



# Convention on the Rights of the Child

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## Committee on the Rights of the Child Sixty-ninth session

### Summary record of the 1997th (Chamber B) meeting

Held at the Palais Wilson, Geneva, on Friday, 22 May 2015, at 10 a.m.

*Chairperson:* Ms. Winter (Vice-Chairperson)

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*Combined fourth and fifth periodic reports of Ethiopia*

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*In the absence of the Chairperson, Ms. Winter, Vice-Chairperson, took the Chair.*

*The meeting was called to order at 10 a.m.*

**Consideration of reports of States parties** (*continued*)

*Combined fourth and fifth periodic reports of Ethiopia (CRC/C/ETH/4-5; CRC/C/ETH/Q/4-5 and Add.1)*

1. *At the invitation of the Chairperson, the delegation of Ethiopia took places at the Committee table.*
2. **Ms. Woldetsadik** (Ethiopia), introducing the combined fourth and fifth periodic reports of Ethiopia (CRC/C/ETH/4-5), said that, since its third periodic report, Ethiopia had ratified several international treaties, including two of the optional protocols to the Convention on the Rights of the Child, and had adopted various laws, policies and strategies concerning children. The Ethiopian Constitution guaranteed the rights and freedoms of children, and those rights and freedoms had been incorporated into all national development programmes and plans. Children enjoyed freedom of expression, association and assembly and were encouraged to exercise those constitutional rights through children's parliaments, school clubs and youth centres. Children's parliaments existed at the local, regional and federal level and allowed elected children to raise their concerns and submit requests that would be considered in due course.
3. The Ministry of Women, Children and Youth Affairs had submitted a comprehensive child policy to the Council of Ministers for approval and had drafted guidelines on the effective implementation and monitoring of child rights. It had established committees on the rights of the child at various levels of government, as well as child units in all ministries and within various national committees and task forces. Moreover, the Ministry had seen its budget triple and its human resources increase from 172 to 232 persons over the last three years.
4. The Government had achieved encouraging results under its National Plan of Action for Children, and gross enrolment in pre-primary, primary and secondary education had gone up significantly. The Government was trying to improve the quality of education and the retention capacity of schools by, inter alia, making water more readily available, separating boys' and girls' latrines and providing sanitary pads to girl pupils.
5. Corporal punishment in institutional settings was prohibited, and the Government was taking steps to eliminate corporal punishment in family settings through awareness-raising campaigns that promoted positive approaches to child discipline. The Ministry of Women, Children and Youth Affairs was working with various stakeholders to tackle violence against women and girls at the grass-roots level, and special investigation and prosecution units had been established to ensure that women and child victims received adequate support from medical professionals, police officers and prosecutors. Legal aid centres established by the Ethiopian Human Rights Commission played a vital role in curbing gender-based violence and child abuse, and the Ministry of Women, Children and Youth Affairs and women's associations also provided legal aid to victims. The number of shelters and rehabilitation centres was also increasing with the help of civil society organizations.
6. The National Alliance to End Child Marriage and the National Committee on the Elimination of Harmful Traditional Practices had been established to raise public awareness of the unlawful nature and adverse impact of harmful traditional practices such as forced, arranged and early marriage. Those efforts had been quite effective, as the incidence of female genital mutilation, abduction and early marriage had significantly decreased.

7. National Guidelines on Alternative Child Care had been issued and promoted family and community-based care and support services for orphans and vulnerable children. Family reunification programmes were in place, and children who could not be reunited with their biological parents or extended families were placed in foster care, put up for local adoption or provided with independent living arrangements. Orphans and vulnerable children were provided with social services such as health care and education, through referral arrangements. The Guidelines also promoted good parenting practices that took into account the cultural, ethnic and religious diversity of Ethiopia.

8. To address the root cause of child abandonment, the Government was trying to raise the income levels of poor households through its National Poverty Reduction Programme. Cash-transfer programmes enabled the survival and development of children in vulnerable households. Ethiopia had achieved the fourth Millennium Development Goal by successfully reducing the under-five mortality rate by two thirds, from 204 deaths per 1,000 live births in 1990 to 68 in 2012. More than 80 per cent of the nearly 3 million annual birth cohorts were protected against the 10 vaccine-preventable diseases each year, and 60 per cent of HIV-positive pregnant women received antiretroviral therapy to prevent mother-to-child transmission of HIV/AIDS.

9. The Central Statistics Agency and Vital Events Registration Agency had introduced a nationwide birth registration system with a central database to improve birth registration. The Government was also developing a child well-being management information system that would contain data on children from federal, regional and local government agencies across all sectors.

10. Ethiopia was committed to preventing homelessness in children and protecting children in street situations and was working with NGOs to reunite such children with their families and to provide them with vocational training. At the same time, it was trying to raise awareness of the harmful effects of child labour and ensure compliance with labour regulations. Lastly, a series of initiatives had been launched to combat human trafficking and provide assistance to victims of trafficking.

11. **Mr. Kotrane** (Coordinator, Country Task Force) welcomed the fact that the State party had ratified a number of conventions and asked whether it was planning to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. He noted with concern the absence of a mechanism to systematically review national legislation to ensure compliance with the Convention and found it regrettable that the State party had not yet adopted a children's code. He wished to know whether judges were aware of the Convention and whether they applied it. Noting the adoption of a series of national plans and strategies, he asked what human and financial resources had been allocated to those initiatives to ensure their success. While the Committee noted with interest the increased budgets for education and health, as well as the data provided by the Central Statistics Agency, it was still concerned at the lack of information on the budget allocated to children belonging to the most vulnerable groups of society, such as children from ethnic minorities and indigenous communities, children with disabilities, children in street situations and children living with HIV/AIDS. It was also concerned over the persistence of discrimination against children belonging to those groups and against girls. Although the Committee welcomed the efforts that had been made to ensure the best interest of the child, it was not convinced that the principle was always observed during legal proceedings or adoptions. The Committee was also concerned that traditions and cultural attitudes prevented children from being heard. For example, when dealing with a divorce, was the judge obliged to take the children's wishes into consideration, or was that a matter for the court's discretion? The Committee would welcome more information in that regard.

12. **Mr. Gastaud** (Country Task Force) welcomed the fact that the Ethiopian authorities had become more aware of the large number of problems affecting children and that they were committed to solving them. While the State party had taken various measures to improve the lives of children, the outcomes in key sectors were sometimes limited, as programmes and strategies were not coordinated. The authorities showed a certain reluctance to work with international organizations when tackling the country's problems, yet such cooperation would no doubt achieve better results.

13. Noting that the rate of birth registration was still low in rural areas, he asked whether the State party had considered reviewing its strategy to ensure universal birth registration. Did the current legislation on birth registration provide for the registration of refugee children?

14. The Committee had little information on the children's parliaments and would like to know more about their competencies and how their members were elected. What happened to the recommendations they issued? Clubs and associations were often closely monitored to prevent any criticism of the authorities. What were the rules for forming clubs or associations and by what means could they be dissolved by the authorities? The State party should clarify why there had been no investigation or prosecution in relation to the harsh crackdown on student gatherings in 2014.

15. The Committee had received reports that violent clashes had erupted between members of different religious communities. What steps was the State party taking to prevent such violence? What measures had it taken to identify and prosecute the perpetrators? Did the Government adopt a neutral, impartial approach to religious communities? Lastly, noting that freedom of expression was severely restricted under Ethiopian anti-terrorism legislation, he asked whether the State party intended to revise its legislation to broaden the scope of freedom of expression.

16. **Ms. Ayoubi Idrissi** (Country Task Force) said that she would like know whether measures had been taken to further align the Ethiopian Human Rights Commission with the Paris Principles and thereby make it eligible for promotion from B to A status accreditation. Were efforts being made to ensure that the Commission could visit all places of deprivation of liberty? She asked how many complaints of child rights violations the Commission had received and in respect of which rights. Could children file complaints themselves? Could the complaints be either written or oral, and made in any of the country's languages? How did the State party ensure that children living in rural areas, in the street or in refugee camps had access to human rights mechanisms? Did the State party intend to establish a complaint and monitoring mechanism for children?

17. Turning to the dissemination of the Convention, she asked whether it had been translated into all the country's languages and whether it was accessible to all children, including those with visual impairments. How was it disseminated in refugee camps, families and communities? Even though Ethiopia had brought its national legislation into line with the Convention, violations such as early marriages still occurred due to a lack of awareness of legal provisions. Noting that the age of criminal responsibility was 9, she asked if the State party was planning to raise it. She would also welcome information on the minimum age for consulting a doctor without parental consent, changing one's name or nationality and accessing information on one's biological origins. From what age were children consulted on their adoption? She asked what steps were being taken to eliminate corporal punishment in family settings and institutional settings. Noting that girls were often victims of harassment at school, she asked whether any investigations had been conducted or convictions secured. What support was provided to child victims of violence and sexual exploitation in terms of access to justice and rehabilitation? Lastly, she enquired as to whether any convictions had been handed down in cases of female genital mutilation.

18. **The Chairperson**, speaking as a member of the Committee, asked whether the children arrested during the events that had taken place in 2014 had been released.

19. **Ms. Oviedo Fierro** requested further information about children's programmes broadcast by the media and asked whether any measures were taken to monitor the content of those programmes or provide training on children's rights to media professionals. She wished to know the percentage of children in the country who had access to the Internet. She asked how Internet use was monitored and whether there were any known cases of child traffickers operating through social networks.

20. **Ms. Aldoseri** requested further information on the action plan and strategy adopted to eliminate harmful traditional practices and female genital mutilation as well as information on the committee established to address that issue.

21. **Ms. Sandberg** said that, according to information before the Committee, there were tight restrictions on civil society organizations working in the field of children's rights in Ethiopia. She asked if the State party intended to lift those restrictions.

22. **Mr. Nelson** asked whether it was correct that the Convention had not been translated into all languages spoken in the State party. If so, when would the Government translate the Convention and disseminate it throughout the country? He wished to know what percentage of the budget of the Ministry of Women, Children and Youth Affairs was earmarked specifically for children's affairs. He was concerned by reports that at least two witnesses were required to bring a case of sexual abuse to court. Such a requirement would make many cases impossible to prosecute, as the crime was by nature committed in secret.

*The meeting was suspended at 11.05 a.m. and resumed at 11.25 a.m.*

23. **Ms. Ibrahim** (Ethiopia) said that her Government had conducted an in-depth study of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and had begun the process of ratifying that Convention. Various public officials had received training on that Convention so as to build their capacity to implement it upon ratification. The process to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families had also been initiated but was still at an early stage and would hopefully be completed within the next two years. There were currently no plans to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

24. With respect to the Rome Statute of the International Criminal Court, her Government firmly believed that there should be no impunity for serious crimes such as genocide and war crimes, and it recognized the importance of having a well-functioning criminal justice system at the national, regional and international levels. Justice should be sought in a manner that would not impede or jeopardize attempts to create lasting peace.

25. **Mr. Gurán** asked whether Ethiopia intended to designate a central authority to discharge the duties imposed by the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

26. **Ms. Woldetsadik** (Ethiopia) said that the necessary steps would be taken to bring national bodies into line with that Convention once it had been ratified.

27. **Mr. Agonafir** (Ethiopia) said that mechanisms were in place to review national legislation and determine whether it was compatible with the various human rights instruments to which Ethiopia was a party. The Ministry of Women, Children and Youth Affairs had conducted such a review with respect to the Convention on the Rights of the Child. His Government believed that the rights of children were sufficiently protected under the current legislative framework and that there was therefore no need to adopt a comprehensive children's code. Judges were beginning to invoke the Convention and other

international instruments in their judgements, thanks to training they had received in that regard.

28. **The Chairperson**, speaking as a member of the Committee, asked how many times the Convention had been invoked in court judgements.

29. **Mr. Agonafir** (Ethiopia) said that to date there had been at least four such judgements at the federal level. Under national law, judges were required to consider children's views in custody cases and to take their best interests into account. His Government recognized that further improvement was needed in that area and was continuing to train judges accordingly.

30. **Ms. Ayoubi Idrissi** asked whether international instruments were directly applicable in the national legal system or whether they must first be incorporated into national law.

31. **Mr. Kotrane** said that, pursuant to the Convention, children's views should be heard in all affairs concerning them, whether legal or administrative. He found it regrettable that the State party had decided not to implement the Committee's recommendation to adopt a children's code that would include a provision to that effect.

32. **Mr. Agonafir** (Ethiopia) said that international instruments ratified by Ethiopia were part and parcel of the law of the land and could be directly invoked by the courts. The Constitution conferred equal rank on international instruments and national legislation. The legislation on civil registration did not cover refugee children. The government body responsible for civil registration recognized that to be a problem, however, and had recommended that the legislative gap should be filled.

33. The student gatherings in 2014 had not been peaceful. The so-called protestors, who were in fact members of a terrorist organization, had committed acts of looting and murder.

34. **Mr. Kotrane** said that the best way to verify the facts surrounding such an event was to set up an independent commission of inquiry. The Committee strongly recommended that the State party should take that course of action so as to shed light on the events, which had led to numerous deaths, including the deaths of children.

35. **Mr. Agonafir** (Ethiopia) said that no children had been killed during the 2014 events. Government bodies had conducted assessments and had concluded that there had been no excessive use of force. The Government therefore saw no need to establish an independent commission to look into the events. Ethiopia had enjoyed a remarkable level of religious tolerance for thousands of years. The recent disturbances had been part of a movement by terrorist organizations to subvert the Constitution and establish an extremist Islamic state. The Government had been forced to intervene in order to maintain peace and security. Several people had been arrested in connection with the events and were currently on trial. The Government was impartial in religious matters and treated all religious groups equally. There were no plans to revise the current anti-terrorism legislation.

36. **Mr. Gastaud** said that the delegation's comments on religious violence were very much at odds with information the Committee had received from other sources. He had been surprised to hear the delegation refer to students and members of religious communities as terrorists.

37. **The Chairperson** said that the Committee was interested in the situation of the children involved in the events rather than the adults.

38. **Mr. Batora** (Ethiopia) said that his delegation took note of the Committee's concerns. The protestors might have been influenced by ideologies that ran counter to the principles of democracy and religious tolerance. The case was currently before the courts, and his Government would inform the Committee when a legal judgement had been issued.

39. **Mr. Agonafir** (Ethiopia) said that national anti-terrorism legislation was in line with similar legislation adopted in the developed world and was not overly broad. The authorities were very careful not to bring terrorism charges against innocent individuals.

40. Since its most recent review by the International Coordinating Committee of National Human Rights Institutions, the Ethiopian Human Rights Commission had published a number of human rights reports, in line with the Paris Principles. It would soon resubmit its application for accreditation to the International Coordinating Committee. The national human rights institutions in Ethiopia were allowed to visit all places of detention in the country without restriction. Since its establishment, the Ethiopian Human Rights Commission had opened eight branch offices, and it worked in close coordination with regional bodies to ensure that complaints were filed and handled promptly.

41. **Ms. Ayoubi Idrissi** asked whether the Ethiopian Human Rights Commission had ever looked into violations of children's rights on its own initiative.

42. **Mr. Agonafir** (Ethiopia) said that the Commission received complaints on issues ranging from sexual abuse to child labour. It investigated each complaint and ensured that government agencies implemented its recommendations.

43. **Mr. Hidug** (Ethiopia) said that the law on civil societies and charities was intended to help develop an effective and efficient civil society at all levels. There were no funding restrictions on international civil society organizations, and they could work in any field provided that they signed an agreement with the Government to that effect.

44. **Ms. Sandberg** said that the ability of civil society organizations to carry out their work was dependent on the contents of those agreements. According to information before the Committee, civil society organizations were denied permission to work in various fields relating to children's rights.

45. **Mr. Botora** (Ethiopia) said that it was correct that civil society organizations were not permitted to work in certain fields. Democracy and human rights movements should be home grown and should conduct themselves in accordance with local values. Therefore, certain organizations working in those fields were currently not welcome. Nevertheless, the Government welcomed organizations that wished to carry out development and social work to benefit the people of Ethiopia, and there were many such organizations operating in the country.

46. **Ms. Woldetsadik** (Ethiopia) said that the number of NGOs working on children's issues in Ethiopia had increased dramatically. The Ministry of Women, Children and Youth Affairs was the agency responsible for coordinating efforts to implement the National Plan of Action on Children. It engaged in both horizontal and vertical forms of coordination, thereby ensuring a cross-sectoral approach. All government bodies were required to take women's, children's and young people's concerns into consideration when developing their own plans, projects and programmes. There were regular meetings to discuss the work and reduce duplication of effort. The overall budget of the Ministry of Women, Children and Youth Affairs had increased by 300 per cent, and 30 per cent of that budget was allocated to the Child Rights Promotion and Protection Directorate.

47. Efforts to combat female genital mutilation focused on alleviating poverty, which was viewed as one of the major causes of what was a deeply entrenched cultural practice. The Constitution, the supreme law of the land, specifically stated that customary practices inconsistent with it were null and void. The authorities had raised what they called the Women's Development Army, a force nearly half a million strong deployed to do battle, proceeding house to house if necessary, against a formidable foe, poverty, and its side effects such as infant mortality and harmful traditional practices. The army was closely allied with some 40,000 health extension workers. As a result of those efforts, poverty was

being beaten back. It was not entirely coincidental that in Afar region, 12 *woredas*, nearly half of the total, had been declared free of female genital mutilation.

48. **Ms. Aldoseri** said that she would appreciate hearing specific information about the time frames for the National Plan of Action mentioned by the delegation.

49. **Ms. Woldetsadik** (Ethiopia) said that the Plan covered the period 2013–2018.

50. **Mr. Cardona Lloréns** asked whether the State party was making efforts to combat early marriage, which was a long-standing practice, especially in rural areas.

51. **Ms. Oviedo Fierro** asked whether the delegation had any data on the impact of the Government's poverty-alleviation programmes. She wished to know whether the authorities had any plans to create an information system that would centralize the data produced by all government agencies.

52. **Ms. Woldetsadik** (Ethiopia) said that work was being done with the Central Statistical Agency to develop a national survey designed to provide information on the prevalence of harmful traditional practices nationwide. The survey results, including information on forced and early marriages, were expected by July 2015.

53. **Mr. Ambaye** (Ethiopia) said that committees had been set up at every administrative level to combat the practice of early marriage. The Women's Development Army and school clubs were pivotal to the struggle, as their members, active in local communities, were in a position to notify local authorities, such as school principals, of any cases of girls being forced into marriage. The Government was working closely with development partners and civil society organizations, but it took time and resources to root out ancient customs. The Government had set a target to eradicate early marriage and female genital mutilation by 2025.

54. **Mr. Cardona Lloréns** asked what steps had been taken to change men's attitudes towards early marriage and whether any parents had been prosecuted or otherwise penalized for having sold their children into marriage.

55. **Mr. Ambaye** (Ethiopia) said that efforts were being made to change the mentalities of men and of the population as a whole. Awareness-raising campaigns targeted schools and universities, as well as religious and clan leaders, who were in a position to put a stop to harmful traditional practices. As tools to combat such practices, awareness-raising and education were preferred to penalties or the threat of penalties.

56. **Ms. Woldetsadik** (Ethiopia) said that obtaining a marriage licence in Ethiopia involved a number of steps. She detailed the procedure.

57. **Mr. Nogueira Neto** asked whether the delegation had any information on the number of people prosecuted for having engaged in harmful traditional practices.

58. **Ms. Oviedo Fierro** asked why the authorities had not set an earlier target date than 2025 for abolition of harmful traditional practices, including female genital mutilation.

59. **Ms. Woldetsadik** (Ethiopia) said that the target year had been chosen at a meeting in London in July 2014. Nonetheless, given the achievements of the past five years, it was possible that the goal could be reached before 2025.

60. **Ms. Ayoubi Idrissi** asked whether the Ethiopian authorities' campaigns to raise awareness targeted refugee camps, where early marriage and female genital mutilation were widespread.

61. **Mr. Rodríguez Reyes** enquired whether any measures had been taken to protect girls who had been identified as having been forced into early marriage.

62. **Mr. Batora** (Ethiopia) said that, in collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR), the Ethiopian authorities were providing children in refugee camps all appropriate educational opportunities. The primary and secondary schools in the communities hosting the camps admitted child refugees, and, as already noted, the Convention on the Rights of the Child was included in school curricula. Vocational and technical training were provided as well. In 2014, some 200 refugees had attended institutions of higher learning. Ethiopians were proud of their long-standing willingness to share their meagre resources with refugees.

63. **Mr. Kotrane** said that he would welcome more ample information on any coordinated efforts to come to the aid of the numerous children deprived of a family environment. He requested further details about the post-adoption reports that private adoption agencies were required to submit to the Ministry of Women, Children and Youth Affairs.

64. He wondered whether the State party had evaluated the impact of the action it had taken to eliminate the worst forms of child labour. The employment of girls as domestic workers sometimes verged on trafficking, and in that connection he wished to know whether the State party intended to ratify the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189). More information on the measures taken to ensure that child refugees and asylum seekers had access to quality health services, proper nutrition and education would be welcome.

65. He commended the State party on its recent efforts in the area of juvenile justice but said that a number of concerns remained, including the age of criminal responsibility, the prosecution of children aged 15 to 18 as adults, the failure to separate minors and adults in places of detention and the lack of data on children in detention. It was entirely unclear, for example, how many children in conflict with the law had been rehabilitated, and there seemed to be a great shortage of psychological and social support services for such children. Lastly, it was regrettable that the State party did not have a legal framework for dealing specifically with human trafficking.

66. **Mr. Gastaud** asked whether the delegation could provide more specific information about the most recent health and education strategies or action plans implemented by the State party and about how those efforts were coordinated, evaluated, kept up to date and financed. Similar information about measures designed to reduce infant mortality would be welcome. Malnutrition affected thousands of children in the country, or even millions, and was one of the causes of such diseases as noma. He requested information about the impact of programmes to distribute vitamins and iodized salt and asked whether the authorities intended to expand those programmes, train more medical and paramedical personnel and open more health clinics, in particular in rural areas. He asked whether the National Nutrition Programme and other similar programmes had attained their objectives.

67. It would be interesting to know what steps the authorities had taken or were planning to take in response to reliable reports of a high rate of teen pregnancy. In that connection, information on the legality of abortion would be welcome. He wished to know whether the results of a recent plan to eliminate HIV/AIDS were better or worse than expected and what plans had been made to intensify efforts to promote breast-feeding.

68. He enquired about the inclusive schools referred to in the State party's report and requested further details about the methods used to eliminate discrimination against children with disabilities. He wished to know whether the results of the strategies that had been put in place to address disability issues had been assessed, what specific measures those strategies had entailed and how large their budgets were. What measures had been taken to assist single parents of children with disabilities?

69. Education in the State party posed a number of problems: preschools, most of them private, were generally found only in cities; dropout rates, starting in primary school, were high; as many as 18 million children were not in school at all; teacher training was mediocre; schools were inadequately equipped; indirect fees were often charged; and the gaps between rural and urban areas were large. He therefore asked whether education in Ethiopia could truly be considered free and compulsory. Information on the place of minority languages in school curricula and on any efforts to safeguard children's right to play would be welcome.

70. Lastly, it appeared that the number of street children had been underestimated. He wished to know why the street children who had been given vocational training had not been reintegrated into ordinary schools instead and what was being done to address the domestic violence that often caused children to take to the streets.

71. **Ms. Ayoubi Idrissi** asked whether the State party had any data on the widespread sexual exploitation of children, including children with disabilities, and, if not, whether it had planned any studies to determine the extent of the phenomenon and identify the children most at risk. She wished to know how many children had been rescued from sexual exploitation and how many had received psychological support. Lastly, she asked whether Ethiopia had entered into any multilateral agreements to facilitate the investigation of the sexual exploitation and trafficking of children.

72. **Ms. Khazova** said she understood that Ethiopian law provided for the adoption of children still *in utero*. She wished to know the reason for the existence of that provision, which was a boon to private interests involved in the adoption business, how such adoptions were made final and whether there were any plans to repeal the provision.

*The meeting rose at 1 p.m.*