

Chapter 16

Recognition and Protection of Women's Rights and Gender in FDRE Constitution and Other Laws of Ethiopia

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ABSTRACT

Irrespective of their contribution, women in Ethiopia have been facing issues like violence, gender-based discrimination, access to education and training, lack of basic human rights protection, and others. Girls' enrollment in education at all levels is much lower than boys. Female education is hampered mainly by the sexual division of labor, which confines girls to household activities. In addition, women have been suffering from gender-based violence under the guise of tradition and culture but condoned by society. In response to these problems, the Government of Ethiopia adopted relevant instruments pertaining to gender including the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW), The Beijing Platform for Action, The Ethiopian Constitution, and various other policies and establishing the national machinery for addressing gender issues. However, several challenges still exist in the realization of women's rights. Therefore, all the respect and protection given for human rights should also be given to women because women's rights are human rights.

1. INTRODUCTION

Studies show that compared to men, women in Ethiopia are clearly in a disadvantageous position in different respects; they benefit less from social services and hold inferior positions in all economic, political, social, and cultural affairs. Women are facing various forms of deprivation like lack of protection of basic human rights, gender-based discrimination, violence, lack of access to productive resources, education and training, basic health services, and employment are widespread (NCTPE, 2003).

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Ethiopian women suffer from work stereotype and gender distribution of labor, more are occupied in economically invisible work. For this reason, they experience lower socioeconomic status in general and hence is marginalized from making decisions at all levels. Women's contribution is immense; however, they often lack productive assets particularly land, and are undeserved with agricultural extension, credit, labor, oxen and farm implements. Thus, women are poor in terms of access to resources, services and employment (Yemane, 2004).

Representation of women's in the enduring employment of both regional and federal civil services is also lower than men; in comparison to the large number of unemployed women. The increase in the number of women employees over the years is insignificant. Formal sector employment of both in industries and the Civil Service is lower than men (NCTPE, 2003).

Women-owned business by and large do not show growth in capital or change in type of business. Income generating activities for women focus on small-scale trade in urban, gardening, poultry production and some animal husbandry in rural areas. Lack of resources for the initial credit and savings contributions is a reason poor woman do not benefit from the activities (ILO, 2005). In addition, Credit services are linked to agricultural inputs, fertilizer, improved seeds and pesticides, that are associated with land endowment and other resources required for agricultural production, marginalizing poor farmers mainly women as they are mainly known as resource poor (MOWA, 2005).

Girls' enrollment in education at all levels is much lower than boys'. The illiteracy rate among young women (15-24 years old) is higher than among men. The proportion of female students admitted to an institution of higher education in the academic year 2004-2005 was only 24.4 percent (MOE, 2005)

Female education is hampered mainly by sexual division of labor, which confines girls to household activities; by early marriage, by the unfavorable societal attitude towards the education of girls; and by the restriction on their physical movements in relation to the distance of the school from their homes. Most parents mainly the resource poor would rather invest in their sons, because boys are perceived as bread winners and support for old parents, while girls are preferably employed at the household (NCTPE, 2003).

Gender inequality and discrimination harm girls' and women's health directly or indirectly throughout their life cycle. Fertility rate and maternal mortality are very high with the high prevalence rate of HIV/AIDS, where due to variety of factors women are more affected than men (4 percent female and 1 percent male). Women's control over sexual activity and their ability to protect themselves from unwanted pregnancy and sexually transmitted diseases including HIV/AIDS hampered by unequal power relationship between men and women (MOH, Health, and Health Related Indicators, 2005).

Women, apart from what they are inflicting on themselves in an effort of complying with culture/tradition, are suffering from gender-based violence under the guise of tradition and culture but condoned by society. Sexual abuse, rape, marriage by abduction, early marriage, widow inheritance, and bride price, sexual harassment and intimidation at work, educational institutions and working places are common forms of violence faced by women in Ethiopia, which consequently, violate women's human rights (NCTPE, 2003).

In response to these imbalances and the many problems women encounter, the Government of Ethiopia has made a number of efforts to address gender equality issues. These include adopting or ratifying relevant international instruments pertaining to gender includes: The Convention for the Elimination of All Forms of Discrimination against Women (CEDAW); The Beijing Platform for Action; Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa; International Convention on Civil and Political Rights, the Convention for the Suppression of Traffic in Person and the Exploitation of Prostitution of others (Hadra, 1999). Furthermore, the government designing national

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