

NGO Group for the Convention on the Rights of the Child
**Database of NGO Reports presented to the UN Committee on
the Rights of the Child.**

Document Title:

**NGO's Complementary Report on the Implementation of the UN
Convention on the Rights of the Child**

Region:

East Africa

Country:

Ethiopia

Issued by:

Date of publication of NGO Report:

03/96

Date of presentation to preessional working group:

06/96

CRC Session

(at which related national state party report was submitted):

14th Session : Jan 97

Language:

English

Document Text

[Link to related state party report at UNHCHR in English](#)

[In French](#)

[In Spanish](#)

II. General Observations

I. Introduction...

III. General Measures of Implementation

A. Measures Taken to Harmonize National Law and Policy with the Convention .

B. Existing or Planned Mechanisms to Coordinate Implementation of the Convention

C. Measures Taken to Publicize the Convention

IV. Definition of the Child and Attendant Issues

A. Access to Employment

B. Minimum Marriageable Age

C.Criminal Liability
D.Deprivation of Liberty and Imprisonment
E.Compulsory Education
F.Sexual Consent

V. General Principles

VI Civil Rights and Freedoms

VII Family Environment and Alternative Care
A. Guidance/Assistance in Child Upbringing
B. Activities concerning Child Abuse and Neglect .
C. Child-Family Reunification Activities
D. Rehabilitation Activities . .
E. Prevailing Conditions Related to Family Environment and Alternative Care

VIII Basic Health and Welfare
A. Survival and Development
B. Disabled Children
C. Health and Health Services
D. Child Care Service and Facilities
E. Standard of Living

IX Education, Leisure and Cultural Activities
A. Policy and Co-ordination
B. Aspects of Challenge in the Education of Children

X Special Protection Measures
A. Refugee Children .
B. Children in Conflict with the Law

XI Summary and Recommendations
- Summary
- Recommendations
- List of Non-governmental Organizations that Submitted the Report

I. INTRODUCTION

1. The number of Ethiopian Children (below age 18) is approximately 30 million. Most live in distress. Among the under-5 children, about 72% are either severely wasted or stunted. Less than 2% of the 4.1 million children of kindergarten age get institution-based pre-school education. Providing basic services for the country's children in the future looks even more challenging. The fertility rate is about 7.7 children per woman. Per capita income is estimated to be US\$ 120. About 85% of the population are engaged in traditional form of agriculture, and they are barely capable of feeding themselves. Evidently, this is the case of a poor country facing a huge task in providing services to children.

2. Presently, over 200 NGOs participate in the social service sector in the country. Less than 25% of these are indigenous. The presence of a considerable number of NGOs in the country means that government institutions get some support from other quarters in their effort to promote child services, but indigenous collaborating agencies should be strengthened.

3. In spite of various legal provisions dating back at least to the 1960s to safeguard the welfare

of children, the condition of children has remained deplorable due to the prevailing traditional mal-practices, economic depravity, social conflicts, natural disasters and insufficient provision of basic services. In this regard, the ratification of the UN Convention on the Rights of the Child by the Transitional Government of Ethiopia on December 9, 1991 and the various policies adopted by the government in the past three years help to address pressing problems of children.

4. The present report is complementary to the one that has been prepared by the Ethiopian government. The report is written in conformity with Article 45 (a) of the Convention, and it follows the general guidelines set down for the state report.

II. General Observations

5. The Initial Government Report emphasizes the effort to lay down fundamental guidelines (in terms of policy formulation) for long term development activities, with attention to plans for immediate action. As indicated in the report, the principles of democratization and decentralization have been given prominent place in government policies. In addition, the new Constitution of the Federal Democratic Republic of Ethiopia (FDRB) includes adequate provisions concerning the care and development of children. However, at certain points the report over-emphasizes description of policies and future plans without including a sufficient account of the actual efforts made by the government to improve existing conditions since the adoption of the Convention. An example is the account given in the section on basic health, and juvenile justice and juvenile delinquency.

6 In recent years, the problem of children in especially difficult circumstances has increasingly been recognized as a focal area in child welfare. The Initial Government Report has properly reflected this concern. However, in some places, the way the information is presented does not clearly indicate to which period (Pre-Convention or Post Convention) the information refers to. A case in point is the section on Institutional Care (Paragraph 136).

7. Any report on efforts, achievements and problems in relation to the Convention benefits from the availability of relevant data. In the case of Ethiopia, empirical data about the conditions of children is limited. In addition the mechanisms for the collection, analysis and dissemination of information on children (including the case of birth registration) are weak or non-existent. The problem of finding up-to-date information, for example, is evident in the report concerning infant mortality (paragraph 75) and juvenile delinquency (Paragraph 136-j). Reasonably detailed information (e.g. data classified by region or sex) is also missing in many sections. An adequate system of data collection, compilation and distribution needs to be developed.

8. Different sections of the Initial Government Report almost invariably cite the shortage of appropriate manpower or material as a major problem in improving the well-being and development of children. This point is well-taken. However, for a better understanding of the use of available resources, it would be more helpful to indicate the budget allocation to child service institutions and projects vis a-vis allocation to other areas of social services and indeed to other areas of government expenditure. Such a comparison would provide some indication of the priority given by government to issues related to children.

9. The Initial Government Report contains a number of instances in which appropriate provisions for child welfare and development have been difficult to implement. Examples of such provisions are inducement of children into prostitution (Penal Code Art 587-607) and the minimum age for contracting marriage (Civil Code art. 581-1). Evidently more attention should be given to the design of workable strategies of implementation by making an assessment of existing barriers in policy implementation.

10. The Initial Government Report indicates various forms of collaboration (such as the collaborations in supporting Children in destitute families) between NGOs and government institutions. This is a strong point, and it should be strengthened particularly through increased exchange of information and mutual consultation in planning as well as in evaluating relevant

projects.

III. General Measures of Implementation

11. Ethiopia's adoption of the UN Convention on the Rights of the Child through accession on May 15, 1991 was declared in the Negarit Gazeta (the official gazette of the country) in January 1992. The adoption of the Convention has influenced the new Constitution of the Federal Democratic Republic of Ethiopia which has included adequate provisions for the protection of the rights of the child. However, an official translation of the complete text of the Convention in the working language of the Federal Government has not been published. Also, some legal provisions which contravene the Convention have not been repealed. Examples are: Art. 172 of the Penal Code which legalizes corporal punishment, and Art. 581 of the Civil Code which provides different minimum age limits for males and females to conclude marriage.

A. Measures Taken to Harmonize National Law and Policy with the Convention

12. The complete text of the Convention has not been published in the Negarit Gazeta and the courts are not hard pressed to take judicial notice of the provisions of the Convention. Actually, a survey conducted by an NGO has disclosed that many judges are not familiar with the Convention.

13. The existing institutional capacity in the country is no match for the practical demands of the implementation of the Convention. The constraints are partly organizational. The often blurred distinction in the responsibility of individual government organizations for child welfare, the limited span of the organizational mechanism to carry out the task, the shortage of trained staff for the job, the absence of legally established separate courts in each region for handling child cases, and the extreme shortage of rehabilitation and counseling centers for children in conflict with the law are serious social handicaps that require policy actions. The draft social welfare policy opens up the possibility for handling such constraints but again the practicalities of transforming policy to practice need to be addressed.

14. The draft social welfare policy states that effort will be made to implement all international conventions or laws pertaining to children that the country has adopted. It provides general guidance which needs to be specific at certain points.

B. Existing or Planned Mechanisms to Coordinate Implementation of the Convention

15. Previous measures that can potentially contribute to the implementation of the Convention include the empowerment of the Ministry of Labour and Social Affairs to undertake the necessary action for the implementation, which involves the strengthening of the organization particularly responsible for child and youth welfare. This latter organization, namely, the Children's and Youth Affairs Organization, is the end result of organizational evolution which started with a National Children's Commission in the 80s.

16. Presently, it is the Children and Youth Affairs Organization (CYAO) and the MOLSA Head Office that are essentially in charge of child welfare programs. As a result of frequent organizational changes regarding child services no individual government organization could concentrate on long-term plans for such services. The problem is compounded by the fact that there is no single government institution that has sufficient authority and resources to properly coordinate child service programs and facilitate the activities of NGOs.

17. A national inter-ministerial committee with similar committees at lower levels have been set-up to monitor the implementation of the Convention. However, the government report does not indicate the specific guidelines (if any) that were given to the committees. Also, the full

impact of these committees is not yet felt. In order to play their roles satisfactorily, the committees should have a minimum capacity in administrative and technical matters. They need to have efficient communication systems and adequate budget for monitoring the implementation of the Convention. In addition, they should engage in continuous follow-up and strategy improvement on the basis of expert and community advice and feedback.

18. The need for trained manpower to help in planning and conducting child service programs is considerable, and this need has become even clearer in recent years because of greater appreciation of the plight of children by government agencies, NGOs, and the general community. A greater number of social service staff with training in such fields as sociology, psychology and paediatrics are needed to expedite the implementation of the Convention. The basic ideas of the Convention should also be integrated into school programs so that children develop sufficient awareness of their rights, and contribute to their protection. The extent to which the programs and the curricula of institutions of higher learning in the country address the pressing problems of children and the goals of the Convention further requires closer examination, and due adjustment.

19. On their part NGOs have recognized the need for collaborative effort to promote the implementation of the Convention. The present report was made possible through such understanding. There is also a strong move to form a network of NGOs at the national level to advance the goals of the Convention and to strengthen social services as a whole.

20. Both the government and NGOs have conducted a substantial number of workshops and seminars to enhance the implementation of the Convention. In many cases, the workshops have brought together the staff of the government agencies and those of NGOs. The practice of organizing training workshops that involve staff of the two major partners should be strengthened in order to achieve better understanding of issues and to lay out better plans. In addition, however, it is important that the effectiveness of training workshops, and the major constraints in the day-to-day activities of the staff (particularly the field staff) are discussed and evaluated at some reasonable interval jointly by government agencies and the NGOs.

C. Measures Taken to Publicize the Convention

21. The Convention was popularized by both government and non-government organizations as well as by UN bodies in various ways. An NGO has translated the Convention into three local languages and distributed copies of the translations to the public. NGOs have conducted numerous workshops and weekly radio programs on the Convention. They have also issued newsletters, magazines, posters, and leaflets on issues of child rights. The government has also made similar efforts, particularly by way of translating the Convention into eight local languages, and disseminating the translated versions.

22. The advocacy work in relation to the Convention has its shortcomings. None of the translations of the Convention have been recognized as official, and they are not given due weight by practitioners, including those in judicial positions. Few copies reach the hands of the ordinary citizens over 50% of whom are illiterate. I

23. In spite of the various translations, publication and dissemination of information regarding the Convention, apparently there has been little or no follow-up of the degree of effectiveness of the efforts. For example it is not clear how widely the translations have been read and what the reactions of the recipients are.

24. The advocacy for the implementation of the Convention would be more effective if it includes direct communication with the public in such social organizations as schools and community associations, and if it provides mechanisms for its implementation that are within an easy reach of the public.

IV. Definition of the Child and Attendant Issues

25. The Convention defines the child as every human being below the age of 18 years. Similarly, the Ethiopian Civil Code of 1960 defines the child as a "minor" who is a person of either sex who has not attained the full age of 18 years [Art. 198]. However, the office of civil status provided for in the Civil Code for the registration of birth has never been functional and there is no way of determining for sure the age of a child when contested. In addition the above definitions are overlooked in traditional thought and actual practice. In many rural areas of the country, the traditionally recognized minimum age for girls to marry is well below 18. According to one survey sponsored by an NGO, depending on the ethnic affiliation of the community, the end of childhood in some parts of the country may be below 15 years of age. As a result a female child may be deprived of the rights guaranteed by the Convention in connection with marriage.

A. Access to Employment

26. The Ethiopian Labor Proclamation No.42/1993 bars children from employment if they are below the age of 14 years [Art. 89]. The Proclamation recognizes children between the age of 14 and 18 as young workers, and allows their employment as long as the children are not exposed to working conditions that endanger their well-being and development.

27. The above mentioned provisions are in conformity with the relevant provisions of the Convention. However, the follow-up and supervision by the concerned government organizations to ensure that children are not engaged in dangerous activities in violation of the law still needs to be strengthened.

28. In some cases full-fledged child employment is carried on in the taxi business, tea rooms, restaurants and other contexts. Because of their extreme poverty, children who get employment "opportunities" invariably invite the envy of their peers who are in similar depressing situation but who have not got such employment. The supervision of the implementation of the articles governing child labor by the concerned government organization needs to be strengthened.

B. Minimum Marriageable Age

29. The Ethiopian Civil Code prescribes the minimum age for marriage for males and females to be 18 and 15 years respectively [Art 581-1]. The provision reflects gender-bias in social and civic rights associated with married status, and this conflicts with Art. 2 of the Convention which requires its implementation without any discrimination. Even if the discrepancy in the legal provisions for males and females is eliminated, custom poses a challenge in ensuring the implementation of the provisions. Indeed in many rural communities girls are often betrothed before age 10 and get married in their early teens.

C. Criminal Liability

30. Article 40(3) of the Convention specifies that state parties shall attempt to promulgate laws, and establish organizations and procedures to specifically handle the case of children in conflict with the law. In this regard, the progress in Ethiopia is minimal. Actually, the Penal Code of 1957 (which is still operative) recognizes children between 15 and 18 years of age as young persons who shall be treated under the ordinary provisions of the code similar to the way adults are treated. It is also known that a judiciary not certified to be competent in law often takes over child cases in many communities.

D. Deprivation of Liberty and Imprisonment

31. According to the Convention, a child who is sentenced to imprisonment should be kept in a

prison that is separate from that of adults. The relevant Ethiopian law (Penal Code Art. 53(1)) states the same with regard to children age 9-15. In practice children sentenced to imprisonment serve their sentence in prison cells along with adult inmates. Such children have little or no opportunity to benefit from corrective or rehabilitative measures such as vocational training or counseling.

32. The Remand Home in Addis Ababa, the only one of its kind in the country designed for the rehabilitation of juvenile offenders, has a capacity of merely 150 boys. The problem of handling male offenders in this one -site has also been a difficult task. No service for female offenders exists.

K. Compulsory Education

33. According to the 1994 Education and Training policy, basic education is not compulsory. The Initial Government Report does not indicate why it has not been made compulsory. Presumably it was felt that the existing economic conditions of the country are not optimal to implement a compulsory basic education policy. The Education and Training Policy further determines that educational provisions (by the government) up to grade 10 will be free of charge, and it stipulates that students in grades 11 and 12 (final years of high school) will share the cost for their education.

34. It will be long before secondary education is made accessible to everyone although Article 28(b) of the Convention calls for that. In 1993-94, for example, the participation rate in secondary schools was below 10%.

F. Sexual Consent

35. According to the Provisions of Art. 594 of the Ethiopian Penal Code, seeking sexual consent from children under the age of 18 is punishable with imprisonment. The general public and the concerned children are probably inadequately oriented about the provision, or they choose to handle the matter in customary ways.

36. Even more significantly, abduction, often accompanied by rape, is practiced in many rural areas where law enforcement is counteracted by tradition. In urban areas, street life exposes many female children to sexual abuse. Some of these children sacrifice their dignity and well-being for a small financial payment because of their poverty. Some are helpless against assaults by male street children.

V. General Principles

37. The Civil Code of Ethiopia contains provisions for the protection of the best interest of the child. A case in point is Art. 2 of the Civil Code which safeguard.. the rights of a conceived child whenever its interest so demands provided it is born alive and viable.

38. The custody and maintenance of a child is determined taking into account the best interest of the child (Art. 68 of the Civil Code). The Civil Code also protects the best interest of the child by providing that contracts concluded by a minor with another person may be challenged by the minor or his representative.

39. The Constitution of the Federal Democratic Republic of Ethiopia under Art. 36a ensures the child's right to life. According to the Penal Code, abortion and infanticide are crimes (Arts. 527 and 528). There are therefore no major defects in the laws in providing for the protection and full development of the child. For a great number of children, however, the right to survival and development is seriously curtailed due to inadequate nutrition, and health plus educational services.

VI. Civil Rights and Freedoms

40. The Constitution of the Federal Democratic Republic of Ethiopia stipulates that any person with both or one parent of Ethiopian citizenship is an Ethiopian national, and no Ethiopian may be denied his citizenship without his consent.

41. In spite of domestic laws which protect the rights of children, occasional engagement in activities that are contrary to the laws are observed. An instance in this respect is the mistreatment of needy children who are engaged in petty trade and similar activities along the streets of some urban areas and the confiscation of their property without due process of law.

VII. Family Environment and Alternative Care

42. According to the draft Social Welfare Policy, among those children in especially difficult circumstances only about 1.5% get organized and systematic services. Many NGOs feel committed to such services and have accordingly made considerable contributions.

43. Most of the Country's population live in rural areas where development infrastructure and public utilities are almost non-existent. In 1993/94, for a population of nearly 55 million the total number of primary schools was 8674, and the number of hospitals was only 73. Moreover, a mere 18 percent of the rural population had access to safe water supply. The drudgery of life associated with subsistence agriculture and pastoralism, the extreme limitation in infrastructure, and widespread illiteracy have a damping effect on the efforts of individual families to give the proper care to their children. What is more, the seriousness of the constraints indicated above differs from Region to Region partly due to the variation in the degree of urbanization of the localities. These regional differences need greater consideration.

44. The urban centers of the country are not only limited in terms of number but they are also incapable of providing adequate conditions for the well-being of the family, and the development of children. Problems of unemployment and low income, expensiveness of basic food items, housing problem, the rising number of children in especially difficult circumstances, and family de-stabilization (often due to economic problems) not only make it very difficult for a family to properly care for children, but also threatens its survival as a unit. Demarcation of neighborhoods in urban areas that require special attention is a matter of major concern.

45. The appallingly low economic conditions of families and the frequent disasters in various parts of the country have prompted both the government and NGOs to provide assistance (in terms of providing food, and in terms of initiating income generating schemes, for example) to needy families. Unfortunately, the need is so widespread that huge resources are required to cover a large number of families adequately. For greater effectiveness, the efforts of the government, NGOs and others should be accompanied by more fundamental measures such as large-scale private investments (to increase employment opportunities), and greater agricultural services (including skill training) to farmers. The Five-Year Plan of the Federal Government is in line with these fundamental measures. The degree to which the government has succeeded in attracting private investors is not yet clear. Perhaps Regional governments should top up the effort of the Federal government by taking additional measures which will attract investors more, and by initiating and developing schemes that promote greater participation by the community, NGOs and others in development programs.

46. The extended family, that has been more characteristic of rural areas than urban areas and that served an important function in the upbringing of children by parents and siblings alike, now appears to be weakened partly due to the fact that more and more young people leave their villages to attend schools elsewhere or to look for a better life in the cities. The importance of providing services to children close to their homes cannot therefore be undermined.

A. Guidance\Assistance in Child Upbringing

47. The National Population Policy (April 1993) includes various provisions for the improvement of family conditions. For example, the policy aspires to reduce the present fertility rate of 7.7 to 4, and to raise the rate of the use of contraceptives to 44% (from the present 4%) by the year 2015. It also aims at encouraging the education of females - - a measure that would help in family planning. These important goals unfortunately run counter to traditional beliefs and practices (prevalent in some localities) that basically assume that child bearing is something untamperable. Perhaps the goals are best tackled through the collaboration of different institutions.

48. The policy does recognize the need for the above mentioned type of collaboration, and it apportions various duties to eleven ministries and other organizations, including NGOs. It also lays out a structural arrangement (of committees and councils) at three levels within each region. With many organizations expected to actively participate in the implementation of the Policy, the task of coordinating and monitoring the activities at different levels is a major challenge. Specially relevant here is the task of coordinating the activities of government organizations with those of NGOs that are interested in family planning services in remote localities. Also, the policy does not highlight the importance or the contributions of professional associations (such as association of health professionals).

49. Other more comprehensive activities to improve the family environment that were undertaken by both government agencies and NGOs include: supply of water and sanitary facilities to thousands of people both in urban and rural areas, and house repairs as well as road building to serve whole communities.

50. Traditionally different forms of alternative care existed in the country for orphans and abandoned children. Through such mechanisms children were adopted by people who had no children of their own, by those who wanted to help destitute families, or by those who wanted to strengthen their relation with other unrelated families. Generally the act was sacred, and the adopters considered the adopted child as their own offspring.

51. Today, generally the traditional adoption practices seem to be at a low ebb although data about the extent of this practice in the country is largely lacking. According to the Children and Youth Affairs Organization (a major government body responsible for child and youth services), only a few hundred children are adopted annually and almost all of them are adopted outside the country. This situation has also been documented in the Initial Government Report. To what extent the process of adoption is carried out in accordance with the Convention which states that child adoption should be conducted with due regard to the ethnic and cultural background or affiliation of the child needs to be studied. The Ministry of Labor and Social Affairs has the responsibility to advance in-country adoption. There is no indication, however, regarding the efforts made by the Ministry in this direction, and the problems it faced. The prevailing economic problems both in the countryside and in the towns, the gradually shrinking size of arable land allotted to individual families (which partly resulted from a significant increase in the population), the rising cost of taking appropriate care of children and educating them, and the stronger tendency of young people to easily break off from their family and run away to other places in search of better life, probably account for the decline in the rate of local adoption. Still, here is a traditional practice worthy of a closer study and evaluation, and a possible adoption to fit present-day conditions.

B. Activities Concerning Child Abuse and Neglect

52. In relation to child abuse and neglect, a sensitization program in the form of workshops, has been conducted for professionals, including teachers, physicians, nurses, social workers, policemen, and journalists. A start has also been made in offering counseling services to abused children. The area of child abuse and neglect is one of the social concerns that has received relatively little attention by both government organizations and NGOs.

C. Child-Family Reunification Activities

53. The effort of both government agencies and non-government organizations, including international organizations, with regard to child-family reunification programme has been commendable. The activities seem to have been hampered by the huge cost involved in such endeavors, and by the rather long time needed to effect individual cases. Overall NGOs, like the government, continue to feel that institutionalized services should be de-emphasized in favour of family based and community based services or other similar arrangements which permit children to grow in supportive homes.

D. . Rehabilitation Activities

54. The rehabilitation programs that have been carried out by government agencies, NGOs and international organizations include building schools, providing educational materials, training children in various crafts to increase their employment opportunity, providing saving and credit networks to enable them start small scale income generating schemes, and offering counseling and recreational facilities to promote children s overall development. In light of the magnitude of the problem the services offered reach only a fraction of the population of needy children. Thus, a lot remains to be done.

K. Prevailing Conditions Related to Family Environment and Alternative Care

55. As the Initial Government Report indicates, less than 2% of the estimated 4 million children in especially difficult circumstances get services. In addition in many cases residential services are sponsored by NGOs with government support. There must be a more systematic and concentrated effort by the government in this regard.

56. In spite of the hugeness of the task, Government organizations as well as NGOs have made extensive efforts to cater to the needs of children victimized by different circumstances. These children include victims of famine and drought, orphans and abandoned children. In recent years NGOs have provided a variety of services including family and community based assistance, institutionalized service, and adoption schemes. Regarding institutionalized services in the form of children s homes and similar institutions, however, they have not been able to serve the large number of eligible children. Actually some of the children who have been getting institutionalized services are not able to leave their institutions and lead an independent life partly due to their inadequate training in marketable skills, and partly also due to a strong sense of dependency on benefactors which the children developed during their stay in the institution. It therefore appears that other mechanisms must be identified and provided as alternatives to institutional services, and institutional services should make greater emphasis on both skill and independence training.

57. A variety of social conditions indicate that problems in child care and family welfare will become even more pressing in the coming years. In the urban centers only, it is estimated that there are over one million children whose families live below poverty line.

58. Child abuse and neglect appears to be widespread. Data obtained from the National Police Headquarters show that the number of victims in a 10-month period in 1993 was over 2000. There seems to be many clear-cut violations of children s right that are not yet reported. The most frequently reported abuses were beating and bodily injury (31.9%), which in some cases result in physical disabilities. Child murder was reported in 5.9% of the cases. While controversies may exist about what exactly constitutes child abuse and neglect in some cases (as in the case of children that work for their family), the results of a survey conducted in six towns make it clear that some definite and serious forms of child maltreatment do exist and the damage is so extensive that the developmental consequences are believed to be enormous. There is some hope that in the future children will be protected from different types of abuse to a greater degree since the new Constitution of FDRR prohibits such maltreatment in children s homes and schools.

59. Child abuse and neglect is going to go unabated, at least for some years, because of the relentless hardships parents face in providing basic care for their children. Furthermore, institutional care becomes unwieldy, not only because of the mere size of the population eligible for such care, but also because of the problem of achieving a re-integration of the beneficiaries to social life later on.

60. Family separation, exasperated by unemployment of fathers, the existence of thousands of child refugees and unaccompanied minors specially in the east, south, and south western part of the country, and the influxes of school dropouts, particularly from high school grades, to urban centers underscore the need for greater focus on family environment.

61. Up to now, except in isolated cases, most of the effort of both the government and the NGOs has concentrated on towns and the nation's capital. Under the new decentralized/federal administrative structure, consisting of regions, it is hoped that social services to the rural areas will be strengthened.

VIII Basic Health and Welfare

A. Survival and Development

62. Article 6(2) of the Convention clearly stipulates that state parties shall ensure the survival and development of the child. Unfortunately, the effort that have been exerted to ensure such rights of the child has not been mentioned in the Initial Government Report. In the Report, it would have been very useful to indicate the progress made through the past few years in child health services in addition to the statistics on such matters as infant mortality rate, general health services available to the public, maternal health services, and child malnutrition.

63. According to the goals set in the World Declaration and Plan of Action of the 1990 World Summit For Children, the 1990's must show major improvements in child health in many countries. Ethiopia had participated in the Summit and accepted the challenge to raise child immunizations by at least 90 per cent, and to decrease the under-5 mortality rate due to diarrhoea and respiratory infections by 33-50 per cent by the year 2000. The government's Health Policy accommodates, in general terms, the above mentioned resolutions of the Summit. However, progress made so far towards achieving the above mentioned goals appears minimal at best. For example, according to the draft National Program of Action (1992), the under-5 mortality rate was 161/1000, and according to UNICEF (1994) it was 160/1090. Even more disturbingly, according to the draft National Program of Action (1992), the targeted coverage of DPT3 immunization was 59%, but according to Ministry of Health, the actual coverage of the same immunization in 1993 was 28%.

64. The new Health Policy enumerates specific and helpful strategies to promote family health services, but the list has overlooked strategies which are probably no less important than the ones listed. These include providing mothers with easy-to-use and simple materials and equipment for preventive measures in child care, and the training of youth, specially school children, to enable them to take better care of themselves as well as to contribute to health services in their community.

B. Disabled Children

65. In Ethiopia, like in most developing countries, information on disabled children is scarce. According to the Ministry of Education, there should now be over 2.2 million children under 15 years of age with disabilities. If one considers those children below 18 years of age (not just

those under 15 years of age), the total number of children with disabilities could be well beyond the estimate just indicated.

66. The services given to disabled children have been highly limited. Available data reveal that less than 2000 or only 0.09% of the disabled children are getting some form of assistance. Rehabilitation programs are being carried out for only about 2500 disabled children by a number of NGOs. The enormous problems that confront disabled children, therefore, remain largely the concern of the victims and their families.

67. The Initial Government Report indicates that as in the case of other types of children categorized as Children in Especially Difficult Circumstances the number, situation and problems of disabled children has been identified as an area for nation-wide investigation. This is a highly demanding but very important undertaking. In order to provide useful ideas for developing strategies for tackling the problem, sufficient emphasis ought to be given to identifying the causes (including traditional beliefs and practices) of child disabilities.

C. Health and Health Services

68. As indicated in the Initial Government Report the government has issued a Health Policy that aims at improving the health status of the people in general and that of children in particular. Among other things, the policy emphasizes the expansion of health services in the rural areas, disease prevention and control programs, and active involvement of the community. Mechanisms will hopefully be created to effectively implement them.

69. The government is putting in more budget to health services as evidenced in its recent allocations. For example, the increase in total budget (for healths from 1993/94 to 1994/95 was 61 million (an increase of about 11%). However, the per capita health expenditure in 1993 was below one US dollar. Health service coverage in 1993 was only about 40%.

70. The significance of the increase in the total health budget of the country to child health services is not evident. The Initial Government Report does not provide the necessary information on the matter. However, some data suggest a limitation in resources. For example, it appears that in most cases the rate of immunizations is below 30 per cent. The coverage of ante-natal care in 1993 was 13 percent, and the rate of infant mortality for the same year was 105/1000.

71. The discrepancy in child health services among the different regions of the country should be an element in future planning of such services. For example, the distribution of health centers in the different regions varies from 1 to 49. The need to attend to this discrepancy has been reflected in the Health Policy although it has not been included in the Initial Government Report.

72. There have been some efforts by different organizations (government institutions, NGOs and international organizations) to create better awareness among the public about harmful aspects of traditional practices related to child health (including traditional uvulectomy, and female circumcision). However, there is no indication in the Initial Government Report about the matter, and about the effectiveness of the efforts from follow-up studies (in case such studies have been conducted).

73. Relatively recent developments augur another serious problems. At the end of 1994, there were 15,000 officially registered AIDS victims, and an estimated 500,000 HIV carriers. The implications of these figures for family welfare and child care are highly worrisome.

D. Child Care Services and Facilities

74. Vocational training, and preventive and rehabilitative program for street children is being carried out by the Ministry of Labor and Social Affairs in collaboration with NGOs. On top of this, NGOs have given tutorial support, school materials, and material support for leisure activity. Rural Integrated Basic Services which involve the training of low income mothers in child-care, health and nutrition have also been carried out by NGOs.

E. Standard of Living

75. A series of efforts have been made by the government, NGOs, and by others to up-grade the home environment and to ease the plight of children in difficult circumstances. Accordingly living quarters have been repaired and sanitation facilities built for destitute families. In addition children and families have been granted with financial support in the form of credit and saving schemes to enable them develop small scale income generating projects.

76. Still, various problems hinder the expansion of health services for children. These include: limited health infrastructure-with a total of only 2317 health institutions that are distributed in the regions in unbalanced manner; shortage of professionals-there being only one medical doctor for every 26,695 people; strong traditional beliefs and practices-which in many cases expose children to illnesses or fail to cure sick ones; the corrugated terrains of the country-which make it extremely difficult to provide health services specially to children and mothers in the rural areas; malnutrition-that affects nearly 50% of the children, and recurrent drought and famine-that find their most vulnerable victims in children.

IX Education, Leisure and Cultural Activities

A. Policy and Coordination

77. The most visible and comprehensive expression of the vision of the Transitional Government of Ethiopia (TOE) concerning educational provisions for children is the Education and Training Policy of 1994. The Policy emphasizes democratization and decentralization, as exemplified in the adoption of vernacular languages as media of instruction in primary schools, and in the granting of more autonomy to regional bureaus of education in running primary schools.

78. The use of the mother tongue of children as a medium of teaching-learning in primary schools, as promulgated in the Education and Training Policy, should help in expanding educational services and improving children s academic progress as a whole.

79. Ethiopia subscribes to the resolutions of the World Summit for Children (1990) which includes the reduction of adult illiteracy at least by half, and the provision of primary education to at least 80 per cent of the primary school age children by the year 2000. The Education and Training Policy (1994) refers to these goals in general terms in connection with the expansion of basic non-formal education. However, generally primary school participation rate have declined in the past few years. For example, in 1993/94 it was 18.2 per cent. In 1991 it was 27 per cent. The conditions that hinder increase in primary school participation rate should be thoroughly investigated to determine effective future strategies.

80. In the 1980 s, in localities where children were unable to attend regular schools, literacy programs or campaigns used to offer some opportunity for their education. In fact it appears that the main participants in the Ethiopian National Literacy Campaign of the 1980 s were children of age 8-18.

81. As the government report indicates only a small percentage of disabled school-age children (i.e., 0.1%) attend regular and special schools. Most of the 16 special schools catering to these children are run by NGOs. NGOs also run non-formal educational programs for the disabled. Such programs need, however, government recognition and support. The government and the community need to be more active in the area of disabilities. The new Education and Training Policy (1994) does recognize the government role in special education, but the commitment is not taken up in the Education Sector Strategy (1994). In this regard a serious issue would be, for example, how to organize services with limited budget, and this issue involves a consideration of such approaches as integrated classes or special classes.

82. The contribution of NGOs to increase educational⁶ services to children complements the effort of the government in the areas. NGOs concentrate on the education of children in abject poverty (or children at risk), orphans, rural children, refugees, street children and other similar groups. A particularly significant direction in the contribution of NGOs is in skill training and job placement of destitute children. However, in light of the magnitude, the impact is very little.

83. Despite the Education and Training Policy of the government that accommodates the welfare and interest of children, and despite the efforts of the government to implement the policy, the challenge of education for children in the country remains great, and NGOs see a serious need for strengthening their participation to respond to the challenge.

B. Aspects of the Challenge in the Education of Children

84. In 1990/91 the participation rates at primary, junior secondary and senior secondary schools were 34, 20 and 12 percent respectively. In 1993/94, the corresponding rates were 18.2, 5.2 and 8.9. Between 1992/93 and 1993/94 the participation rate for females at primary, junior secondary and senior secondary levels dropped by 9.5 and 3 percent respectively. In 1992/93 - 1993/94, enrollment in government junior and senior secondary schools decreased in four regions by as much as 5.5%.

85. The Initial Government Report indicates the general decline in primary school participation rate. The reasons for the decline could be varied (sometimes depending on the Region). In addition to the destruction of schools resulting from armed conflict they include parental perception of the opportunity cost of sending their children to school, the expensiveness of schooling (from the point of view of destitute parents), the long distances children have to walk to attend school, and the stiff competition for jobs among secondary school graduates. Cultural factors including early marriage and low appreciation of female education, have also probably contributed to the problems.

86. In 1993/94, ten local languages were being used as media of instruction in primary schools. Shortage of qualified staff to prepare teaching materials, and shortage of qualified teachers have created difficulties in the initial implementation process.

87. The Initial Government Report indicates a number of factors that hinder secondary education. It is important to indicate the relative seriousness of the problems for determining priorities for action. In connection with this, generally the relevance of secondary education to the livelihood of the students in various regions appears to be a major hindrance in secondary education.

88. The number of children with disabilities is conservatively estimated to be 2.2 million, but less than 3000 receive educational services in about 16 sites, most of which are run by NGOs. The number of technical/vocational schools in the country as a whole is only 17.

89. Generally, given the government's plans to expand educational services along the lines of democratization and decentralization, and given the various types of challenges indicated

above, NGOs must coordinate and increase their efforts to contribute more than ever to the education and vocational training of children, specially refugees, destitute, street children and children with disabilities. They also need to contribute more to ameliorate disparities in educational participation between males and females, and between regions.

X Special Protection Measures

A. Refugee Children

90. Various forms of services for refugee children from different countries, including those from Southern Sudan and Somalia, have been given by government agencies, NGOs and international organizations. In this respect, thousands of refugee children have been provided with food, drinking water, medical, and educational services. In connection with the well-being of refugee children, Article 22(1) of the Convention states that refugee children have the right to receive appropriate protection and the necessary assistance from the state parties. It appears, however, that more adequate resource and organizational set-up is needed to fully meet the needs of refugees in the country. In addition, lasting solution should be sought for Ethiopian children who face similar problems, namely, the internally displaced children.

91. Providing service to refugee children is specially formidable because the main refugee areas in the south, south-west and eastern part of the country are relatively more underdeveloped with little infrastructure and trained manpower. The ethnic diversity of the refugee population also makes communication and counseling difficult.

B. Children in Conflict with the Law

92. very little is known about the number of juvenile delinquents although there are indications that the number may be large. For instance, in a 10-month period in 1993/94, 13% of the crimes and offenses identified in the⁶ country as a whole, were committed by children of age 9 - 18. In connection with the issue, the draft Social Welfare Policy provides broad statements in terms of creating conducive situations for the prevention and elimination of the problem of children in especially difficult circumstances as a whole.

Strategies for achieving the goal, even at the general level, do not appear in the draft policy. Eminent among the priorities for immediate action in relation to juvenile delinquency would appear to be the provision of food and shelter to desperately needy children.

93. As mentioned earlier, the legal provisions regarding children in conflict with the law are adequate. The major problem is in implementing the existing provisions. The main reasons for the limitation in the implementation of the provisions relating to the protection of the rights and interests of the child appear to be limitation in the awareness of the existing laws on the part of the public and lower court judges, resource limitations allocated to judicial institutions, and lack of periodic evaluation of the implementation.

94. Overall, when it comes to children in especially difficult circumstances, one issue that deserves particular attention is the case of children with multiple problems. So far the tendency has been to categorize each child under one label with the assumption that he/she is disadvantaged in one aspect only. Identifying children with ~multiple problems helps to set priority in the provision of seji-vices using the limited resources available.

95. There are a number of problems which hinder the full implementation of UN Convention regarding children in situations of emergency and exploitation, and children in conflict with the law. These include: low responsiveness of the situation to legislation, inadequate coordination and shortage of social service staff, and continuous increase in potential beneficiaries.

96. The government has taken many legislative actions such as the 1993 Labor Proclamation which included provisions for the protection of children from difficult and extensive work, and the 1993 National Drug Policy which aimed at reducing the abuse of drugs. However, it has been difficult to significantly reduce the exploitation of children and to improve juvenile justice for various reasons, including: unrelenting family demand for the labor of children (specially in the rural areas), poverty of the majority of the population, the constraints schools have in teaching children marketable skills, the limited awareness of children about their rights, and the slow responsiveness of communities and the courts in implementing government policies.

97. Room exists for improving coordination between government organizations and NGOs in terms of information exchange, and facilitation of each other's activities in the service of children. The exchange of information, sharing of experiences, and collaborative activities among NGOs are also limited. In addition educational institutions in the country do not as yet sufficiently accommodate in their curricula information about children's rights, their problems, and approaches for tackling the problems. There is also shortage of qualified staff to handle health, educational, social and psychological needs of children who suffer from different types of calamities and exploitation.

98. There is a need to formalize an institutional capacity with government to assist children in conflict with the law. Nothing resembling a probation service exists in Ethiopia and no-one is specifically charged with representing the interests of children when they come in conflict with the law. This might be a specific mandate given to the CRC committees established by the government.

99. Continuous large increases in the number of potential beneficiaries are evident in some cases, as in the case of child prostitution and juvenile delinquency. Estimates based on 1985 data suggest that the number of children in prostitution grew from about 8000 in 1985 to approximately 14,000 in 1992, and to roughly 17,000 in 1995.

XI Summary and Recommendations

100. Government efforts to implement the Convention have so far concentrated largely on laying down relevant policies which is by itself fundamental. However, there are a number of discrepancies between government laws and policies on the one hand and their actual implementation on the other. Problems associated with the implementation include organizational problem (manifested in the absence of one focal child service institution with adequate authority), resource limitation and barriers related to traditional malpractices. Up-to-date information regarding child welfare programs, including budget allocation, is also difficult to obtain. Very little has been achieved in terms of meeting the needs of the huge number of deserving children. The number of such children keeps growing fast. NGOs have played an important role in providing child services - and they can contribute even more to the implementation of the Convention. What they need is greater facilitation by the government.

Recommendations

101. Action should be taken to facilitate the implementation of the Convention by revising previous laws inconsistent with the Convention, and by publishing the full text of the Convention in the Negarit Gazeta.

102. The Civil Code and Penal Code should be amended to prohibit corporal punishment of children, and to provide the same minimum age for both sexes to conclude marriage.

103. Improved budgetary support should be given to government organizations responsible for child services both at the Federal and Regional levels and for the implementation of the

Convention to reflect the government's commitment to protect children's interest. In particular the Children and Youth Affairs Organization should be given sufficient authority and resources to carry out its duties effectively and efficiently.

104. Supervision and follow-up regarding the implementation of the Convention should be strengthened by using the appropriate mechanisms at the national level, and at lower levels. In this respect, CRC Committees should be strengthened to ensure that children's rights are advocated and protected at all levels of government. CRC committees should also submit regular reports.

105. Adequate consultation and cooperation should exist between government agencies and NGOs not only in the implementation of the Convention but also in the follow-up or assessment of the implementation.

106. In order to give adequate attention to services for children and youth, there is a need to establish a sub-committee for children and youth affairs within the National Assembly of Representatives and a similar unit within the Prime Minister's Office. The creation of children's Ombudsman can also be considered.

107. Educational institutions should give more attention to the rights of children and their problems.

108. Activities for raising the awareness of both the general public and practitioners in child services should be strengthened. Community participation in child welfare programs (as in the case of local adoption) should be further encouraged.

109. The office of Civil Status provided by the Civil Code for the registration of birth and marriage should be operative.

110. The Commission for Disaster Prevention and Preparedness and other relevant government organizations and offices should give more facilitative support for NGO services.

111. NGOs seeking government support (such as plots of land to specifically carry out child services and family welfare projects) should get greater assistance from the government.

112. In order to economically empower the family and help it to take sufficient care of children, the government should pursue its private investment policy more strongly and effectively.

113. Properly staffed juvenile and family courts should be established as part of the ordinary court system in each region and effective strategies should also be designed to deal with complaints of child maltreatment. In the case of imprisonment, young offenders should be detained separately from adults.

114. Interference with the small trade and similar income earning endeavors of needy children without any court order should be terminated.

115. The government should give greater support to projects for the elimination of harmful traditional practices.

List of Non-Governmental Organizations

1. African Development Aid Association (ADDA)
2. African Network for the Prevention of and Protection Against Child Abuse & Neglect (ANPPCAN) -Ethiopia Chapter
3. Cheshire Foundation for the Relief of Suffering

4. Christian Children s Fund Inc.
5. Development AID for Youth (DAY)
6. Ethiopia Gemini. Trust
7. Family Guidance Association of Ethiopia
8. Forum for Street Children
9. FOCUS on Children at Risk
10. GOAL-International
11. Hope Enterprises
12. Integrated Holistic Approach-Urban De velopment Program
13. Organization for Social Services for AIDS (OSSA)
14. Pestalozzi Children s Foundation
15. Radda Barnen
16. Redd Barna-Ethiopia
17. Save the Children Federation (USA)
18. Save the Children Fund(UK)
19. 505 Children s Village
20. World Vision International

[Home](#)

The NGO Reports Database on Children's Rights includes all existing and public reports submitted to the Committee on the Convention of the Rights of the Child by NGOs and NGO Coalitions. The copyright of the reports are retained by the authors and use thereof must be duly acknowledged.

The database is the property of the Liaison Unit of the NGO Group for the Convention on the Rights of the Child and is managed by that unit. For further information or other enquiries please contact the Liaison Unit at dc-ngo.group@pingnet.ch.
