



# GENDER EQUALITY



## CHAPTER THREE

### GENDER EQUALITY

#### International and national legal framework for gender equality

Ethiopia's constitution and national policies are consistent with international legal instruments on gender equality, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Beijing Platform of Action, the African Charter on Human and People's

Rights, and the Convention on the Rights of the Child. The Ethiopian constitution (Box 3.1) guarantees the rights of women as equal to those of men in all spheres including equality in marriage, the right to equal employment, and rights to maternity leave with pay, the right to acquire, administer, control, use and transfer property, with emphasis on land and inheritance issues and the right to access family planning and education. Ethiopia is therefore making several efforts to strengthen national structures for achieving gender parity.

Equality between men and women, and boys and girls, is one of the central pillars of the Growth and Transformation Plan: A new Federal Family Code, based on the principle of gender equality, came into effect in July 2000. It raised the minimum

age of marriage from 15 to 18 years and established the rights of women to share any assets the household had accumulated if a couple has been living together for at least three years in an irregular union. The Ethiopian penal code criminalizes domestic violence and harmful traditional practices including early marriage, abduction and female genital mutilation/cutting.

#### The gender dimension to responsibility for households, work and economic growth

Approximately 28 per cent of Ethiopian households are headed by women. Proportions are greater in Addis Ababa (38 per cent) and Tigray (34 per cent). Urban households are more likely to be headed by women. The Household Income, Consumption and Expenditure Survey (2007) indicates that the proportion of female-headed households in the lowest quintile increased from 43 per cent to 50 per cent over the 10 years from 1995 to 2005 (FSS 2009). Female headed households and women in male headed households have unequal access to productive assets and other resources. For instance, a CSA agricultural sample survey on land utilization (2009/2010) showed that the average land holding size of women in the survey was 0.68 hectare while it was 1.11 for men. Women's access to extension services was also found to be less than for men leading to a plan to develop actions that would make access more equitable in the GTP. Women in pastoralist areas are more vulnerable to gender-biased cultural and traditional practices. For example, despite progressive laws introduced in the country, until recently women in Somali Region were barred by backward tradition from owning property without a male guardian. Female employment rates rose between 1999 and 2005 (from 46 to 49 per cent) and urban unemployment declined among female youth from 26 to 22 per cent. The participation of women in the non-agricultural sector is likely to have increased to well above 50 per cent by now which marks a

#### Box 3.1

##### Ethiopian constitution; Article 35; The Rights of Women

1. *Women shall, in the enjoyment of rights and protections provided for by this Constitution, have equal right with men.*
2. *Women have equal rights with men in marriage as prescribed by this Constitution.*
3. *The historical legacy of inequality and discrimination suffered by women in Ethiopia taken into account, women, in order to remedy this legacy, are entitled to affirmative measures. The purpose of such measures shall be to provide special attention to women so as to enable them compete and participate on the basis of equality with men in political, social and economic life as well as in public and private institutions.*
4. *The State shall enforce the right of women to eliminate the influences of harmful customs. Laws, customs and practices that oppress or cause bodily or mental harm to women are prohibited.*
5. *(a) Women have the right to maternity leave with full pay. The duration of maternity leave shall be determined by law taking into account the nature of the work, the health of the mother and the well-being of the child and family. (b) Maternity leave may, in accordance with the provisions of law, include prenatal leave with full pay.*
6. *Women have the right to full consultation in the formulation of national development policies, the designing and execution of projects, and particularly in the case of projects affecting the interests of women.*
7. *Women have the right to acquire, administer, control, use and transfer property. In particular, they have equal rights with men with respect to use, transfer, administration and control of land. They shall enjoy equal treatment in the inheritance of property.*
8. *Women shall have a right to equality in employment, promotion, pay, and the transfer of pension entitlement.*
9. *To prevent harm arising from pregnancy and childbirth and in order to safeguard their health, women have the right of access to family planning education, information and capacity.*

distinct improvement vis-à-vis 1999 when it stood at slightly above 40 per cent (it rose from 41 in 2004 and 44 in 2005 to 47 in 2006). Women constitute 42 per cent of permanent public servants with significant disparities among regions.

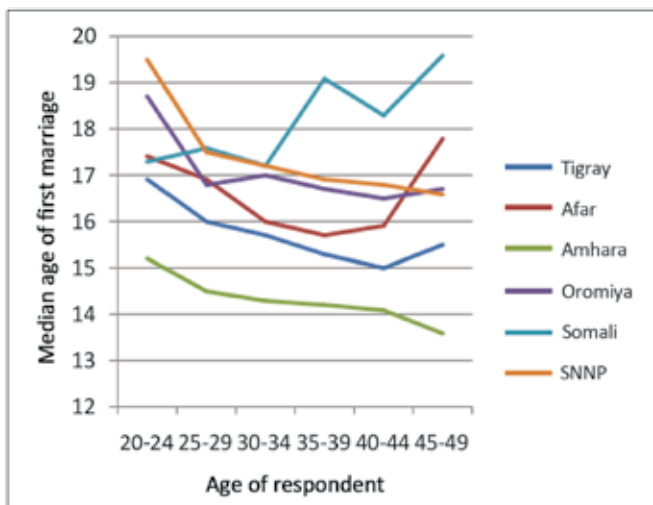
The link between women's economic empowerment and economic growth was underscored by the econometric model put forward by the World Bank in a research paper entitled "Unleashing the Potential of Ethiopian Women – Trends and Options for Economic Empowerment" (World Bank, June 2009). The simulation showed that by enhancing women's access to key productive factors such as regular employment, jobs in the informal sector, access to entrepreneurial inputs and land, Ethiopia's would benefit by as much as 1.9 per cent growth per year.

## Gender equality in health care

Several poverty and culture related factors negatively affect women's health. These include socially condoned violence against girls and women in the form of female genital mutilation/cutting (FGM/C) (Box 3.3), early marriage (Figure 3.1), and abduction and eventual rape followed by forced marriage. Pregnancy and child birth in teenage years is riskier to both mother and child. HMIS data shows that men are much more likely to seek services at health centres than women. Few women, for example give birth in health centres (Chapter 5 gives more details) for many reasons.

Investments in obstetric care have been modest in the past and it is only recently that improving this area has gone to the top of the agenda of the health sector. The 2008 review of the sector noted for example that there were only three midwives employed in Afar region, all of them male and from outside the region. This situation will likely soon change as efforts are made to increase secondary school education in Afar including encouraging more girls to train as midwives. Similar efforts are underway in other regions.

Figure 3.1: Median age of first marriage by age of respondent



Source: DHS 2005.

## Early marriage, fertility and trends in use of contraception

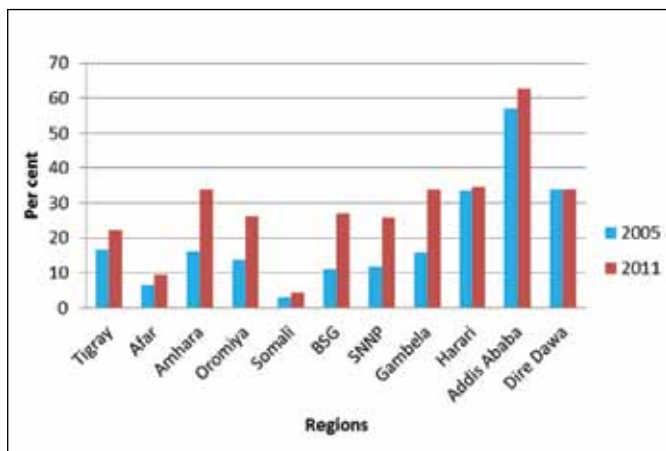
Reducing the numbers of children women are likely to bear has major consequences for the use of women's time. Bearing less children for a woman means more time to invest in one's own education, in growing businesses and allows more capital to be saved. The consequences are no less than transformational in the way a society is organized. Ethiopia started on this path over the last ten to twenty years. The 1990 National Fertility Survey recorded the Total Fertility Rate (the number of children a woman would have by the end of her childbearing years if she were to pass through those years bearing children at the current observed age-specific rates) as being 6.4; by the time of the DHS 2000 the rate had declined to 5.5; the DHS 2005 recorded 5.4, not much change from the year 2000 but the DHS 2011 preliminary results indicate the decline has continued with a figure of 4.8. Many factors combine to determine fertility rates. Prime among

them is the extent to which children are borne to help the household economy and to provide security in old age to the parents. Chapter 4 on Child Protection discusses trends in child labour and Chapter 9 on Social Protection discusses the role introducing pensions in Ethiopian society may have in reducing the demand for children. The following discusses trends in early marriage and in contraceptive use and the role they are playing in reducing fertility rates.

Increasing the age of marriage reduces the numbers of children a woman is likely to bear throughout her life. Figure 3.1 shows a positive trend; in several regions the average age of marriage is increasing. For example, in Amhara, those women interviewed in the DHS 2005 who were between 45-49 were married, on average, when they were just over 13 and a half years old; those who were 20-24 years old were married on average when they were just over 15 years old, a decline of two years over a 25 year period; some progress therefore, but still a way to go. In recent years there have been focused efforts aimed at further increasing the average age of marriage and indications are that the positive trend is continuing.

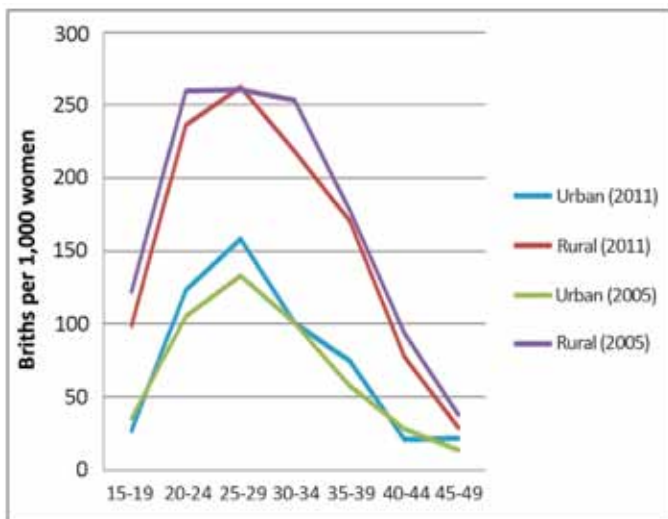
Using contraception is another way to reduce the numbers of pregnancies. The per cent of women aged 15-49 using any form of contraception grew from 5 per cent in 1990, to 8 per cent in 2000 to 15 per cent in 2005 and to 28 per cent in 2011. This latest surge in uptake is due mainly to the new service of free contraceptive access provided by the 34,000 HEWs at health posts starting in 2005 (see chapter 5 for more details about the HEWs services). Figure 3.2 shows how there is still some way to go to realize the current target of 66 per cent use of contraception among women 15-49 except in Addis Ababa which has reached the target according to the 2011 DHS; data for Afar and Somali region are not totally compatible, since in both regions much larger proportions of the people were included in the 2011 sample compared to the 2005 survey, in both cases the sample includes more people living in remote locations away from the regional capital and the main roads.

Figure 3.2: Trends in proportion of women 15-49 years of age using contraception by region



Source: DHS 2005 and preliminary report DMS 2011.

Figure 3.3: Trends in age specific fertility rates



Source: DHS 2005 and preliminary report DHS 2011.

### Gender-Based Violence

Although comprehensive data is not available on the magnitude of violence against women and girls, smaller studies, media reports and reports of cases in law enforcement institutions indicate that violence is pervasive. In a multi-country study by WHO on women’s health and domestic violence (2005) that drew data from a predominantly rural area, Meskan and Mareko woredas in SNNPR, the proportion of women who had suffered physical or sexual violence by a male partner was 71 per cent. Eighty one per cent of women in Ethiopia justified wife beating when asked in a recent survey (DHS 2005). Progress in changing attitudes has been negligible; indeed, comparative data from 1997 and 2000 point to a slight deterioration. However, harmful prac-

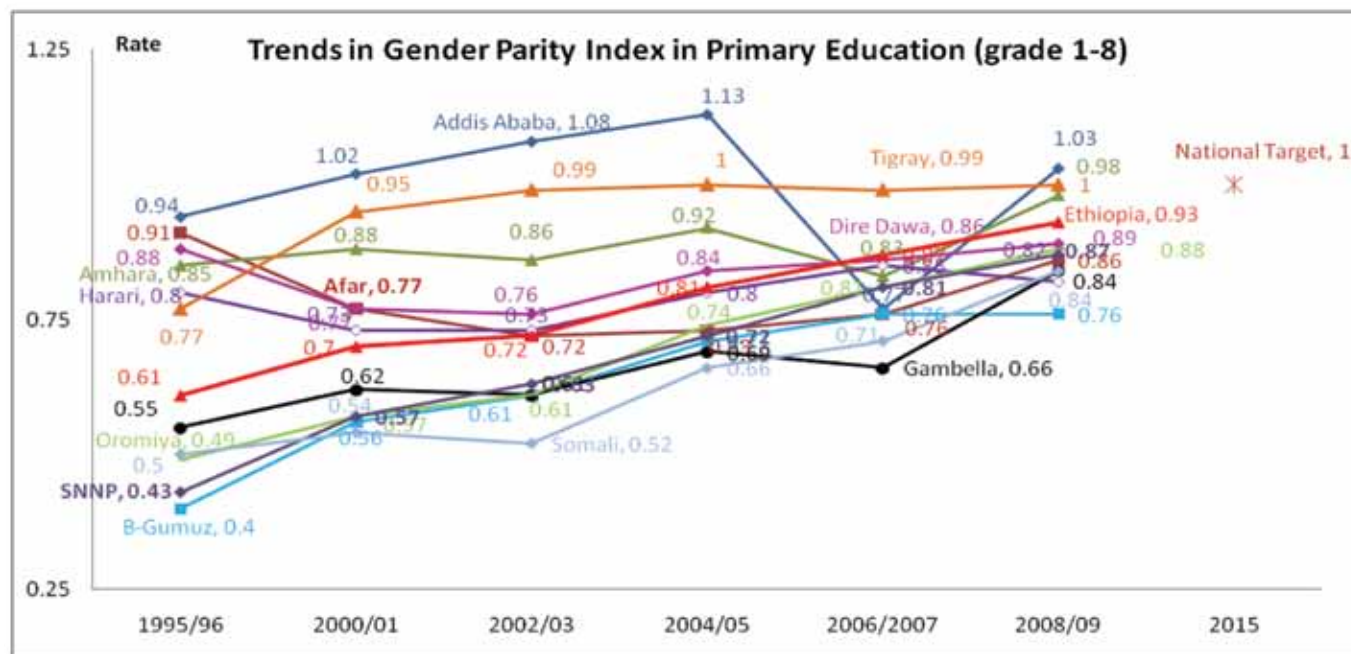
tices such as female genital mutilation and cutting, while still widespread have been declining for many years (Box 3.3).

### Gender equality and education

Widespread discriminatory attitudes and social values, norms and beliefs impede the fulfilment of women’s and girls’ rights to education. More boys than girls are enrolled at all levels of the education sector in most regions.

In line with legally binding international human rights instruments, the Millennium Declaration, and Education-for-All Dakar Framework for Action, the Education Sector Development Programme aims to increase the admission, completion, and transition rates of girls to parity with

Figure 3.4: Trends in gender parity in primary education (Grades 1-8)



Source: Education statistics 1994/05 and 2008/09, MoE.

those of boys. Gender-specific strategies and interventions include the construction of schools close to communities to reduce girls' dropout rates and exposure to sexual violence; the production of learning materials depicting women in senior positions as positive role models for female students; the entitlement of all female students who complete Grade 10 to at least one year of Technical Vocational and Education Training (TVET) in government institutions; the integration of gender equality in teacher training programmes; and the introduction of teacher accountability for violations of girls' rights.

There has been a steady improvement in the participation of girls at primary level as expressed by the Gender Parity Index (GPI) (Figure 3.3). The GPI improved from 0.87 during 2004/05 to 0.93 during 2009/10. Likewise, for the same years under consideration, GPI increased in the first years of secondary level (grades 9 and 10) to 0.80 from 0.57. Gender parity in primary education is the highest in Addis Ababa, Amhara, and Tigray and the lowest in Benshangul-Gumuz, Somali and Harari. Gender disparities increase as children pass upwards from one level of the school system to the next. Women still constitute a small proportion of students at higher education institutions (29 per cent in higher education enrolment are female in 2007/08).

## Women's participation in politics

While the political participation of women and girls is low their representation has been increasing in recent years. Women held 21 per cent of the seats in the last federal parliament and now hold 28 per cent of seats. Seven per cent of the cabinet ministers were women in the last executive body and now there are 13 per cent; fifteen per cent of state ministers are currently female. A lack of finance for electioneering, household/family responsibilities, and gender-based discrimination were some of the factors identified in a recent study to explain the imbalance. Despite Government efforts to reach out to women in rural areas, it is often difficult

to create awareness or provide them with relevant information because of the lack of communications infrastructure and transport. This poses a challenge for different associations and groups seeking to participate in events where gender inequality and what to do about it are discussed.

## National policies for gender equality and accountabilities for coordination

Formulated in 1993, the main aim of the National Policy on Women is to address gender inequality in the social, economic and political arenas, and to devise strategies to address gender issues. The policy emphasizes women's rights to own property and to benefit from their labour, and promotes women's access to basic social services. The National Population Policy (1993) gives attention to the issue of gender and describes the important role women play in controlling population growth. The overall goal is harmonization of population growth with the country's capacity for development and use of natural resources. The policy notes the relationship between women's status and fertility levels, and explains how education and employment are related to fertility and reproductive health. The objectives are to raise the socio-economic status of women, increase their educational attainment and remove legal and customary barriers blocking the realization of their rights. The policy argues for women's empowerment to use contraception, without the need for male consent. Overall, the policy calls for the elimination of legal and customary practices undermining women's economic and social rights, including property rights and access to employment. The policy is not underpinned by a budgeted action plan nor has it recently been evaluated or updated.

Government has recently developed a 20-year 'Women's and Children's Plan'. The Federal Minister of Women's Children's and Youth Affairs, the heads of Regional Women, Children and Youth Affairs Bureaus and the heads of Woreda Offices of Women, Children and Youth Affairs have now become mem-

bers of cabinet at their respective levels. The federal government has allocated more human resources with accountabilities for promoting gender equality and is strengthening accountability for the implementation of national policies on gender. Furthermore, all Ministries are responsible to address women and youth concerns in preparation of policies, laws, development programmes and projects. MoWCYA has developed a national gender mainstreaming guideline to be adopted and implemented by all sectors in line with their respective mandate.

MoWCYA is mandated to ensure that federal policies, legislation and programmes contribute to gender equality, and to make recommendations for affirmative action in economic, social and political affairs, as well as in various government agencies. There are four directorates women and youth mobilization and participation enhancement; mainstreaming women and youth issues; protection and promotion of child rights; office of strategic management. MoWCYA produced the 'Ethiopian Women Development and Change Package' to support the implementation of the Ethiopian Women's Policy. It describes the current situation of Ethiopian women and outlines actions needed in various sectors to address gender/women's issues in economic, social and political spheres both for urban and rural women including actions related to the economic empowerment of vulnerable women, gender equality at secondary and tertiary education institutions, and actions related to abandonment of harmful traditional practices including early marriage and FGM/C.

## Gender budgeting and economic empowerment

Focusing on gender equality is important for several sectors. MoFED issued a guideline for mainstreaming gender in 2008. It contains definitions and explanations of basic concepts in gender-responsive budgeting and a checklist for gender analysis and implementation of gender responsive budget. Although this guideline is not implemented

yet, MoFED and MoWCYA have been training civil servants on gender budgeting. An important step taken towards gender responsive budgeting in the recent past was the budget call for the year 2010/2011 (2003 Ethiopian calendar) that required sectors to ensure that their budget requests reflect gender equality issues.

The advancement and economic empowerment of women is a principle of the Micro- and Small Enterprises Development Strategy; it includes measures for the simplification and standardization of business licenses and loan applications. Such innovations will make it easier for women to compete with men on an equal basis, regardless of their educational status. Several initiatives have been helping women acquire skills and start businesses and cooperatives. MoWCYA has been taking steps to make policies, laws and strategies more gender-sensitive.

### Partners mobilizing for gender equality

Civil society together with government, the private sector and international partners organize activities such as creating awareness on FGM/C, early marriage, the revision of family laws and women's rights to land.

Addressing gender equality requires more resources. Shortages are most acute at woreda and kebele levels since activities which were being undertaken by CSO's now have to be undertaken by state actors who are being made more accountability for coordinating mobilization for gender equality; the implications in terms of budgetary and human resource requirements for civil servants of this shift, stemming from the Civil Society Act will become clearer as this policy change matures.

Action on gender equality is also challenged by persistent of discriminatory socio-cultural attitudes, norms and practices at all levels, and the lack of accountability for producing meaningful change.

### Box 3.2

#### How a hostel helped Keri stay in school

Keri Aige is a rebel, and she has the scars to prove it. Whippings endured as part of marriage rites to prove the worth of her family line, have left their mark on her back. "Life in the bush is hard," says the 14-year-old teenager from the pastoral Hamer tribe in southern Ethiopia. "We take care of the animals, go long distances to fetch firewood and water, we cook and grind grain. We girls and women also get whipped whenever there is a wedding. When I saw the life of people who were educated, it was much easier, so I wanted that for myself." Keri's family had other ideas. When she expressed her desire to go to the school that opened near her village, her family refused, and when she insisted, they resorted to lashing her. Keri did not give up and the beatings got really violent and she ended up at the Dimeka health centre. "It was my father's family that beat me. I was determined to go to school but they wanted to arrange for me to get married. I knew that I had the right to get an education and went to government workers near our village. They called the police who brought me to the health centre where I recovered. They then brought me to the Dimeka Hostel where I now live in a big room with 19 other girls. I enrolled in school this year and I am now in the first grade."

Dimeka Hostel is home to 300 children from pastoralist families, of whom 50 are girls. The hostel offers shelter and food for children who, for a variety of reasons, are unable to learn at home. While many are there because they do not live close to a school, many of the girls share Keri's experience of running away from families and traditions that discriminate against girls. Their determination to get an education and transform their lives is so strong they have risked being ostracized and separated from their families to make their dreams come true. Institutions like the Dimeka Hostel are critical for efforts to achieve gender parity, particularly where strong traditions create barriers for girls to get an education. Girls like Keri are determined to become beacons of change. "I am not sure what I want to be when I finish school," says Keri, "but what I really want is to finish school and prove myself and go back home to the people who beat me so that I can teach them in turn."



### Box 3.3

#### Female genital mutilation/Cutting in Ethiopia

Mutilating/cutting female genitals is an expected and deeply embedded element of cultural life in most of Ethiopia. It is practiced by both Christian and Muslim communities. The cutting practices in different regions vary in degrees, from removing tips of the clitoris, to partial or total removal of the clitoris and labia and sewing together the two sides (infibulation). The age at which girls undergo FGM/C also varies from place to place. In some places cutting takes place in the first ten days, in others 6 to 9 years, while in others still, just before marriage between the ages of 15 to 17. FGM/C is often performed with un-sterile equipment in unclean surroundings leading to infection and haemorrhage. The resulting scar and damage creates difficulty during women's reproductive life, including chronic pelvic infection, complications during childbirth and infertility.

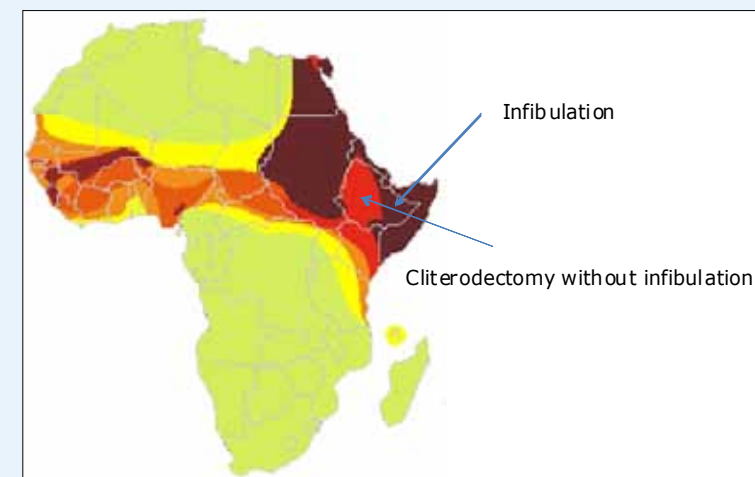
Justifications for practicing FGM/C and other women's rights violations are numerous and based on deeply embedded socially constructed gender roles and values ascribed to women which serve to uphold FGM/C as a social norm. Cultural norms include the belief that the practice regulates a woman's sex drive, calms her personality, maintains her chastity and virginity before marriage and ensures fidelity during marriage; it is about the power relations between the sexes. In some cultures uncircumcised women are thought to be prone to break household goods and are not permitted to serve food and drinks for respected persons. Religious leaders often publically support the practice in the name of religion, although there is no basis for this support in sacred texts, while parents support it to protect their daughters from suffering social consequences such as derision, marginalization and loss of status. Parents and community leaders are sometimes unaware of girls/women's rights and as a consequence of the traditions and gender inequality, the majority of girls and

women are reluctant to question or express their feelings about sex, FGM/C or other violations of their rights.

Figure B describes an encouraging declining trend in FGM/C in Ethiopia by region. The 2005 DHS indicated that while 81 per cent of women 45-49 were circumcised, the figure had declined to 62 per cent for 15-19 year olds.

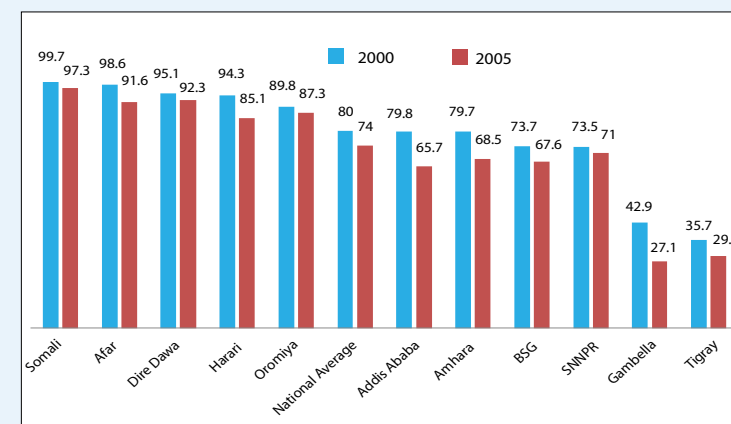
The strategy being supported in Ethiopia to influence social change towards abandonment of FGM/C is a systematic process of community dialogue. Facilitators drawn from youth and women associations, kebele administrations or the health extension worker cadre are trained to facilitate community capacity enhancement through community conversations. Dialogue sessions provide an opportunity for communities to build trust, explore attitudes/norms/beliefs, to understand from health personnel the consequences of FGM/C on women's lives and health and to hear testimonials of girls and women who have been cut as well as religious leaders and others that support the breaking of the tradition. To date, the leadership of perhaps ten woredas nationwide have organised events in the course of which they have publically declared the communities in their area have abandoned FGM/C. This is one step in a process of cultural change but clearly there is still a long way to go. MoWCYA is now in the process of evaluating the extent to which FGM/C has truly been abandoned in these woredas as a further milestone and the police are considering enforcing the law systematically in these woredas if cases of cutting continue for FGM/C is illegal according to the Ethiopian Penal Code. MoWCYA is also putting in place an assessment of progress by woreda in preparation for a national plan of action against HTPs with a focus on early marriage and FGM/C elimination that should led to better coordination.

Figure A: The pattern of FGM/C across Africa



Source: UNICEF and UNFPA New York (data from DHS and MICS surveys 1997-2005)

Figure B: Trend in abandonment of FGM/C by region



Source: Percent of women 14-49 circumcised by region

### Box 3.4

#### Of gender based violence, early marriage and child domestic labour

In preparing this report a team of young people travelled to several regions to discuss with children and youth issues around participation. Focus group and case study reports captured personal stories revealing the breadth and depth of suffering faced particularly by girls in terms of gender-based violence, specifically in relation to female genital mutilation/cutting, incest, rape and early marriage, and both boys and girls in relation to living on the streets, child labour and corporal punishment.

These violations affect child and youths' participation in education and decent work and other spheres of life. According to reports from focus group discussions with girls, incest and rape is not a rare event in homes and is perpetrated by brothers, husbands and uncles; it is also experienced in relation to domestic work, often resulting in early pregnancy, health problems and interrupted schooling. Abuse was also reported in educational institutions by unethical teachers asking for sexual favours in exchange for good grades and by "sugar daddies" around schools who lure poor girls with money and then trap them in a cycle of dependence.

It is not uncommon for young girls to be forced to marry men who are much older than they are. Early marriage means the end of a normal childhood, leads to early pregnancy and multiple pregnancies resulting in girls dropping out of school with inevitable dependence on their husbands.

Focus group reports also highlight the significant effects of poverty, death of parents and lack of alternative care services sometimes forcing children to live on the streets where it is not uncommon to experience humiliation, threats and beatings by police officers and sexual abuse or become victims of child labour associated with violent and abusive homeowners and "backbreaking domestic chores from a very young age" particularly for girls.



Figure A: A drawing by a 12 year old boy, depicting a man trying to rape a woman



## Action points

### Strengthen efforts to replace discriminatory norms, attitudes and practices including violence against women

Support actions at family, community, school and organizational levels while strengthening and supporting existing structures for promoting gender equality, such as school clubs, women's groups and grass-roots associations. Step-up the efforts to combat violence against women through a review of existing actions and through the adoption of a national strategy to combat the violence including through coordinating better existing efforts targeted at reducing early age of marriage and FGM/C; a start can be made through mapping and evaluation of existing activities and developing a coordinated budgeted plan with widespread involvement in its preparation with progress monitored from a wide range of stakeholders. Consideration should also be given to starting up a telephone hotline where violence against women can be reported. Revise the family law in the remaining regions that have yet to do so, analyse the new capacities needed in each region to implement the law well, and support actions to build new capacities as agreed in the analysis.

### Economic empowerment of poor women

Provide support for women's economic empowerment through increasing the capital available to invest in micro, small and medium sized enterprises managed by women backed up by skills development and stronger coordination of this strategy by government. A better understanding is needed of how the market for capital lending for poor households works and how gender issues affect the market. A policy needs to be agreed on how to channel affordable

capital and how to build the capacities of the poorest female-headed households to use it well. Issues such as how much capital should be reserved for the poorest female headed households, who should manage its allocation and what interest rates to charge, how many resources should go into building skills all need to be agreed upon.

### Political empowerment of women

Build women's and girl's capacities both to claim their rights and to fulfil their duties as persons with political power through supporting initiatives to organise women for political empowerment. This can be done by building assertiveness and negotiation skills and communicating information about women's rights with a special focus on empowering rural women and considering affirmative action for females in political assemblies. A focus of this work will include special actions to strengthen empowerment and capacity building in schools, the workplace and in women's associations.

### Gender parity in education

In supplement to a stepped-up programme of building new secondary schools support affirmative action in secondary and higher education by increasing the availability of financial support for eligible female students, strengthening assertiveness training and making more hostels available close to secondary schools where girls from areas a long way from school can stay. Special support is needed for girls in tertiary education to ensure a higher proportion finish their degree courses since drop-out rates are higher for girls than for boys.

### Strengthen the capacity of the public sector for gender mainstreaming

Develop the capacity of MoWCYA to coordinate the use of the gender mainstreaming guidelines in planning, budget-

ing and monitoring in all sectors. Assist ministries in the implementation of the gender budgeting guidelines developed by MoFED, especially during the time when annual budgets are being prepared and on expenditure review; support the introduction of accountability for gender mainstreaming and continue the gender training of senior management in the civil service. Assist in the strengthening of the national gender machinery through filling open positions with qualified and experienced individuals and instituting incentive measures to retain and reduce high staff turnover. Provide MoWCYA with the resources and clarify the accountabilities necessary for them to be able to provide support to higher education institutions to enable them to train sufficient well-qualified persons with gender knowledge and skills in all professions.

Creating a cadre of social workers at local levels who are responsible, amongst other things, for looking out for violence against women and taking actions is possibly the most effective means of ensuring action at scale.

### Monitoring trends and disparities in gender parity

Build on existing efforts, for example in the education sector, to present trends in development outcomes for both girls and boys. Notably the health management information system could do more to report use of health services broken down by sex.