. All of these laws have gone through some revision recently, with the principal objective of making them consonant with progressive standards and constitutional principles. The old family law that had been in operation in the country since 1960 is being replaced by a new one in many regions (member states) of the Ethiopian Federal Democratic Republic. The family law that was proclaimed in 2000 by the federal parliament to be enforceable in the administrative cities of Addis Ababa and Dire Dawa has served as a model for the other regional family laws. The family law contains many provisions, which attempt to ensure that children are not left without guardians and tutors as well as which require guardians and tutors to ensure the wellbeing and physical and intellectual development of children entrusted to them.

Similarly, the penal law was revised and the new law that was adopted by the national parliament on July 2nd 2004 will come into force after it is officiated through formal publication. The issue of violence against children (VAC) is widely dealt with in this law. One cannot also fail to mention the labor law that has relevance to the major issue of child labor. Besides these written and modern laws, there are various customary norms operating in the country. Legally, customary norms are allowed to operate in so far as they don't come in conflict with constitutional principles. Article 34(5) of the Constitution recognizes

adjudication of disputes relating to personal or family matters in accordance with customary or religious laws on condition that both parties to such disputes have given their consent.

Many acts of violence against children are specifically criminalized in the penal law. There are specific provisions on infanticide, sexual violence, abduction, maltreatment, neglect and negligent treatment, sexual exploitation of children, as well as trafficking. The revised penal law has made many positive changes. Some provisions are more elaborated and clarified. Others that were found to deviate from constitutional standards are canceled altogether. For instance, the provisions that used to exempt the perpetrator of rape or abduction from criminal charges if he marries the victim are cancelled. This means rape and abduction will be prosecuted regardless of the marriage between the offender and the victim. On the other hand new sets of provisions on harmful traditional practices have been incorporated. As a result female genital mutilation is now explicitly criminalized.

Another positive change made in the revised penal law is the removal of the provision that allowed corporal punishment as one form of penalty for commission of a crime. Corporal punishment is not a valid measure of correction under the amended law. Nevertheless, corporal punishment in the home is still not outlawed. Infact, it seems some legal defense is available to parents who inflict corporal punishment on their children. Article 579 of the revised law that criminalizes maltreatment of minors reserves for the right to administer lawful and reasonable chastisement. On the other hand, the revised family law (2000) has moved in the right direction in removing the provision [Article 267, Civil Code 1960] that empowered legal guardian/s to *inflict light bodily punishment* on the minors in their care for the purpose of ensuring the latter's education. The provision in the revised law reads as 'the guardian may take the necessary disciplinary measures for the purpose of ensuring his up bringing.' [Article 258, the revised family code, proc 213/2000]. Improvements made in the family law are not limited to restricting corporal punishment. It has for instance raised the minimum age for marriage of girls from 15 to 18. It is to be noted that the old family law fixed age of marriage as 15 for girls and 18 for boys.

With respect to legal redress for VAC, penal as well as civil action may be instituted against the perpetrator of violence. For penal redress, the incident must be reported to the police who then will make an investigation. Anyone may make a report to the police unless it is specified in the penal law that the injured party needs to file a private complaint first. In offences of private nature, the specific articles in the penal law state that the offence is punishable upon complaint.

Several police stations in major towns and cities have now child protection units who will handle cases of children as victims or as offenders. After investigation has been carried out by the police, the prosecution office is responsible for bringing the case before the court. At present, attempts are being made to improve the court system. A child friendly court system that deals with VAC has become operational in Addis Ababa since September 2004. The set up of a similar bench in three more regions (Tigray, Oromia and SNNPR) is underway. For cases of Juvenile offenders-a group that constitutes offenders of ages 9to 15- on the other hand, some benches in Addis Ababa are exclusively assigned to deal with

them. But in practice, not all cases of children in conflict with the law appear before the courts. Children reported to the police for minor offences may be referred to community correction programs. Although this practice has no legal foundation, it is gradually getting acceptance by the general public as well as by law enforcement bodies. On the other hand, when juvenile offenders have been tried and found guilty of an offence, they may be subject to different measures or penalties ranging from supervised education to imprisonment. Young offenders of this age group shall not be subject to the ordinary penalties applicable to adults nor shall they be kept in custody with adult offenders. On the other hand, persons between the ages of 15 and 18 are subject to the ordinary provisions although judges have discretionary power to use the special provisions applicable to juvenile delinquents. Also, when imprisoned, such persons are to be kept separately from adult offenders until attaining the age of majority. Finally, offenders below the age of 18 at the time of commission of a crime cannot be subjected to capital punishment.

The second part of the report focuses on the institutional framework and resources to address violence against children. Handling the broad and crosscutting issue of violence against children is not entrusted to one institution in the country. It is a shared responsibility between different governmental institutions. Protection of children against violence is part and parcel of the broader framework of CRC implementation. Thus, the inter ministerial committee that was formed in 1994 to monitor and guide CRC implementation is an important structure. The Committee consists of representatives from the ministries of Health, Education, Information, Justice, Culture and Sports, as well as the Police Commission and the Prime Minister's office. The Ministry of Labor and Social Affairs (MOLSA) chairs the committee, while the Children, Youth and Family affairs department within MOLSA is the Committee secretariat. There are also CRC committees at regional, zonal and woreda (local administration) levels. Violence against children is one of the thematic areas, which the committees are engaged with. The national committee on child abuse and sexual exploitation is the other committee dealing with major forms of violence against children. This committee has initiated and overseen the carrying out of several research and awareness raising activities related to VAC. Another relevant structure is the national task force on orphans and vulnerable children (OVC) which is put in place to deal with the overwhelming problem of unaccompanied children in the country. Outside of these coordinated efforts, institutions such as the police, the Ministry of Justice, the Child Affairs department of the Ministry of Labor and Social Affairs, are all tasked with different responsibilities that address VAC.

The third part attempts to shed some light on the role of civil society in addressing violence against children. Civil Society Organizations in the country are playing critical role in awareness raising as well as provision of care. In recent years they are also getting more involved in research and advocacy activities. However, the fact remains that the sector, being young and constrained by some factors, is somewhat weak in terms of institutional capacity, human resources, and coordination.

The fourth part gives some instances of child/adolescent participation in initiatives to address violence and related issues. Although the participation of children in such matters has so far been minimal, there are efforts to increase the engagement with children. For

instance, several children of different age groups were made to participate in the formulation of the current National Plan of Action (NPA) for children. Another example is the Addis Girls Forum where a total of 500 schoolgirls selected from 10 schools in the city participated in a series of consultative meetings in May and June 2004. Discussions focused on five major issues: HIV/AIDS and communication; sexual harassment in and around school; sex education in school; openness regarding sex between parents and children and guidance and counseling service in school. On the basis of the recommendations that resulted from the process, follow up activities such as trainings to relevant groups were designed and implemented. The anti Aids Youth Clubs that are based in or out of schools are again clear instances of adolescent participation. Another case in point is the recently conducted national consultation workshop with children in relation to the UN study on VAC. In this workshop organized by the national committee on sexual abuse and exploitation, concept papers were presented on the basis of which thorough discussions were conducted with the children. Children were also given the opportunity to discuss the issues among themselves. At the end of the consultation, the children selected one boy and one girl to represent them in the regional consultation to take place in Johannesburg.

The highlight on policies and programs to address violence make the fifth part of the report. Instruments such as the Developmental Social Welfare Policy (1996) and the National Plan of Action for Children (2003-2010 and beyond) are briefly described in this part. Protecting children against abuse, exploitation and violence is one of the major components of the NPA. With respect to programs, two programs that targeted children in specifically difficult circumstance stand out as concrete examples. The first program, which was implemented in the years 1997-2003, had two major project components: relief and prevention project for street children and support services to children in childcare institutions. In the first project, children and families were made to benefit. The provisions included education, health, entertainment, skills training credit services and psychological counseling. Activities in the second project were aimed at empowering the children in the institutions in terms of skill and hence economic self-sufficiency. The second project has been under implementation by the Bureaus of Labor and social affairs in the regions since 1999. The major components of the program are CRC promotion and support to street children, disabled children and children who are victims of sexual abuse and exploitation.

On the sixth section, researches, statistical and other kinds of reports, which have some relevance to VAC, are listed and briefly described. The Child Labor Survey Report (2001), the Survey on the Prevalence and Characteristics of Aids Orphans in Ethiopia (2003), the Democratic and Health Survey (2000), and the health and health related indicators of the Ministry of Health are some of the sources that may inform planners and policy makers. Other resources like the Report on Violence Against Children by African Child Policy Forum; the studies conducted on Sexual Abuse and Exploitation by the steering committee against child abuse and sexual exploitation and other subjects are also major contributions for a better understanding of the problem in the country.

Finally, some examples of advocacy and awareness raising activities by the government are mentioned. The celebration of international or regional days such as the day of the African

Child, the Child Labor Day, HIV/AIDS day and Women's day have served as good opportunities for carrying out campaigns on the different aspects of VAC. Messages during these celebrations were communicated through the electronic and print media as well as using posters and fliers. Outside of these occasions, training programs have also been conducted for law enforcement bodies, media professionals and school directors.

Preface

The security and welfare of children is a priority concern for the Ethiopian Government who has welcomed the global study on violence against children. The Government would like to give its input to the global study by the submission of this report, which is prepared by way of giving response to the questionnaire designed to obtain information from governments. The report follows the format of the questionnaire and attempts to give a comprehensive overview of the existing legal and policy framework in the country as well as the institutional mechanisms and interventions related to violence against children. For easy reference, the questions are inserted before the responses.

Working definition of violence: for the UN study, the independent expert Professor Pinheiro has indicated that he will use a broad definition of violence. Accordingly, violence against children is defined to include all forms of physical or mental violence, injury, abuse, neglect and negligent treatment, maltreatment, deprivation and exploitation, including sexual abuse. In this report, this definition of violence is adopted.

Inputs to the Report: numerous governmental and non-governmental organizations have provided input to this report. Specifically, all the members of the national sexual abuse and exploitation committee chaired by the children's affairs department at the Ministry of Labor and Social Affairs have made immense contribution to the development and completion of this report. The committee members included representatives from government institutions as well as civil society such as Forum on Street Children in Ethiopia (FSCE), the Ethiopian Chapter of African Network for the Prevention of and Protection Against Child Abuse and Neglect (ANPPCAN), the African Child Policy Forum, Child Aid Ethiopia and from the donor group and UN agencies such as Save the Children Sweden, Save the Children Norway, Save the children Denmark, WHO and UNICEF.

Further more, several institutions were visited and interviews were conducted with the relevant persons. Government institutions who have contributed information to this report include the Ministry of Education, Ministry of Justice, Ministry of labor and Social Affairs, Federal and Addis Ababa Police Commissions, Federal First Instance Court and Federal Supreme Court Juvenile Justice Project Office.

I Legal Framework

This part of the questionnaire aims to determine how your country's legal framework addresses violence against children, including prevention of violence, protection of children from violence, redress for victims of violence, penalties for perpetrators and reintegration and rehabilitation of victims.

International human rights instruments

- 1. Describe any developments with respect to violence against children, which have resulted from your country's acceptance of international human rights instruments, including, for example, the Convention on the Rights of the Child and its optional protocols, the Palermo Protocol or regional human rights instruments. Provide information on cases concerning violence against children in which your country's courts or tribunals have referred to international or regional human rights standards.**

Ethiopia ratified the UNCRC in 1991. Since then, the government has carried out numerous activities geared towards ensuring the protection and promotion of the rights and welfare of children. The Convention was domesticated through a national legislation (Proclamation No 10/1992) and then translated into 11 nationality languages for dissemination. Further, other conventions such as the African Charter on the Rights and Welfare of the Child (ratification proclamation No283/ 2002) and ILO Convention 182 on the Worst Forms of Child Labor were ratified by the government. The children affairs department within the Ministry of Labor and Social Affairs is the leading organ to coordinate and spearhead the translation of the international commitment into concrete actions and results. This Ministry has counterparts in the regions. Under the supervision of the Federal and Regional labor and social affairs organs, child rights committees were set up at all levels to oversee the implementation of the Convention in the country. These and other committees and structures described in the coming sections of this report provide the institutional framework for addressing VAC.

In the administration of justice, courts are now frequently citing the principle of 'best interest of the child', which principle is also incorporated in national laws including the Federal Constitution and the family law.

Legal provisions on violence against children

- 2. Describe how forms of violence against children are addressed in your country's constitution, legislation and subsidiary legislation, and, where appropriate, customary law.**

Ethiopia is a federal republic composed of nine regions and two administrative cities. The supreme law of the land, which is the Federal Constitution, serves as an accord between

the regions and the federal government. Accordingly, power is shared between the regions and the federal government. For instance, while the regions are mandated to legislate on family law, the Federal Government is empowered to enact the penal and labor law.

With respect to violence against children, there is no one comprehensive law dealing with all types and aspects of violence. The management of violence itself is multisectoral. Thus it is a shared responsibility between diversified laws as well as institutions. A number of laws address the different forms of violence against children. Being the supreme law of the land, the Federal Constitution provides the basis for the protection of children from violence. Firstly, it domesticates all international human right instruments, which Ethiopia has ratified by stating ‘all international agreements ratified by Ethiopia are an integral part of the law of the land’. (Article 9(4) of the FDRE Constitution) Secondly, it has incorporated a specific provision on the rights of children.

Article 36
Rights of Children

1. Every child has the right:
 - (a) To life;
 - (b) To a name and nationality;
 - (c) To know and be cared for by his or her parents or legal guardians;
 - (d) Not to be subject to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to his or her education, health or well-being
 - (e) To be free of corporal punishment or cruel and inhumane treatment in schools and other institutions responsible for the care of children.
2. In all actions concerning children undertaken by public and private welfare institutions, courts of law, administrative authorities or legislative bodies the primary consideration shall be the best interests of the child.
3. Juvenile offenders admitted to corrective or rehabilitative institutions and juveniles who become wards of the State or who are placed in public or private orphanages, shall be kept separately from adults.
4. Children born out of wedlock shall have the same rights as children born of wedlock.
5. The State shall accord special protection to orphans and shall encourage the establishment of institutions, which ensure and promote their adoption and advance their welfare, and education.

THE CONSTITUTION OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA, 1995

As it can be observed from the above article, the Constitution has reiterated most of the rights of children recognized in the Convention on the Rights of the Child. Other than the above article, many of the provisions in the *human and democratic rights* part as well as the *policy objective* section are relevant to address the problem of violence against children.

Examination of the subordinate laws in the country shows that the penal law and its procedure law are among the relevant legislations to the problem of violence against children. These laws are presently going through reform. A new law adopted by the National Parliament on July 2nd 2004 has amended the penal code that had been in force

in the country since 1957. The amended law is yet to be officiated through publication in the formal newspaper-Negarit Gazette. Until then it does not have the force of law due to which the old law will continue to rule. As concerns the criminal procedure code, an amending draft has been prepared and submitted to different experts for examination.

The other major law is the family law. Prior to the federalization of the country, there was one family law found incorporated in the Ethiopian Civil Code of 1960. However, presently a number of regions in the country have issued their respective family laws as mandated by the FDRE Constitution. Most of the regions have adopted the model and content of the family law issued by the federal parliament to be enforceable in the administrative cities of Addis Ababa and Direedawa. Thus any mention of the family law herein below shall refer to the revised family law issued by the national parliament unless stated otherwise. This law that was proclaimed in 2000 contains many provisions which attempt to ensure that children are not let without guardians and tutors as well as which lay a duty on the latter to ensure the wellbeing as well as physical and intellectual development of the children in their care. The law compels the guardian to watch over the health of the minor, to supervise the social contacts and education of the minor and fix the residence of the minor. (Articles 257,259,260 and 256 respectively).

Children are protected from economic exploitation by the labor law (Proclamation No. 377/2003). This proclamation that sets the minimum age for work as 14 categorizes workers of ages 14-18 as young workers. Accordingly, young workers are entitled to special protective measures. Young workers can work for maximum of seven working hours per day compared to the 8 working hours for adults. Further, the law prohibits the employment of young workers for night work, overtime work, and work on weekly rest days or public holidays. There are also list of work activities not allowed for young workers.

Other than the above modern laws, there are also diversified customary and religious norms operating in the country. The legal status of these norms is made clear by article 34(5) of the Federal Constitution which allows adjudication of disputes relating to personal and family laws in accordance with religious or customary laws on condition that both parties have consented thereto. According to this constitutional article, the particulars are to be determined by law. At present, the Sharia law is the only law that has got formal recognition. The Sharia courts that used to exist before the Constitution were re-established by a new proclamation. Hence, the Sharia law has jurisdiction over family and succession cases provided that the disputing parties have given their consent to such jurisdiction.

3. Provide details of any specific legislative provisions on:

- **Prevention of all forms of physical, sexual and mental violence, injury or abuse, neglect or negligent treatment, and sexual abuse;**
- **Protection of children from all forms of violence;**
- **Redress, including compensation, for child victims of violence;**
- **Penalties for perpetrators of violence against children;**
- **Reintegration and rehabilitation of child victims of violence.**

4. **Indicate whether any specific legislative provisions address all forms of violence including physical, sexual and psychological violence, injury or abuse, neglect or negligent treatment and sexual exploitation against children which take place in:**
- **The family/ home;**
 - **Schools and pre-school care and education (both formal and non-formal, state and private);**
 - **Military schools;**
 - **Institutions including care, residential, health and mental health;**
 - **The context of law and public order enforcement including in detention facilities or prisons;**
 - **The neighbourhood, street and the community, including in rural areas;**
 - **The workplace (informal and formal);**
 - **Sports and sporting facilities.**

▷Punishable Acts

Infanticide: A mother who intentionally kills her child during her labor or while still suffering from the effect thereof, is punishable, according to the circumstances, with simple imprisonment [535 of the amended penal law]

Sexual Violence: This is one area where the amended penal law has incorporated elaborated provisions. The amended law has introduced minimum penalties in some of the provisions. In several cases the maximum penalties are also increased. The following are the categories in the law under which the different forms of sexual violence may fall:

- Rape on a **girl** child of 13-18 by a person of the opposite sex will result in an aggravated case punishable with rigorous imprisonment upto 20 years. (Art 623(2)(a). Other than young age of the victim, one of the aggravating circumstances is the commission of the offence on an inmate of alms-house, asylum, hospital, any establishment of education, correction, internment or detention under the supervision or control of the accused person or on a victim who is dependent on, or is under the direct control or custody of the accused.
- Sexual intercourse with a **girl** of 13-18 years by a person of the opposite sex will be punishable with a maximum rigorous sentence of 15 years regardless of the girl's consent for the act. (629(1)) The punishment will be aggravated to 20 years in the cases where the victim is the pupil, apprentice or servant of the offender, or is in any other way directly dependent upon or subordinate to the offender.
- Any act corresponding to a sexual act with a **boy** of 13-18 by a person of the opposite sex is punishable with imprisonment of 3 months to 5 years. (629(2))
- Sexual offence on a **female child** below the age of 13 is punishable with rigorous imprisonment of 15 to 25 years. (630(1))
- Any act corresponding to a sexual act on a **male child** below the age of 13 is punishable with a rigorous imprisonment of 6 months to 7 years. (630(3))

- Any sexual act on a *female* or *male child* of age 13-18 by a person of the same sex shall be punishable with a rigorous imprisonment of 3 to 15 years. (633(2)(c))
- Any sexual act on a *male child* below the age of 13 by a person of the same sex shall be punishable with a rigorous sentence of 5 to 25 years. (634)

Magnitude of Sexual Violence on Children

There are indications that sexual violence is among the commonest forms of violence faced by children in Ethiopia. In a study undertaken in one public hospital (Yekatit Hospital), sexual abuse constituted for 74% of the 214 allegedly abused children enrolled in the study. The children in the study were selected from the 256 children treated at the hospital from July 2001 to June 2002.

Child Abuse and Neglect Unit, Yekatit Hospital, Addis Ababa

Abduction: Two kinds of abduction are dealt with in the law. One is abducting or improperly detaining a minor in order to deprive his guardians of his custody. The other is the age-old practice of abducting a woman-usually a child- with the intent of making her a wife. In the second case the revised penal law has increased the maximum penalty from 3 to 7 years. It has also removed the provision that exempted the perpetrator from his crimes if he marries the victim. This means, the crime of abduction is prosecuted regardless of marriage between the abductor and the victim.

Maltreatment, Neglect, Negligent Treatment

- A person who neglects, ill-treats, over tasks..... a minor under his custody or charge is punishable with simple imprisonment upto three months. In cases where the offence has impaired the health, security, education, physical or psychological development of the child, the punishment is a minimum of one-month simple imprisonment. Simple imprisonment under the law ranges from 10 days to 3years. The criminal punishment may be coupled with revocation of ones' family right over the victim child. [Amended penal law article 579, article 548 of 1957 penal code]
- Failure to maintain and failure to bring up are offenses punishable under the existing as well as the amended penal law of the country. [Penal Code of Ethiopia (1957) articles 625 & 626; Amended Penal Law of Ethiopia (2004) articles 657&658]. In the case of failure to up bring, the court may, in addition to ordering imprisonment or fine, deprive the offender of his/her family rights.

Exposure or Abandonment of another: under the previous as well as the new law, abandoning or intentionally exposing and thereby putting the life or health of a person in ones charge or custody in an imminent danger is punishable with maximum sentence of 5 years.

Omission to Register the Birth of an Infant: In both the old and the revised laws, failure to register a new born child in accordance with the law is punishable with fine not exceeding 500 birr or simple imprisonment upto one month. In the same provisions of the respective laws, a person who fails to report to the authorities a new born child he/she has found abandoned is liable to similar punishment.

▷Redress, including compensation, for child victims of violence

In addition to the satisfaction that may be derived from the criminal punishment of the perpetrator of the violence, a victim of violence is entitled to civil redress under the section of Extra Contractual Liability found in the Civil Code of the country. For instance, failure to educate or supervise any person under one's charge is an extra contractual offence pursuant to article 2052 of the Civil Code. Similarly, a victim of rape or indecent assault may be awarded 'fair compensation' where the perpetrator was sentenced by a criminal court. [Article 2114(1)]

▷Reintegration and rehabilitation of child victims

There is no specific legal regulation for reintegration and rehabilitation of child victims. However, the five guidelines of the Ministry of Labor and Social Affairs on Alternative Childcare Programs have some relevance. With respect to related services, some government hospitals are currently involved in programs of rehabilitation of child victims through medical care and counseling. Owing to the shortage of trained human power in the area of psychiatry, not sufficient numbers of institutions provide services for mental care. There are NGOs that provide psychosocial support to child victims of violence.

- 5. Indicate if corporal punishment of children, in any setting, including in the family, is explicitly prohibited in your legal system. Provide details of any legal defences available to those who administer corporal punishment to children, including in the family. Provide information on penalties applicable to those who administer corporal punishment to children, including in the family.**

School and other institutions of care

The Federal Constitution has explicitly prohibited corporal punishment of children in schools and institutions. (Article 36(1) (e)) The constitutional principle has found specific implementation through a directive regarding school administration by the Ministry of Education. Accordingly, any form of corporal punishment in schools is prohibited. Education bureaus of regions have followed suit in banning corporal punishment in schools. Ensuring that the prohibition is not violated is the responsibility of school administrations and the parent teacher associations (PTAs). PTAs are formed at school level with the composition of 2:1 ratio of parents and teachers in the school. Generally, such associations are responsible to ensure that a good learning environment exists in school. When a PTA has come across an incident of corporal punishment, it is supposed to carry out an investigation and make a report to the head of the school with a suggestion of a disciplinary measure against the responsible teacher.

The family

Occurrence of Corporal Punishment at home

Out of 1223 interviewed children in one study, only 17(1.4%) stated that they have never experienced corporal punishment [at home].

A study by the African Child Policy Forum on Violence Against Children (2005)

Corporal punishment in the family is not explicitly prohibited by law. However, the provision of the old family law [Article 267, Civil Code 1960] that empowered legal guardian/s to *inflict light bodily punishment* on the minors in their care for the purpose of ensuring the latter's education is removed in the new law. The provision in the revised law reads as 'the guardian may take the necessary disciplinary measures for the purpose of ensuring [the minor's] upbringing.' [Article 258 of the Revised Family Code, Proc. 213/2000]

Under the penal law, some legal defense is available for parents who inflict corporal punishment. Article 548 of the law that criminalizes maltreatment of minors reserves for the right to administer lawful and reasonable chastisement. In the general parts of the law article 64 lays down the principle that acts required or authorized by law don't constitute an offence. Among such list is found 'acts reasonably done in exercising the right of correction or discipline'. The amended penal law has not introduced any significant change to these provisions.

6. Provide information on whether the penal code permits corporal punishment and/or capital punishment as a sentence for crimes committed by under 18 year olds.

Corporal punishment: The amended penal law has removed the provision that had entitled the court to order corporal punishment if it thinks such punishment is necessary to reform the minor. In this provision of the 1957 law, the limitation on the court was that such punishment shall be inflicted *only with a cane and the number of strokes shall not exceed twelve to be administered on the buttocks and that only young offenders in good health shall be subjected to corporal punishment.*

Capital Punishment: neither under the existing law nor in the amended law that will shortly become enforceable shall capital punishment be ordered on minors [Article 118 of the 1957 penal code, article 117 of the amended penal law]

7. Provide details on whether bullying/hazing and sexual harassment are explicitly addressed by legislation.

There is no specific provision on bullying/hazing

8. Provide information on the way in which harmful or violent traditional practices, including but not limited to female genital mutilation, child marriage or honour crimes are addressed in your country.

Considering the fact that significant number of traditional practices that have a harmful effect on health and safety are committed on girl children (women), the constitutional provision that obliges the state to ‘enforce the right of women to eliminate the influences of harmful customs’ is very important. This provision of the constitution further says ‘laws, customs and practices that oppress or cause bodily or mental harm to women are prohibited.’ Against this constitutional framework, a major progress in legal development towards the elimination of harmful traditional practices affecting the life, health, and security of children is the inclusion of provisions dealing with the different forms of harmful practices in the recently amended penal law. This law has included new sets of provisions on FGM and other harmful traditional practices.

FGM: The punishable acts are categorized into two. One provision deals with circumcision in general while another deals with infibulation. Circumcision of a girl of any age is punishable with a minimum penalty of 3 months or a fine of 500 birr. The maximum penalty is three years. In the case of infibulation, the penalty is 3-5 years. If due to the infibulation the victim suffered physical or health damages, the punishment could go as high as 5-10 years save for a higher punishment in any other relevant provision of the penal law. As regards the persons subject to punishment, the law targets principal offenders, instigators, and accomplices. This may refer to the parents, relatives, neighbors, etc.

Prevalence of FGM

Female Genital Mutilation is one of the many harmful traditional practices widely occurring in the country. According to the DHS (2000), the prevalence of the practice is 80 %. The survey indicated that there is widespread support for the practice. 60% of the women in the survey supported the continuation of the practice. The mean age of FGM is 3.8.

Other Harmful Traditional Practices around child delivery and infancy: there are two provisions in the revised law (articles 564&565) to the effect that whosoever, intentionally or by negligence caused death, bodily injury or mental harm of a pregnant or a delivering woman or that of a newly born child as a result of application of harmful practices such as massaging the abdomen of a pregnant woman, shaking a woman in prolonged labor, soiling the umbilical cord of a baby, keeping a newly born child out of sun, feeding it fresh butter, milk teeth extraction, ovulectomy ... shall be punishable with a maximum sentence of 6months to 1 year simple imprisonment.

9. Provide information on the applicability of specific provisions to address all forms of violence against children to non-citizens and stateless children, including asylum seekers and displaced children. If specific provisions do not apply to such children, provide details of protection offered to them.

No special provisions or laws are applicable to such children. Protections under the general laws applicable to citizens are also applicable to them.

10. Provide information on any difference in the definition of violence and the applicable legal framework according to:

- **The sex or sexual orientation of the victim and/or of the perpetrator;**
- **The age of the victim and /or of the perpetrator;**
- **The relationship between the victim and the perpetrator, including, but not limited to infanticide, sexual violence in marriage, incest and sexual abuse within the family, and physical chastisement.**

As provided in detail in response to questions 3 and 4 above, age and sex of victim make a difference in the applicable article and hence the definition as well as the penalties to be applied on the offender.

11. Provide information on any recent comprehensive review of the legal framework to address violence against children.

A comprehensive review of the legal framework that address VAC has not been done. However, since the promulgation of the 1994 FDRE Constitution, many laws have been revisited with the purpose of making these laws consonant with the principles enshrined in the Constitution. Such laws include the family law, the penal law, and the penal procedure law. These laws have provisions that deal with VAC. Several of them are elaborated in some parts of this report.

12. Provide information on any studies and surveys which have been undertaken to assess the impact of legal measures to address violence against children.

Information is not available on any study or survey undertaken to assess the impact of legal measures to address violence against children. There are some small-scale surveys and studies mostly conducted by civil society organizations.

Courts tasked with addressing violence against children

13. Identify those parts of the court structure in your country tasked with addressing violence against children. Indicate if your family or juvenile courts have specific responsibility for this issue.

Children as victims

Until very recently there was no special arrangement within the court system to deal with cases where children were victims of violence. However, presently, a child friendly system where a child victim need not personally appear before the formal settings of a courtroom was set up with the assistance of a Juvenile Justice Project of the Federal Supreme Court. Thus, there is now one separate bench in Addis Ababa that is connected to a special room

through a 'Close Circuit Television'. The child victim who will be sitting in the special room is assisted by an intermediary to answer all the questions forwarded from the courtroom. Hence, he/she can testify freely without undergoing any more traumatization. The system is also expected to assist the effort to obtain more complete information about the crime from the child. All pending cases of violence against children that are scattered in the different courts are being collected so that the special bench can handle them. At the initial stage of the program, training was given to the persons that were to involve in the operation of the system. Although the judges have no special training related to violence against children, they have been exposed to the issues through workshops and seminars. But generally, the 'Justice Organs Professionals Training Center' that was established very recently has started to provide a course on human rights. Components such as child rights and women's rights are planned to be part of such course.

A case of violence can effectively be dealt with only when coordination is ensured between the different stakeholders, which include the police, prosecution office, the court, medical institutions as well as institutions that provide social services. Although there is an ongoing effort to ensure such coordination, it has remained to be one of the major challenges to the administration of justice in the country. Nevertheless, efforts have continued from all directions. For instance, the prosecution office has assigned a prosecutor exclusively for the special bench mentioned above.

According to the project office at the Federal Supreme Court, there is a plan to set up a special system of the kind mentioned above in all the regions of the country. But presently aside from the one bench in Addis Ababa, the setup in three more regions-Tigray, Oromia and Southern Nations Nationalities and Peoples Region (SNNRP) is underway.

Children as offenders

Under the 1957 Ethiopian Penal Code as well as the amended law, minimum age of criminal responsibility is 9 years. When an offence is committed by an 'infant', appropriate steps may be taken by the family, school or guardianship authority. Then, those called 'young persons' in the penal code are juvenile delinquents between the ages of 9 and 15 at the time of the commission of the offense. Children in this group are criminally imputable. However, they shall not be subject to the ordinary penalties applicable to adults nor shall they be kept in custody with adult offenders. There are special measures and penalties applicable to this group. Penalties are ordered if the measures have been applied and failed. These measures include admission to a curative institution, supervised education, oral reprimand, school or home arrest and commitment to a corrective institution defined as a special institution for the correction and rehabilitation of young offenders. Penalties on the other hand include fine and imprisonment. Corporal punishment that was among such penalties is no more valid under the new law. Thirdly, offenders over the age of fifteen but under 18 are as a matter of principle subject to the ordinary provisions of the criminal law. But judges have discretionary power either to mitigate the sentence or use the special provisions applicable to young offenders. Further, death sentence cannot be passed upon an offender who has not attained his eighteenth year of age at the time of the commission of

the crime. With respect to imprisonment, such person shall be separated from adult offenders in prison until attaining age of majority.

As regards judicial disposition of cases of children in conflict with the law, there is no legal provision for the establishment and operation of a special court to entertain such cases. Thus, neither a separate court nor a division exists at present. Some benches within the courts in Addis Ababa are exclusively assigned to entertain such cases. But the judges have no special training and they are not assisted by experts such as a social worker or a psychologist. In the regions, juvenile cases are ordinarily disposed of with other criminal cases. This situation is recognized as a problem by the court administration, which has plans to set up a separate division for cases of children in conflict with the law.

Minimum age for sexual activity

14. Provide information on any legislatively defined minimum age required for valid consent to sexual activity. Is this age different for girls and boys? Is this age different in respect of heterosexual and homosexual activities?

Although it is not legally framed as such, the provisions of the penal law criminalizing sexual intercourse with minors have, to an extent, such an effect. In the current penal law (1957) that will shortly be replaced by the amended law, sexual intercourse with a minor below the age of 15 is punishable with a maximum penalty of 5 years. On the other hand, if the sexual act is committed with a minor of age 15-18, the punishment is simple imprisonment. In both cases, the person to be put to punishment is the off age person who had sexual intercourse with the under age. In article 597 of the 1957 law, it is provided that the infant or young person seduced or victim of the actions of an adult accused person is not liable to punishment. It further provides that appropriate measures of re-education and supervision may be ordered in respect of the infant or young person. In the amended penal law, some changes are made to the above provisions. The amended articles are presented in answer to the questions 3 and 4 above. Generally sexual intercourse with a minor entails a criminal punishment. The amended version of article 597 (which is article 660 in the revised law) maintains the principle that the infant or young person who was victim of sexual violence is not liable to punishment. But it has also added that if it was a minor who committed the offence, the general provisions on infants and young offenders will be applicable on such minor.

15. Provide information on the minimum age of marriage for women and men.

In the previous family law that was applicable throughout the country (Civil Code of Ethiopia, 1960) there was a different minimum age for marriage regarding boys and girls. For girls it was 15 and for boys it was 18. In addition to this, there was a provision in the law allowing the Emperor or a person appointed by him to grant age dispensation upto 2 years. In the regions where new family laws are governing, the minimum age of marriage for girls is now raised to 18. For boys all except one region has the same minimum age as that of girls. In one region in the country, that is Tigray, the minimum age for boys is 22

years. All the laws mandate the Ministry of Justice (Justice Bureau of the regions) to grant age dispensation of a maximum of 2 years. The legal age of marriage applies to all forms of marriage: civil, customary or religious. When we look at the penal law, the 1957 penal code contains provisions that have limited application to early marriage where as the revised law has incorporated a more direct article. Under this article (647), the conclusion, solemnization, witnessing or approving of a marriage that doesn't fulfill the conditions laid down by the family law is criminally punishable with a maximum sentence of 3 years in intentional cases. As indicated above, one of such conditions is age.

Occurrence of early marriage

- ▶ Marriage of girls in violation of the legal minimum age is widespread in the country. In the DHS (2000) it is indicated that the median age at first marriage for all women age 25-49 is 16. However, the DHS has reported that the median age at first marriage among women in Ethiopia has risen slowly over the past two decades.
- ▶ *Impending or threatened forced [and early] marriage was a significant reason why girls (1 out of 5) migrated from the regions into Addis Ababa. Most of the girls who fled early marriage in the rural areas ended up alone, without family members in Addis Ababa. This was revealed in a study by Unicef; Population Council and Ministry of Youth, Sports and Culture on 'Adolescent Life in Low Income and Slum Areas of Addis Ababa Ethiopia' (2004). One female adolescent is quoted in the study: My parents were trying to marry me, but I didn't want to get married. So I ran away and came here. My mother has said that I'm not her daughter any more, but I didn't want to get married. I wanted to study-that's why I came. (Age 17, Migrated from Amhara Region at the age of 11)*

Sexual exploitation of children

16. Provide information on legislation and other measures to prevent the commercial sexual exploitation of children, including through prostitution and other unlawful sexual activities. Provide details on means to ensure that child victims of such exploitation are not criminalized. Provide information on legislation or other measures to prohibit all forms of sale or trafficking in children, including by their parents.

Exploiting the prostitution of others directly or by keeping a house for such commerce is punishable in both the existing and the amended penal law. The punishment is simple imprisonment and fine. [Article 604 of the 1957 penal code; article 636 of the amended penal law]

Trafficking in women, infants and young persons to make them engage in prostitution is punishable with rigorous imprisonment not exceeding five years and a fine not exceeding ten thousand Ethiopian birr. The offence becomes aggravated with a penalty of three to ten

years rigorous imprisonment and a fine of 20,000 Ethiopian birr when the victim is a minor in the amended law and below the age of 15 in the existing law.

Trafficking in women or minors for labor purposes is punishable under the amended law with a rigorous imprisonment of 3 to 20 years and a fine of 50,000 Eth. Birr. The provision includes internal as well as external trafficking. [Article 600]

Pornography and harmful information

17. Provide information on legislation and other measures to prohibit the production, possession and dissemination of child pornography. In particular, please provide information on any controls on pornography produced and/or disseminated via the internet.

A sexual act or any performance against good morality and behavior in a public place is punishable with a simple imprisonment of three months to one year or a fine of 1000 birr. If the offence was committed in the presence of a minor, the punishment increases to a minimum of 6 months and a maximum of 5 years. [Article 640 of the revised law] Likewise, a person who makes, imports, exports, transports, receives, possesses, displays in public, offers for sale or hire, distributes or circulates... obscene or indecent writings, images, posters films or other objects, is punishable with simple imprisonment of not less than six months and a fine. If such objects were exhibited, delivered or handed over to underage persons, the penalty is simple imprisonment of not less than one year and a fine upto ten thousand birr. [Article 641, revised penal law]

18. Provide information on any legislation or guidelines to protect children from injurious information and material transmitted through the media, Internet, videos, electronic games, etc.

The above prohibitions are applicable to performances or auditions of the above sort in theaters, cinema, by projection, radio, video, and television or in any other way. There is also a special provision for the protection of minors. Offering for sale, lending, giving or displaying of writings, images or other objects that have the effect of unduly stimulating, misdirecting... sexual desires in minors, or that arouse ...antisocial behaviors in minors is a criminally punishable act. The incriminating object may be forfeited where appropriate and the responsible person subject to imprisonment of not less than six months and not more than three years. [645, revised law]

* There is no provision specifically targeting crimes through the Internet. However, most of the above provisions are broad enough to include such crimes

Reporting obligations relating to violence against children

19. Provide information on legislation, regulations or administrative directives requiring reporting of all forms of violence against and abuse of children in all settings to appropriate bodies. If reporting legislation, regulations or administrative directives exist, please indicate whether all citizens are required to report, or whether the

obligation falls on certain professional groups only. Provide details of any sanctions for non-reporting.

In any criminal offence including VAC, justice is set in motion when the commission of an offence is reported to the police. Any person who has witnessed or heard of the commission of an offence may make a report to the police. Except in handful of cases where the law makes reporting mandatory, there is no duty to report a crime to the authorities. Violence against children is not among the exceptional cases. On the other hand there are some offences where justice can be set in motion only when the victim or a person acting on his/her behalf lodges a formal complaint before the police. These are offences of a private or personal nature. The investigation and prosecution of such kinds of offences require the prior consent of the injured party. If the injured party is under eighteen years of age, the right to lodge a complaint shall be exercised by his/her legal representative. Offences punishable only upon private complaint are specifically framed as such in the penal law. The provisions make it clear that whosoever committed the act is punishable, *on complaint*, with the specified penalty.

Complaints procedures

20. Provide information on any complaints procedures relating to all forms of violence against children perpetrated in:

- **The family/ home;**
- **Schools and pre-school care and education (both formal and non-formal, state and private);**
- **Military schools;**
- **Institutions, state and private, including care, residential, health and mental health;**
- **The context of law and public order enforcement including in detention facilities or prisons;**
- **The neighborhood, street and the community, including in rural areas;**
- **The workplace (informal and formal);**
- **Sports and sporting facilities.**

In general, violence against children in any setting including the family, an institution, or the community is to be reported to the police. According to the provisions of the law, Police may receive accusation either from the victim child or from any person acting on behalf of the child. Police may also be informed of the commission of the offence by any other means. In offences that depend upon a formal complaint however, it is indicated above that investigation and prosecution can proceed only if the aggrieved person himself/herself or person/s acting on his/her behalf institutes a formal complaint. If the aggrieved person is under the age of eighteen, the right to lodge a complaint shall be exercised only by his/her legal representative.

21. Indicate whether children or persons acting on their behalf can access these procedures. Indicate whether legal aid is available to facilitate submission of complaints, and the circumstances in which legal aid will be available.

Legally, persons acting on behalf of children can access the complaint procedures. But because the law enforcement machineries are in limited number and with limited resources, they are not easily accessible to all citizens on equal basis. The handful legal aid services available in the country are run by civil society organizations. Almost all of such services are found in the cities and major towns of the country.

22. Describe steps which have been taken to raise awareness of possibilities to submit complaints about violence against children.

Child protection programs within the police have, from time to time, disseminated messages through the electronic media. Such messages were aimed at sensitizing the public about the issue of violence against children and what measures to take when violence is witnessed or heard of.

23. Provide information on any special procedural or evidentiary rules which may apply in proceedings with respect to violence against children.

There are no special evidentiary rules applicable to the cases of [VAC](#). However, the draft amendment to the criminal procedure code has provided the possibility for such cases to be heard in camera. Under article 111 of the draft, the cases where trials may be conducted in camera include sexual offences and cases where children below the ages of 15 will take the stand.

24. Provide information on the usual outcome of complaints of violence against children (e.g. compensation, punishment of perpetrators, perpetrator rehabilitation, family therapy).

When an accusation or a complaint is lodged before the police, investigation is carried out and the result is sent to the prosecution office who will frame charges and bring the case before the court. Generally, conviction rate in all kinds of crimes is very low in the country. The Ethiopian government is continually working to improve the system. Against this background, in situations where adult offenders are convicted the usual outcome is imprisonment. Compensation results if there was also a civil suit against the perpetrator. Cases where there are such suits are few in number and the compensation awarded is insignificant. In cases where young offenders are involved, minor cases may be referred to community based correction programs. But in the serious cases, the young offenders are tried and sent to a correction facility when found guilty.

25. Provide information on the usual outcome of legal proceedings in which children and juveniles are found guilty of perpetrating violence (e.g. imprisonment, corporal punishment, community service, perpetrator rehabilitation, family therapy).

According to the penal law, imprisonment is a last resort for young offenders. At present, when a young suspect is reported to the child protection units (CPUs) at the police station for commission of a minor offence, the CPU staff in consultation with the coordinating office at the police commission may decide to refer the child to the community correction

program. However, if the child was reported for a serious offence, he/she should be taken to the nearest first instance court. The court shall then order the manner of investigation. When the child is convicted of the crime he/she is charged with, the court may order some measures or penalties depending on the circumstances. The court order may range from supervised education or oral reprimand to fine or imprisonment. (Refer to the response for question no13 for more detail).

The information contained in the following table might shed some light as to the kinds of measures that may be taken when young suspects are reported to the Child Protection Units at the police.

Young Offenders Reported to Child Protection Units and Measures Taken(2000-2002)															
Cases and Actions	Number of Offenders by City														
	Addis Ababa			Dessie			Diredawa			Nazareth			Total		
	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
Total number of young offenders reported to the Child Protection Units	2433	423	28	31	64	37	23	15	38	16	42	20	3148	680	3828
Cases sent to hospitals for ascertaining medical evidences about their age	1351	255	16	14	28	17	6	5	11	32	8	40	1536	296	1832
Cases sent to court for trial	1049	148	11	82	10	92	29	11	40	21	-	21	1181	169	1350
Cases released on bail	850	110	96	9	-	9	2	1	3	5	4	9	866	115	981
Cases referred to the Community based correction program*	543	110	65	-	-	-	-	-	-	-	-	-	543	110	653
Cases immediately released from the police stations (being under age fro criminal charge, lack of sufficient evidence for prosecution, arbitrated by CPU)	37	23	60	26	45	30	11	98	20	48	12	60	456	178	634
Cases whose age was ascertained by the hospitals	365	63	42	59	9	68	2	-	2	19	4	23	445	76	521
Cases referred to Remand home by court order	100	15	11	-	-	-	-	-	-	4	-	4	104	15	119
Cases released free by the court	26	9	35	-	-	-	-	-	-	1	-	1	27	9	36

Source: Forum on Street Children –Ethiopia. Advocacy and Child Protection Program: Aims, Activities and Accomplishments, 2003

*The regional police commission, through the coordinating Office for the Child Protection program and the CPUs, decides as to which child should go to such program. This community based correction program has a *defacto* rather than a *dejure* existence. According to the existing criminal procedure law, all cases of young offenders are supposed to be reported to the courts. However, a common understanding and acceptance of the approach by all concerned bodies and by the public is gradually developing.

II. INSTITUTIONAL FRAMEWORK AND RESOURCES TO ADDRESS VIOLENCE AGAINST CHILDREN

26. Are there any Governmental authorities, structures and mechanisms, including at federal, state/provincial, municipal and local level which are currently responsible for addressing violence against children?

If YES, identify these authorities, structures and mechanisms and describe how coordination is ensured.

27. Is there a lead Government authority tasked with responsibility for addressing violence against children?

If YES, provide details.

A number of institutions are working in the area of violence against children. A national inter ministerial committee was formed in 1994 to monitor and guide CRC implementation. The Committee consists of representatives from the ministries of Health, Education, Information, Justice, Finance and Economic Development, Culture and Sports, as well as the Police Commission and the Prime Minister's office. Recently, Unicef and CRDA (local NGO) have also joined the committee. The Ministry of Labor and Social Affairs chairs the committee, while the Children, Youth and Family affairs department within MOLSA is the Committee secretariat. There are also CRC committees at regional, zonal and woreda (local administration) levels. Violence against children is one of the thematic areas, which the committees are engaged with. The National Committee on Child Abuse and Sexual Exploitation is the other committee dealing with major forms of violence against children. Bringing together representatives from government, non-government and donor groups, this Committee has accomplished commendable tasks. The following are, in particular, its achievements:

- Preparation of a National Plan of Action on Sexual Abuse and Exploitation of Children
- Publication and dissemination of a poster depicting abuse and exploitation of children
- Translation into Amharic and dissemination of the Declaration and Agenda for action adopted at a world congress against sexual exploitation of children in Sweden(1996)
- Finding a more appropriate Amharic terminology for the concept of sexual abuse and exploitation
- Initiated and oversaw the carrying out and launching of studies that include the following: Child Prostitution in Ethiopia: Law and Practice; Health and Psychological aspect of Child Prostitution in Mercato area; Problem and Trends of Sexual Exploitation of Children in Nazareth Town; Child Sexual Abuse and Exploitation in Shashemene and Dilla Towns ; Sexual Harassment of School Girls in Nazareth.

Another important structure is the national task force on OVC, put in place to deal with the overwhelming problem of unaccompanied children in the country. The above-mentioned committees meet periodically to discuss concerns and to initiate and share responsibilities as well as to measure and evaluate progresses.

Other than the above Committees, the different ministries in the country engage in activities that in one way or another address the issue of VAC. These include the Ministry of Health, Ministry of Justice, the Judiciary, the Ministry of Education and also the Ministry of Information. Education and information ministries play a significant role in disseminating information and hence creating awareness on the issue so that violence could be prevented. Also the Ministry of Education is playing a significant role in eradicating violence in schools. On the other hand, the Ministry of justice as well as the judiciary enables the victims of violence get civil as well as criminal redresses. Owing to the decentralization of systems in the country, most of the above ministries have regional counter parts.

The other institution that is increasingly working on the issue of violence against children is the police. In recent years, the collaborative efforts of the Police and an NGO (Forum on Street Children-Ethiopia) have resulted in a set up of child protection program within the city police commission in Addis Ababa. This program coordinates child protection units (CPUs) found at sub city levels. The program and the units are staffed by police men and women as well as by social workers and psychologists. Besides involving in awareness raising activities, they handle all cases involving children as victims and as offenders. Presently, the budget for the program is shared between the police and the NGO. However, police is committed to progressively increase its budgetary allocation to the program. At this juncture, it should also be mentioned that such units have continued to be established in the other regions of the country. Currently, limited numbers of police stations in Oromia, Amhara and Southern regions have such units in operation.

28. Are specific financial and/or human resources allocated by your country to address violence generally?

If YES, indicate the extent of these allocations.

29. Does your country allocate specific financial and/or human resources to activities to address violence against children?

If YES, provide details.

The task of addressing VAC is entrusted to different institutions that have in turn designed multifaceted programs and interventions. Out of the budgets allocated to these institutions, activities related to VAC take their fair share.

30. Do international or bilateral donors provide resources to your country for activities to address violence against children?

If YES, indicate the extent of these resources and the way in which they are used.

Yes bilateral and international donors provide resources. However, comprehensive information is not available as to the extent of the resources and the way in which such resources are used.

31.Does your country provide any assistance to other countries' efforts to respond to the problem of violence against children?

If YES, provide details.

Information on assistance provided to other countries is not available.

32.If your country has a national human rights institution, such as a human rights commission or ombudsman, or a child-specific human rights institution, does it have any role or competence in the area of violence against children, including receiving complaints?

If YES, provide details.

There are a Human Rights Commission and an institution of Ombudsman in the country. Although the establishment proclamations were issued in 2000, the offices are only few months old and have yet to build the capacity to function fully. Up to now, the institutions have been informing themselves about the experiences of other counties on the one hand and attempting to collect previous complaints lodged in different institutions on the other. The establishment legislations provide for the appointment of an ombudsman heading the children and women affairs within the Ombudsman institution and a Commissioner heading the Children and Women affairs within the Human Rights Commission. Both institutions are mandated to receive and investigate complaints within their respective jurisdictions. Building the capacities of these institutions so that they can take of the ground remains to be one of the major challenges considering the lack of human and material resources in the country.

33.Are there any particular parliamentary structures (for example special committees) to address violence against children?

If YES, provide details.

34.Have there been any recent parliamentary initiatives to address violence against children?

If YES, please give details.

There are no such particular structures. Nevertheless, the women's standing committee, the legal committee and the social standing committee have, on occasions, been engaged in activities addressing the rights and welfare of the child.

Revision of the penal law is one such initiative to which parliament has made a major contribution.

III. ROLE OF CIVIL SOCIETY IN ADDRESSING VIOLENCE AGAINST CHILDREN

The aim of this section is to elicit information on civil society activities relating to violence against children.

35. Describe significant civil society initiatives addressing violence against children in your country, including the types of institutions involved (such as academic institutions, professional associations, women's associations, student associations, community-based groups, faith-based groups, child and youth-led groups, trade unions, employer's organizations, national non-governmental organizations, international non-governmental organizations) and the major activities engaged in (including advocacy, awareness raising, research, prevention, rehabilitation and treatment of children harmed by violence, provision of services, provision of resources).

The number of Civil Society Organizations (CSOs) working on child right issues in general and violence against children in particular has increased over the years. Some of these organizations have programs specifically targeted to address violence against children. Others work on broader issues but cover some aspects of VAC in their activities. Currently there are around 70 organizations working on child right issues out of which 48 are indigenous. Several of them are registered as non-governmental organizations (NGO) or associations at national or regional (state) level. There are mass based associations like the youth association and the women's association that mobilize large number of people. There are also self-help groups, community based organizations, traditional associations. Upto now, the majority of these organizations are focused on deliveries of care and support. However, the extent of engagement of civil society organizations on activities such as advocacy, awareness raising, and research has increased. In the past few years these institutions have had clear impacts on sensitizing policy makers and executors about the necessity of putting in place and enforcing the appropriate laws and policies. This being said however, civil society engagement in the country leaves a lot to be desired. Because previous regimes have not allowed much space for CSOs to form and operate freely, such organizations are barely beginning to flourish in recent times. Much of the activities of these organizations are not systematically organized. Coordination between them is also lacking due to which duplication of efforts are sometimes observed.

Space may not allow us to look into each and every intervention by the members of civil society. Nevertheless, with the purpose of giving an insight, the initiatives and efforts of some civil society organizations are described below:

Forum on street Children- Ethiopia (FSCE): Besides carrying out advocacy and awareness raising activities, this NGO has pioneered the establishment of child protection units (CPUs) in several police stations in the city of Addis Ababa and other regions of the country. As victims or perpetrators of violence, the Police is the first institution children come in contact with. This calls for a unit equipped with trained manpower and necessary

resources to handle the problem of VAC. Thus, FSC-E first conducted a study and then established CPUs in collaboration with the federal and Addis Ababa police commissions. Most of these CPUs are staffed with two police persons (one man and one woman) and a social worker assigned by FSC-E. Whenever a child appears in the station as victim or offender, this special unit takes charge of the matter and handles it with care and expertise. The special unit is also working on community based prevention and treatment programs in the area of delinquency. Majority of the police officers assigned in the CPUs have been exposed to the different child right issues through short-term trainings.

The Ethiopian Chapter of African Network for the Prevention of and Protection Against Child Abuse and Neglect (ANNPCAN): this organization was established in 1990 and is engaged in diversified activities aimed at protecting children against abuse, neglect and exploitation. It designs and implements advocacy and awareness raising programs, provides a hot/help line service as well as a psycho-social, medical and legal support for abused and exploited children. It has also been promoting and supporting child right clubs in schools.

Child Aid Ethiopia: this is a local NGO that operates in one part of Addis Ababa. Its area of focus is sexual exploitation of children and works to raise awareness as well as to support victims and their families.

African Child Policy Forum: this regional organization engages in advocacy, policy dialogue, institution building and research on child right issues. The organization is currently in the process of setting up a children legal defense center.

National Committee on Traditional Practices of Ethiopia (NCTPE): NCTPE has made a significant contribution to the understanding of the magnitude of the problem of harmful traditional practices in the country. A survey that was conducted by the NCTPE in 1998 has, ever since, been serving as a major source of reference for researchers and planners.

Integrated Family Service Organization (IFSO): this seemingly small organization accomplishes a commendable task of assisting child victims of sexual abuse by providing psychosocial support. Currently it is operating only in Addis Ababa.

Ethiopian Women Lawyers Association (EWLA): this is a non-profit women's organization working to promote the rights of women (and girls) through three interdependent programs which are research and law reform advocacy, public education and legal aid. Violence against women and children is one of the organization's focal areas. In this respect, EWLA has been carrying out legal researches, advocacy activities as well as free legal assistance to victims of violence.

Prison Fellowship Ethiopia: Although this organization is not primarily child centered, it has many activities that address the needs of children. In March 2005, the organization launched a commissioned research on 'The Conditions of Children in Prison'. The study looked into the situation of children -young offenders as well as small children staying with their prisoner mothers. On the basis of the findings of the study, the organization is planning to carry out intervention programs.

36. Describe the support provided by your Government for these activities and the efforts made to coordinate civil society and government initiatives.

There are cases where the government disburses fund to civil society organizations for the execution of projects by the latter. The government also facilitates the smooth operation of these organizations in many ways. The Children, Youth and Family Affairs department within the Ministry of Labor and Social Affairs endeavors to coordinate civil society efforts through the CRC, Sexual Abuse and Exploitation committees and the OVC task force. However, the coordination of Civil Society Activities as well as the systematic evaluation of their effectiveness has remained to be one of the major challenges for the government.

37. Describe the role played by the media in addressing violence against children.

Private and Government media are among the major ways with which most child centered organizations carryout advocacy and awareness raising activities. However, around 85 % of the population in the country resides in the rural areas, and has only limited access to the media especially to the electronic one. According to the Demographic and Health Survey (2000), 86% of women and 73% of men have **no** exposure to the mass media. On the other hand, the high level of illiteracy (81 % for women and 60% for men) in the country bars the print media from being a major means of information dissemination.

Despite all the above mishaps, some programs on violence against children are transmitted in the electronic media and are having an impact on the general public. Many educative spot messages are transmitted from time to time with the collaborative effort between the government and CSOs. Furthermore, MOLSA has a weekly radio program on child right issues. VAC is one of the recurrent themes on the program.

IV. CHILDREN/ADOLESCENTS AS ACTORS IN ADDRESSING VIOLENCE

This section is designed to extract information on children's activities to address violence.

38. Provide information on the involvement and consultation of children in designing activities, and in implementation and monitoring of programmes and policies to address violence against them. Provide details, including ages and other details of the children involved.

Upto now, the involvement and consultation of children in the design of activities and implementation of programs and policies to address violence against them have been very limited. There have been however some efforts to involve children. In the process of preparing the national plan of action, representatives of children have taken part starting from the inception to the launching of the document. Besides including children and young persons in the discussion forums, a two days consultation workshop was conducted primarily for the children. Around 100 children and young persons who attended the workshop were able to express their views.

While this government response was being prepared, a national consultation workshop was organized for children drawn from all regions in the country. The workshop which resulted from the joint efforts of ANNPCAN, Save the Children Sweden, Save the Children Norway and other members of the National Committee on Child Abuse and Sexual Exploitation, served as a forum for the children to exchange their views and perceptions regarding VAC. The head of the Child Affairs Department of MOLSA who attended the workshop introduced the UN study and the regional consultation to the children. Also, concept papers were presented on the basis of which discussions were conducted. The children then selected their representatives to the regional Consultation to take place in Johannesburg.

Another case of children's (adolescents) participation was the Addis Girls Forum initiative put in place through the collaborative efforts of Unicef, the Women's Affairs Office (WAO) and the Education Bureau (BoE) of the Addis Ababa City Administration. A total of 500 school girls selected from 10 schools in the city participated in a series of consultative meetings in May and June 2004 where discussions focused on five major issues: HIV/AIDS and communication; sexual harassment in and around school; sex education in school; openness regarding sex between parents and children and guidance and counseling service in school. Following the consultative meetings, selected 100 girls presented the findings to the City Administration during a one day workshop. The discussions were transmitted in the Ethiopian Television, which helped to raise awareness among the general public. Furthermore, the resulting recommendations of the sessions have triggered many positive responses and commitments for action from concerned bodies. On the basis of the recommendations, the partners (UNICEF, WAO and BoE) have designed interventions, some of which are already executed. For instance ten training workshops that extended over 10 days were conducted on sexual harassment and

HIV/AIDS. A total of 3500 teachers were reached in the trainings. A draft school policy on sexual harassment is also being discussed. There is plan to expand the initiative to other regions.

In the past few years children or youth clubs based in or out of schools have proliferated throughout the country. Some of these clubs have accomplished remarkably well in popularizing child rights issues, scaling up the fight against aids and ameliorating violence in schools. The anti-aids youth clubs deserve particular mention in view of the critical role they are playing in the dissemination of information about HIV/AIDS. The clubs have proved to be more effective not only in terms of reaching the youth population but also in establishing links with the local community. Means of information dissemination by the clubs include staging educational theatre, transmissions through the mini-medias in school, conducting experience sharing meetings among clubs, actively participating in campaigns on world Aids day, volunteering for HIV screening, inviting parents for anti aids programs and also going out to communities with messages. Few clubs have also been providing care and support to PLHA, visiting on children under foster care, and reporting incidents of violence against children to the authorities.

39. Describe the involvement, if any, of children in designing special procedural or evidentiary rules applying in court proceedings with respect to hearings concerning violence against children. Provide details including ages and other details of the children involved.

There has not been any systematic involvement of children in the design of procedural or evidentiary rules applying in court proceedings

40. Describe the amount and type of resources made available to support children's participation in activities to address violence against children.

Amount and type of resources specifically made available to support children's participation are not identifiable.

V. POLICIES AND PROGRAMMES TO ADDRESS VIOLENCE AGAINST CHILDREN

A comprehensive policy for dealing with violence against children is one that addresses multiple forms of violence against children, that works across the different settings in which violence occurs, and which includes components for prevention, protection, victim medical, psychological, legal and social assistance, victim rehabilitation and reintegration, and perpetrator interventions. Such policy is distinguished from specific programmes that address selected sub-types of violence against children or its effects in specific populations and settings.

41. Does your Government have a comprehensive policy concerning violence against children?

If YES, provide details and describe any gender-specific provisions included in the policy.

There is no comprehensive policy that deals with violence against children. However, many policies and programs have VAC among their areas of concern. Some of these documents are described below:

The Developmental and Social Welfare Policy (1996)

Although the general objective of this policy is to *create a social condition conducive to a healthy life and sustainable development* that will benefit all members of the society, it gives a special attention to vulnerable groups of the society identified as children, women, the youth, the elderly, and the disabled. Concerning the welfare of children, the policy commits to, among other things, exert efforts to implement all international standards; eliminate harmful traditional practices with regard to child rearing; extend the necessary support and incentive to initiatives for the welfare and development of the child; and create a fertile ground where children in specially difficult circumstances, orphans, abandoned children, and children with mental and physical disabilities get the necessary assistance. It also lays down that all effort shall be made to provide protection against child abuse and exploitation.

Cultural Policy

Abolishing harmful traditional practices is one of the policy objectives. In Ethiopia, the vast majority of harmful traditional practices are inflicted on women and children.

The National Action Plan For Children (2003-2010 and beyond, MOLSA)

Before embarking upon the presentation of the action plan for the years to come, this document attempts to expose and analyze the situation of children in the country. It has clearly acknowledged that the significant majority of Ethiopian children are, by all standards, found in poor condition. The NPA reviews the achievements and failures of the preceding program of action for children and women (1996-2000). On the side of

achievement, it mentions the influence on national and regional planning processes having positive impacts such as the increase in the share of the budget for social services as percentage of total expenditure from 16% to 21.2 %; the increase of potential health service coverage from 48.5% to 52.4%; increase in school enrollment, etc. In the area of protection to children, achievements have been registered in assistances extended to children in especially difficult circumstances such as street children and orphans and in raising awareness about CRC. On the other hand, manifestations of failure were also highlighted. Infant, child and maternal mortality rates have remained among the highest in the world. In the area of education, dropout and repetition rates have not declined. Areas that leave a lot to be desired were the juvenile justice system and law revision to conform to international standards.

The present NPA draws from the lessons and experiences of the past program and sets out to address unmet targets.

Major components of the present national action plan (NPA) are:

- Providing quality education,
- Providing health facilities, clean water, sanitation, food and nutrition,
- Combating HIV/AIDS, and
- Protecting children against abuses, exploitation and violence.

With respect to these components, the NPA has identified targets, strategies, activities as well as indicators. According to the NPA, the protection of children against abuse, exploitation and violence involves registration of children at birth, revision of laws, raising awareness about harmful traditional practices, and the improvement of juvenile justice system, provision of assistance to children in especially difficult circumstance and the reduction of child labor. Having the above components in mind however, the NPA makes it clear that reducing the abject poverty that has reigned in the country is the foundation of all progress. The priority areas for addressing poverty in the country are: education, health, water and sanitation, roads, and agriculture and food security.

The implementation of this NPA is the responsibility of a National Children's Affairs Steering Committee led by MOLSA. One of the major challenges for the successful implementation of this NPA is budgetary constraint. A significant portion of the financial resource needed for the implementation of the NPA is expected to come from donors and community contribution.

National Plan of Action against Commercial Sexual Abuse and Exploitation of Children in Ethiopia (2005)

This NPA is in the process of being finalized. It embraces aspects of prevention; protection; rehabilitation and support. For each aspect, the document has identified the activities to be carried out, the focal point and partners for the activity and also possible indicators.

National Plan of Action on Orphans and Vulnerable Children (2004-2006)

This plan of action identifies five major areas for action: situation analysis, legal and regulatory frameworks, advocacy and capacity building, monitoring and evaluation and consultation and coordination. For each area of action, the plan lays down the activities to be carried out, the responsible organ, implementation steps, time frame and follow-up requirements.

National Plan of Action for the Establishment and Development of Civil Registration and Vital Statistics Systems in Ethiopia

Although this plan of action has yet to be endorsed, it has put ambitious goals such as reaching a registration coverage level of 90% for birth and death registration areas in 5 years time after the endorsement of the plan. At present Ethiopia has no civil registration and vital statistics system in place. However, a study has been conducted by the Population and Housing Census Commission Office on what kind of institutional framework and infrastructure should be adopted in the country. The proposal that has resulted from this study is awaiting approval.

In view of the fact that a record of civil status serves a wide array of purposes one of which is better protection of the welfare and rights of the child, scaling up efforts to make the system up and running is critical.

National Youth Policy (2004)

In the policy, youth is defined to include all persons between the ages of 15 and 29. The policy aims to enhance the participation of the youth in bringing about democracy and good governance as well as sustainable development by working in the spirits of tolerance and partnership. The policy focal areas include democracy and good governance, economic development, education and training, health, HIV/AIDS, culture and environment.

Health Sector Development Program III

For the first time, the third health sector development program, which is in the making, has incorporated non-communicable diseases as one of the program targets. Components of non-communicable disease include mental health and injury caused by violence. When this program is finalized it is expected to provide a framework on the basis of which the health care system will give better attention to the complex problem of violence.

Education Act

The ministry of education has prepared a concept note about an 'education act' with the purpose of proposing the introduction of such legislation in the country. The underlining importance of having such legislation is to ensure comprehensive regulation of educational standards, learning environments, curriculums, etc.

42. Does your Government deliver, or provide direct support for delivery by other agencies, of specific programmes aimed at preventing and responding to violence against children?

- By way of example, the program that addresses children in specifically difficult circumstance may be mentioned. This program, which was implemented in the years 1997-2003, had two major project components: relief and prevention project

for street children and support services to children in childcare institutions. In the first project, children and families were made to benefit. The services extended included education, health, entertainment, skills training credit services and psychological counseling. Activities in the second project were aimed at empowering the children in the institutions in terms of skill and hence economic self-sufficiency.

- Another project that targeted children is the ‘addressing vulnerability project’. This project has been under implementation by the Bureaus of Labor and social affairs in the regions since 1999. The major components of the program are CRC promotion and support to street children, disabled children and children who had been victims of sexual abuse and exploitation as well as child labor.

43. Does your Government monitor the impact of these policies and programmes directed towards violence against children?

If YES, describe the monitoring systems and provide a URL or other reference where the system and outcomes are described in greater details.

Monitoring the impacts of policies and programs is one area where an enormous gap is felt. In a functional review of the Children, Youth and Family Affairs department of the Ministry of Labor and Social Affairs conducted in April 2004, it was revealed that follow-up on policies and programs by the responsible organs with a view to translate such into concrete results leaves a lot to be desired. Coordination between partners was also said to be lacking. However, after the functional review, a commitment was entered between the stakeholders to improve the situation.

44. Does your Government participate in any internationally coordinated activities concerning violence against children?

If YES, please provide details.

From time to time, the government takes part in internationally and regionally coordinated activities or events. A case in point is the participation in the international movement to do away with sexual abuse and exploitation of children. The government attended the first and second World Congresses Against Sexual Abuse and Exploitation of Children held in Stockholm (1996) and Yokohama (2001) respectively. The participation of representatives from the government and other non-government organizations in this global movement resulted in the formulation of a National Plan of Action Against Commercial Sexual Abuse and Exploitation of Children in Ethiopia.

VI. DATA COLLECTION, ANALYSIS AND RESEARCH

This section aims to provide an overview of information systems and information about violence against children that may be used to inform, plan and monitor policy, legal and programmatic interventions concerning violence against children.

45. Over the past five years, has there been any victimization, epidemiological or other population-based surveys of any forms of violence against children in your country?

If YES, provide details or references, or attach.

46. Have there been any small-scale or representative interview studies with parents and children on violent victimisation of children?

If so, please give details.

Below is a list and brief description of surveys and studies conducted by government or non-governmental organizations.

- **Child Labor Survey Report (2001)**

This was conducted by Central Statistical Authority, MOLSA, and ILO. Its objective is to determine the demographic and socio-economic characteristics of children such as their living and working conditions, and earnings. It is also set out to assess the health, education and welfare status of working children.

The survey covered 43,601 households from all regions and administrative cities of the country. Accordingly it has estimated that there were 18,197,783 children in Ethiopia, accounting for 32.6% of the estimated 55.9 million total population. The majority of the children live in the rural areas (86.7%) and about 84% were living at least with one of the parents. The survey revealed that only 38% of the children aged 5-17 years were attending school (formal and informal) at the time of the survey. As regards work, it was indicated that about 85% of the country's children are engaged in either productive or housekeeping activity during the one-week reference period of the survey. The majority of the children engaged in productive activity were unpaid family workers. The average hours worked during the reference week was found to be 32.8 hours...

- **Survey on the Prevalence and Characteristics of AIDS Orphans in Ethiopia (2003).**

MOLSA, Italian Cooperation and UNICEF conducted this survey. The survey has exposed the magnitude and scale of the problem by presenting the prevalence and status of AIDS orphans in the country. The study covered all regions and city governments of the country. Its major objective was to determine the prevalence of AIDS orphans and find out their demographic, psychosocial, economic, health, educational statuses. It has

also explored the availability and accessibility of services designed to alleviate the problems of AIDS orphans. Out of the selected 3883 households with at least one orphaned child, 2683 had provided data. Qualitative methods were also employed in the survey. The findings indicate that the national prevalence of Aids orphans in the country is 15.6%. It was also shown that there was no significant difference in prevalence rates between major cities (14.69%), small towns (16.67%) and rural areas (14.77%). The status of aids orphans and that of their families is the other area explored in great detail by the survey. A comparison was also made with the status of non-aids orphans. The socio-economic status of most aids orphan families is characterized by high illiteracy rate of heads of households, low family income and lack of facilities. It was also shown that a considerable AIDS orphans are living outside of their familial environment and are faced with environmental, physical and social hazards....

- **Demographic and Health Survey (2000)**

This is a nationally representative population and Health Survey conducted on 15,367 women of age 15-49 and 2,607 men of age 15-49. The survey being the first of such study for the country, serves to inform policy makers, planners, researchers, etc. It has numerous information directly or indirectly related to the rights and welfare of the child in general and VAC in particular.

- **Health and Health Related Indicators**

This is a yearly report by the Ministry of Health. It provides important information on, among other things, maternal and child health, as well as disease statistics.

- **Orphans and Vulnerable Children Rapid Assessment, Analysis and Action Planning Report. Ethiopia (OVC-RAAAP)**

On the basis of available studies as well as using the results of limited primary assessment, the report has exposed the magnitude and situation of OVC in the country. According to the report, the number of OVC in the country is large-4.6 million-and shows an accelerated growing trend due to the HIV/AIDs epidemic. It is also indicated that orphans are found in worse situation than other children in terms of well-being such as school attendance, satisfaction of basic needs, health and psychosocial support. With respect to the nature and context of the national response to the problem, it has stated that existing legal provisions are inadequate and also weakly enforced. Support available from GOs and NGOs are constrained by limited financial and human resources, competing demands, low institutional capacity and community awareness. The report acknowledges that some progress is being registered. For instance, a draft national action plan on OVC was produced at the end of the OVC-RAAAP process. But it is also noted that there is more to be done....

- **Report on Violence Against Children.2005, African Child Policy Forum & Save the Children Sweden**

By gathering qualitative and quantitative information from the study's target group in five regions in the country, it aimed at identifying children's as well as the public's view, experience and perception on violence committed against children; the nature and extent of violence against children and the legal and policy framework to address the problem. On the basis of the findings of the assessment made, the study had concluded that children as well as adult informants in the study have comprehensive perception concerning physical, psychological and sexual violence against children. The study has also concluded that physical, psychological and sexual violence are widely occurring resulting in devastating effect on children....

- **A Study on Child Sexual Abuse and Exploitation in Shashemenae and Dilla Towns. 2003**

This study was conducted under the auspices of the National Steering Committee on Sexual Abuse and Exploitation of Children. The study targeted 471 persons belonging to different groups. On the basis of information collected through different assessments, the study has revealed that street children and commercial sex workers have very low educational status and that most come from disrupted and dysfunctional families in the lowest economic strata. According to the study, both street children and commercial sexual workers are highly abused and exploited. As regards sexual abuse, 1/3 of the female street children, 1/10 of the male street children, 1/2 of the child commercial sex workers, 2/5 of male and female students enrolled in the study were sexually abused....

- **Adolescent Life in Low Income & Slum Areas of Addis Ababa Ethiopia (2004):**

This study drew on data collected from over 1000 adolescent boys and girls aged 10 to 19 in the low income and slum areas of Addis Ababa. Over 1/3 of the adolescents in the study migrated into Addis Ababa from other regions. Both qualitative and quantitative methods were employed in the study. The study revealed that only 35 % of the boys and 24% of the girls were living with two parents at the time of the study. A significant number of the girls (1/5th) came to escape early marriage in their rural homes. 98.2 % of the boys and 90.4 % of the girls have some time attended school but the mean years of education for boys were 6.9 and for girls 4.7. In early adolescence, the majority of both boys and girls are in school. But by middle adolescence, most engage in work activities. It was found out that more girls than boys have begun working. 12% of the girls in the sample were domestic workers. They worked an average of 62 hours per week for an average pay of 14 birr (\$1.60) per week. Some of the boys and girls in the study have experienced harassment and crime. However, girls were more victimized than boys. Someone of the opposite sex in their neighborhood has groped 4.3 of the boys and 32.2 of the girls. 19% of the boys and 46.9 of the girls were teased and 5.8 of the boys and 7.3 of the girls were robbed in the last year...

- There are some reports produced by CRDA and ANNPCAN (Civil Society Organizations) on the views of children on child right issues. The workshops were carried out in 2004 in selected areas (Gonder town, Wolaita Sodo, Shashamane,

Grarjarso) in the regions. The participant children were able to express their perceptions and views on child right issues. Different kinds of violence such as child labor, sexual exploitation, and some harmful traditional practices like FGM, early marriage and abduction were among the points of discussion in all the workshops.

- **The Conditions of Children in Prison (2005)**

This study was commissioned by Prison Fellowship Ethiopia, a local NGO working to improve the situation of prisoners and ex-prisoners. The study covered 20 prisons from all over the country. The situation of both child offenders and children staying in prison with their prisoner mothers was assessed. Accordingly, although direct physical and mental harm was not commonly inflicted on the children, it was indicated that the children in prison were not enjoying their basic rights such as the right to adequate food and education.

- **Diversion of Children in Conflict with the Law From the Formal System- a case study of the experiences of Forum on Street Children in Ethiopia (FSC-E) (2005)**

This study assesses the community based correction program pioneered by FSC-E. After highlighting the meanings of relevant concepts and terms, the study goes on to explain about the program and how it is being implemented. The successes in the program and the challenges faced by it are also identified in the study.

47.Over the past five years, has your Government conducted or commissioned any scientific research projects on the problem of violence against children?

If YES, indicate the subject of this research and where the findings of these projects may be consulted in more detail.

Please refer to the listed studies above.

48.Have studies or surveys been undertaken into the impact of legal measures to address violence against children?

If YES, provide details or references, or attach.

Information as to the existence of such studies or surveys is not available

49.Does your Government have a system for formal inquiries into all child deaths in which it is known or suspected that violence may have played any part? Provide details.

There is no such formal system of inquiry into all child deaths

50. Are regular (e.g. annual) reports published describing the statistical profile of the known or suspected violent deaths investigated by the system?

If YES, what proportion of all homicide deaths are under the age 18?

No regular reports are published on suspected or known violent deaths investigated by the system. However, the Federal Police Commission maintains a national crime statistics, which is available for reference for researchers, planners and other interested parties. Although this statistics has its own limitations, it serves to indicate the scale of the problem.

Reported Deaths of Children between the ages of 9 and 18* (National)

	1992 Ethiopian Calendar (Sep.1999-sep2000)		1993 Eth. Cal (Sep.2000-sep2001)		1994 Eth. cal (Sep.2001-sep2002)		1995 Eth. cal (Sep.2002-sep2003)	
	No. of deaths	%out of the total	No. of deaths	%out of the total	No. of deaths	%out of the total	No. of deaths	%out of the total
Intentional Homicide	182	10.29%	394	6.57%	408	6.62%	240	10.77%
Négligent homicide	21	10.76%	12	13.33%	17	27.42%	18	18.18%
Attempted homicide	347	16.45%	461	13.90%	679	16.80%	480	18.38%
Accidental death	41	17.22%	17	17.00%	13	15.85%	11	17.74%
Total	591	13.7%	884	9.3%	1117	10.79%	749	14.9%

Source: National Crime Statistics, Federal Police Commission (unpublished)

* In the statistics, the age categories of victims start from 9 years. But it was explained that many younger deaths are possibly included in this age category. Nevertheless, it should be noted that the number of child deaths caused by violence could be a lot higher than what is indicated in the above figure.

51. If reports on the national profile of known and suspected violent deaths are published by your Government, indicate how the data is broken down for the purpose of reporting (check all that apply):

Sex	
Age	
Ethnicity	
Manner of death (homicide, suicide, undetermined)	
External causes of death	

(firearm, strangulation, etc.)	
Geographical location of incident (address)	
Scene of occurrence (home, school, etc.)	
Time and date of incident	
Victim-perpetrator relationship	
Other:	

In the National Crime Statistics of the Federal Police, data for the **victim** is broken down by age, sex and type of homicide (Intentional, negligent, accident). For **perpetrators**, data is broken down by age, sex, level of education, occupational status, and marital status.

52. Provide the total number of reported cases of violence against children in 2000, 2001, 2002 and 2003.

Selected cases of violence against children between the ages of 9 and 18 (National)

	1992 Ethiopian Calendar (Sep.1999-sep2000)		1993 Eth. Cal (Sep.2000-sep2001)		1994Eth.cal (Sep.2001-sep2002)		1995 Eth. cal (Sep.2002-sep2003)	
	No	% out of the total	No	%out of the total	No	%out of the total	No	%out of the total
Assault and willful injury	7243	19.84%	5187	23.23	12118	20.99	11747	19.93%
Rape	152	38.48%	338	39.12%	344	36.63%	330	43.82%
[Sexual Outrage]*	829	70.85	1134	76.15%	1313	71.63%	843	77.91%

Source: National Crime Statistics, Federal Police Commission (unpublished)

* The sexual outrage category provided here is referring to the 'defilement by force or on an underage' classification in the police statistics. That is why the percentage of child victims is high.

53. Provide the total number of convictions and reported cases for the various categories of crimes of violence recorded against children in 2000, 2001, 2002 and 2003.

Although, some courts in the country have recently established a data base system, data entry is at the initial stage due to which the system is unable to process and produce reports by age of victims or offenders. Thus figures on convicted cases of violence against children are yet to be made available in the future. However, studies indicate that conviction rate is very low. In a small assessment of cases at the federal first instance and high court, it was indicated that conviction rate for all crimes in the first instance court is 11% and in the High Court 33.1%. [Desalegn Berhe, 2004. unpublished] For sexual offences, which are the commonest form of violence faced by Children, the conviction rate goes even lower because of the difficulty in fulfilling the evidentiary requirements owing to the very private nature under which the offence is committed on top of the taboo and bias around subject of sex and sexuality.

VII. AWARENESS, ADVOCACY AND TRAINING

This section is aimed at gathering information on any awareness-raising, advocacy and training activities relating to violence against children which may have been conducted by your Government.

54.Over the last five years has your Government conducted or commissioned any campaigns for raising awareness of and preventing violence against children?

If YES, please describe any recent campaigns, including the settings and types of violence that were the subjects of the campaigns and the target audience (general public, caregivers, teachers, etc.).

Campaigns for raising awareness are carried out on different occasions such as on June 12 and 16, which are celebrated as *Child Labor Day* and *Day of the African Child* respectively. On the last day of the African child, 'birth registration' was the theme of the campaign. The major objective of the campaign was to pass the message that birth registration is the right of every child and all efforts should be scaled up to make it a reality.

Also world AIDS day in 2004 was celebrated with a focus on girls and women and their vulnerability to the pandemic because of the violence perpetrated on them. Women's day on March 8th 2004 was also celebrated with the theme of violence against women and girls. These dates have served as occasions to carry out campaigns.

55.How were the campaign messages and information disseminated (check all that apply)?

Print media	yes
Radio	yes
Television	yes
Theatre	Yes
Schools	yes
Others	Fliers and posters

In the child labor day and the day of the African child, there were demonstrations in most parts of the country in which participated children, advocates and government representatives. The demonstrators were carrying a placard with messages. Some of the events were transmitted through the electronic and print media. Furthermore, posters and fliers were printed and disseminated to the relevant institutions and the wider public. There were also different kinds of school celebrations. In the world AIDS day, a number of panel discussions were held.

56.Over the last five years, has your Government provided, commissioned or sponsored training programmes in the area of violence against children?

If YES, indicate which of the following areas were addressed by the last such training programmes and which provider groups received training (check all that apply).

Various governmental bodies give trainings to different target groups on the different aspects of violence against children. Below are examples of such trainings.

Responsible Government Body	Target Group	Subjects of training	Date of training
Ministry of Justice	235 School directors (Addis Ababa)	Child Rights under Ethiopian Law; Violence against children and HIV/AIDS	2003, April
Ministry of Labour and Social Affairs	120 Media Professionals	Child Rights	2002,2003
Ministry of Justice	Police, Prosecutors and Judges in Addis Ababa, Bahir dar city, Dessie Wolisso and Nazareth towns	Women and Child Rights	2005

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