

**COMMITTEE ON THE RIGHTS OF THE CHILD**

**Forty third session**

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 44 OF THE CONVENTION**

**Concluding observations: ETHIOPIA**

1. The Committee considered the third periodic report of Ethiopia (CRC/C/129/Add.8) at its 1162nd and 1164th meetings (see CRC/C/SR.1162 and 1164), held on 12 September 2006, and adopted, at the 1199th meeting (CRC/C/SR.1195), held on 29 September 2006, the following concluding observations.

**A. Introduction**

2. The Committee welcomes the submission of the third periodic report, the detailed written replies to its list of issues (CRC/C/Q/ETH/3) and the constructive dialogue with a high-level, cross-sectional delegation.

**B. Follow-up measures undertaken and progress achieved by the State party**

3. The Committee welcomes a number of positive developments in the reporting period, inter alia:

- (a) the free anti-retroviral programme that started in 2005;
- (b) the provisions in the New Criminal Code of 2005 which criminalise harmful traditional practices and most forms of human trafficking;
- (c) the provision in the Revised Family Code setting 18 years of age for marriage for both girls and boys;
- (d) the adoption of a National Plan of Action for Children (2003-2010).

4. The Committee notes with appreciation the regional presence of the Office of the High Commissioner for Human Rights in Addis Ababa aimed at strengthening the capacity of the State party to respond to its human rights needs. The Committee urges the State party to continue its cooperation with the UNMEE mission, especially regarding the situation of children.

5. The Committee also welcomes the ratification of the following international human rights instruments;

- (a) the ILO Convention No. 29 on Forced Labour and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, both on 2 September 2003;
- (b) the African Charter on the Rights and Welfare of the Child on 2 October 2002;
- (c) the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction on 17 December 2004.

## **C. Principal areas of concern and recommendations**

### **1. General measures of implementation (arts. 4, 42 and 44 (para. 6) of the Convention)**

#### **The Committee's previous recommendations**

6. The Committee notes with satisfaction that some concerns and recommendations (see CRC/C/15/Add.144) made upon the consideration of the State party's second report in 2001 have been addressed through legislative measures. However, recommendations regarding, inter alia, resources allocation, harmful traditional practices, birth registration, child labour, refugee children and juvenile justice have not been given sufficient follow-up. The Committee notes that those concerns and recommendations are reiterated in the present document.

**7. The Committee urges the State party to take all necessary measures to address those recommendations contained in the concluding observations on the second report that have not yet been implemented and to provide adequate follow-up to the recommendations contained in the present concluding observations on the third periodic report.**

#### **Legislation**

8. The Committee notes that some progress has been made by the State party in the effort to bring domestic laws into compliance with the Convention, e.g. by criminalising harmful traditional practices and child trafficking in the revised Criminal Code of 2004, but remains concerned at the lack of a systematic legislative review and adoption of a comprehensive Children's Code. The Committee regrets that the Convention has not yet been published in the Official Gazette as previously recommended.

**9. The Committee recommends that the State party strengthen its efforts to bring domestic laws into full compliance with the Convention. In this regard, the State party should consider undertaking a comprehensive legislative review and adopt a comprehensive Children's Code which incorporates the provisions of the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. Furthermore, the Committee reiterates its recommendation to publish the Convention in the Official Gazette as it would facilitate awareness and access among professionals working with the administration of justice.**

### **Coordination**

10. The Committee notes that the newly created Ministry of Women's Affairs is responsible for coordination of the activities for the implementation of the Convention. However, the Committee is concerned that the Ministry lacks sufficient resources and the ability to establish coordination at the regional, zone and Woreda level.

**11. The Committee recommends that the State party ensure that the Ministry of Women's Affairs be given adequate human and financial resources, enabling it to coordinate and monitor implementation at the federal, regional, zone and Woreda level. In this regard, the Committee refers the State party to its General Comment No. 5 (2003) on general measures of implementation for the Convention on the Rights of the Child.**

### **National Plan of Action**

12. The Committee welcomes the adoption of a National Plan of Action for Children (2003-2010). However, the Committee is concerned at the lack of a systematic review and evaluation of the previous National Plan of Action for Children, in order to better address previous challenges. The Committee also regrets that the National Plan of Action has not been translated into local languages and adequately disseminated among authorities responsible for its implementation.

**13. The Committee recommends that the State party ensure that the current National Plan of Action for Children covers all areas of the Convention and is implemented with adequate human and financial resources, accompanied with assessment and evaluation mechanisms. Furthermore, the Committee recommends that the National Plan of Action for Children be translated into local languages and disseminated widely among local governments as they play an important role in its implementation. The Committee encourages the State party to take into account the outcome document "A World Fit for Children" adopted by the United Nations General Assembly at its special session on children held in May 2002.**

### **Independent monitoring**

14. The Committee notes that a Human Rights Commission and Ombudsman institution were established by law in 2000 and that the Human Rights Commissioner and Ombudsman have been appointed (2004). The Committee understands that the Offices commenced operation in 2005 but regrets the lack of information on their work.

**15. The Committee recommends that the State party ensure as a matter of priority the efficient operation of both the Human Rights Commission and Ombudsman, in full compliance with the established Paris Principles for Independent National Human Rights Institutions. These institutions should also be provided with the necessary human and financial resources (which might include donor assistance) to receive, monitor and investigate complaints from or on behalf of children on violations of their rights. In this regard, the Committee draws the attention of the State party to its General Comment No. 2 (2002) on national human rights institutions. The Committee requests the State party to provide information on the activities of these institutions, particularly in relation**

**to the Convention on the Rights of the Child, while encouraging them to submit additional reports directly to the Committee on the Rights on the Child.**

#### **Resources for children**

16. The Committee welcomes the increased budget allocation for education and health, however it is concerned that the resources for the implementation of the National Plan of Action are insufficient in order to effectively improve the promotion and protection of children's rights. In particular, the Committee notes the considerable military expenditure in contrast to allocations to education and health.

17. **In light of article 4 of the Convention, the Committee urges the State party to prioritise and increase budgetary allocations for children at both national and local levels to improve the implementation of the rights of the child throughout the country, and in particular to pay attention to the protection of the rights of children belonging to vulnerable groups, including children belonging to ethnic minorities, children with disabilities, children affected by and/or infected with HIV/AIDS and children living in poverty and in remote areas.**

#### **Data collection**

18. The Committee notes with concern the lack of data on areas including domestic adoption, street children, children involved in armed conflicts, children without parental care, children involved in the justice system, sexually abused and trafficked children.

19. **The Committee encourages the State party, with reference to the need to significantly improve birth registration, to strengthen its system of collecting disaggregated data, especially in relation to the areas indicated in the preceding paragraph, as a basis for assessing progress achieved in the realization of children's rights and to help design policies to implement the Convention. The Committee also recommends that the State party seek technical assistance from UNICEF in this regard.**

#### **Dissemination, training and awareness-raising**

20. The Committee notes with appreciation the efforts made by the State party in disseminating the Convention through its publications in several local languages and public events. However, the Committee is concerned that additional efforts are required with regard to raising awareness of the Convention among relevant professional categories, parents and among children themselves, especially in rural areas. The Committee is especially concerned over the lack of awareness of children's rights displayed by the police during the post-election events, despite having received considerable relevant training.

21. **The Committee recommends that the State party strengthen its efforts to ensure that the provisions of the Convention are widely known and understood by parents and children. It further recommends the reinforcement of adequate and systematic training of all professional categories working for and with children, in particular targeting law enforcement officials. Teachers, including those in rural and remote areas, health personnel, social workers and personnel of childcare institutions should also be among the professionals trained. The**

**Committee recommends that human rights education be included in the official curriculum at all levels of education and that the State party conduct public awareness campaigns giving particular attention to people with low literacy skills. The Committee suggests that the State party seek technical assistance from UNICEF and OHCHR for the above recommendations.**

#### **Cooperation with civil society**

22. While appreciating the acknowledgement in the State party report of the importance of the contribution of NGOs in the implementation of the Convention, the Committee is seriously concerned over restrictions placed upon civil society since the elections in 2005 and in particular regrets the arbitrary mass detentions, including of children, which place severe restrictions upon the freedom of expression which is a fundamental element of a free civil society.

23. **The Committee strongly recommends the State party to respect the role played by civil society in furthering the implementation of the Convention in Ethiopia and encourages the active, positive and systematic involvement of civil society, including NGOs, in the promotion of children's rights, including their participation in the follow-up to the concluding observations of the Committee.**

## **2. General principles (arts. 2, 3, 6 and 12 of the Convention)**

#### **Non-discrimination**

24. The Committee is concerned over the fact that discrimination against certain groups of children exists, particularly with regard to girls, children with disabilities, children living in poverty, refugee children, children affected by and/or infected with HIV/AIDS and children belonging to ethnic minorities. The Committee acknowledges the positive steps taken to enhance the status of the girl child such as criminalising FGM and raising the minimum age for consent for marriage, however the Committee remains concerned that vulnerable groups of girls remain victims of harmful traditional practices, deprived of education (primary and secondary), victims of sexual and physical violence as well as commercial exploitation.

25. **The Committee recommends that the State party make combating discrimination against vulnerable girls a national priority, to design programmes which enable the girl to access her rights without discrimination and to raise awareness among all stakeholders of the value of the girl child. Furthermore, in relation to other forms of discrimination, the Committee urges the State party to take adequate measures to ensure the practical application of provisions guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.**

26. **The Committee regrets that information was not included in the report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account**

**General Comment No. 1 (2001) on the aims of education. The Committee requests that specific information, as outlined above, be provided in the next periodic report.**

**Right to life, survival and development**

27. The Committee is deeply concerned over the information regards the direct impact on children of events following the November 2005 demonstrations which involved arbitrary mass detentions, excessive use of force by the police and the military causing deaths and physical injuries, including gun shots, of numerous children. The Committee is particularly disturbed to learn about that schools were attacked under the pretext that children were involved in demonstrations. Among the children affected, the Committee notes an elevated number of vulnerable children belonging to ethnic minorities as well as street children.

28. **The Committee urges the State party to take urgent measures to ensure respect for the civilian population and protect vulnerable groups, such as children of ethnic minorities and street children, from excessive use of force. The Committee reminds the State party of its obligation to undertake measures in order to prevent human rights violations and to ensure that perpetrators of such violations are brought to justice.**

**Respect for the views of the child**

29. While noting with appreciation the efforts made by the State party to implement the principle of respect for the views of the child, such as the child forum, the Committee remains concerned that traditional societal attitudes appear to limit children in freely expressing their views in the community, schools, the courts, or within the family.

30. **The Committee recommends that the State party strengthen its efforts to ensure that children's views are given due consideration in the community, the family, the schools, the courts and relevant administrative and other settings, in accordance with article 12 of the Convention. In this context, the Committee encourages the State party to take into account the recommendations adopted by the Committee following the Day of General Discussion on the Right of the Child to Heard in 2006.**

**3. Civil rights and freedoms  
(arts. 7, 8, 13-17 and 37 (a) of the Convention)**

**Birth registration**

31. The Committee regrets the absence of institutional structures and an adequate legal framework to ensure birth registration and is deeply concerned at the fact that a very large number of children are neither registered at birth nor at a later stage.

32. **The Committee reiterates its concern from the previous periodic review and urges the State party to strengthen and further develop measures to ensure that all children born within the national territory are registered by adopting an adequate legal framework. Furthermore, the Committee urges the State party to create institutional structures that are accessible and free in order to implement**

effective birth registration, e.g. by introducing mobile units, especially in rural and remote areas and IDP and refugee camps. The Committee recommends the State party to seek technical assistance from UNICEF for the implementation of these recommendations.

### **Corporal punishment**

33. While taking note of the Constitutional provision prohibiting corporal punishment in schools, the Committee remains concerned that “reasonable chastisement” is permitted according to the Penal Code and that corporal punishment is still widely practised in the home, the schools and in other settings.

34. The Committee recommends that the State party explicitly prohibit corporal punishment within the home and enforce the prohibition in all settings, including in the family, the schools and alternative childcare. It also recommends that the State party conduct awareness-raising campaigns to ensure that alternative forms of discipline are used, in a manner consistent with the child’s human dignity and in conformity with the Convention, especially article 28, paragraph 2, while taking due account of the General Comment no. 8 of the Committee on the Right of the Child to Protection from Corporal Punishment and Other Cruel or Degrading Forms of Punishment (2006). The Committee also recommends the State party to seek technical assistance from UNICEF in order to implement relevant programmes in the school environment.

### **Torture and degrading treatment**

35. The Committee is seriously concerned also over the information that children continue to be victims of torture, cruel and degrading treatment by the police and military. The Committee is especially concerned over the situation of vulnerable groups of children, such as those belonging to ethnic minorities, and is alarmed over the fact that students have been targeted while attending school. In particular, the Committee expresses concern regarding sexual violence and is disturbed by numerous reports of rapes committed by members of the military. Furthermore, the Committee is concerned that the Children’s Rights Units within the police are not consistently sustained.

36. The Committee urges the State party to take effective measures to protect all children from torture, cruel and degrading treatment. The Committee emphasises the urgent need to investigate and sanction reported cases in order to break the cycle of impunity for serious human rights violations. In particular, the Committee urges the State party to sustain the Children’s Rights Units within the police while suspending and holding accountable those members of the police and armed forces who have committed abuses. The Committee recommends that the State party ensures that all child victims of torture, cruel and degrading treatment are provided access to physical and psychological recovery and social reintegration as well as compensation, giving due consideration to the obligations enshrined in article 39 of the Convention.

**4. Family environment and alternative care**  
**(arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)**

**Children without parental care**

37. The Committee is deeply concerned over the impact of extreme poverty and of the high rate of HIV/AIDS on children and the dire need to provide them with adequate alternative care. The Committee notes the important role played by NGOs in providing alternative care for orphaned children.

38. **The Committee recommends that the State party undertake the necessary measures to protect the rights of children without parental care and address their needs with a focus on;**

- (a) effective support programmes for children in vulnerable families, such as those affected by HIV/AIDS, single-parent families and families suffering from poverty;**
- (b) assistance to extended families who care for children of parents who have died of AIDS and for child-headed households; and**
- (c) promotion of and support for family-type forms of alternative care for children deprived of parental care, in order to reduce the dependence on institutional care;**
- (d) provision of adequate resources to institutional care provided by NGOs, while bearing in mind the state responsibility for all children who lack parental care;**
- (e) providing training for staff in alternative care settings and access to complaints mechanisms for the children;**
- (f) adequate monitoring of alternative care facilities;**
- (g) reunification with their birth family when appropriate for children receiving alternative care.**

**Adoption**

39. The Committee regrets the lack of information on domestic adoptions and the fact that they are not notified to the courts, which leads to illegal adoption practices. Furthermore, the Committee is concerned that children who have been unofficially adopted suffer discrimination.

40. **The Committee recommends the State party to provide more information on domestic adoptions and ensure better follow-up regarding the situation of adopted children. The principle of the best interest of the child should guide the adoption process.**

41. The Committee notes the rising number of inter-country adoptions and that the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption has not been ratified.

42. **The Committee recommends the State party to encourage formal domestic rather than inter-country adoption and reiterates its recommendation that the State party ratify the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption.**

43. The Committee is concerned that article 195 of the Family Code allows for adoptions to be revoked, which might leave the child without parental care and legal guardians.

44. **The Committee recommends that the provision permitting the revocation of adoptions be amended in order to ensure that, when effected, the child is provided with alternative guardians.**

#### **Child abuse**

45. The Committee notes as positive the establishment of several Child Protection Units within the police, however is concerned over the high levels of child abuse, in particular sexual abuse, and regrets the lack of statistics and mechanisms to monitor such violations and analyse its root causes. It is further concerned at the lack of a comprehensive policy to counteract child abuse.

46. **The Committee recommends that the State party;**

- (a) take the necessary measures to prevent child abuse and neglect;**
- (b) establish effective mechanisms to receive, monitor and investigate reports of cases of child abuse and, when required, initiate prosecutions of perpetrators in a manner that is child sensitive and ensures the privacy of the victims;**
- (c) provide children victims of sexual or other forms of abuse with the necessary psychological and other support for their full recovery and social reintegration,**
- (d) carry out preventive public education campaigns about the consequences of the abuse and ill-treatment of children;**
- (e) provide support for the operation of a three digit toll free helpline for children.**

47. **In the context of the Secretary-General's in-depth study on the question of violence against children and the related questionnaire to Governments, the Committee acknowledges with appreciation the written replies of the State party to this questionnaire and its participation in the Regional Consultation for Eastern and Southern Africa, held in South Africa from 18 to 20 July 2005. The Committee recommends that the State party use the outcome of these regional consultations as a tool for taking action, in partnership with civil society, to ensure that every child is protected from all forms of physical, sexual or mental violence and to gain momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse.**

48. **In addition, the Committee would like to draw the States party's attention to the report of the independent expert for the United Nations study on violence against children (A/61/299) and to encourage the State party to take all appropriate measures to implement overarching recommendations as well as setting-specific recommendations contained in this report.**

#### **Children in prison with their mothers**

49. The Committee is concerned over the large number of young children, including infants, in prison with their mothers.

50. **The Committee recommends that the State party seek alternative measures to institutional confinement for mothers with young children and, if applied, provide adequate facilities, while taking into account article 30 of the African Charter on the Rights and Welfare of the Child.**

**5. Basic health and welfare  
(arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention)**

**Children with disabilities**

51. The Committee notes the State party's efforts to support children with disabilities including direct and indirect assistance, is concerned about the persisting de facto discrimination, lack of statistical data on the number of disabled children and insufficient educational opportunities. The Committee is further concerned that children are doubly disadvantaged if they live in rural and remote areas.

52. **The Committee recommends that the State party, while taking into account the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations of the Committee's Day of General Discussion on children with disabilities (1997), take all necessary measures;**

- (a) **to raise awareness about children with disabilities, including their rights, special needs and potential, in order to change prevailing prejudices against children;**
- (b) **to collect adequate disaggregated statistical data on children with disabilities and use such data in developing policies and programmes to promote their equal opportunities in society, paying particular attention to children living in the most remote areas of the country;**
- (c) **to provide children with disabilities with access to adequate social and health services, as well as, to quality education;**
- (d) **to ensure that professionals working with and for children with disabilities, such as medical, paramedical and related personnel, teachers and social workers are adequately trained.**

**Health and health services**

53. The Committee, while noting as positive the adoption of Health Sector Development Plans, regrets the lack of information on resources assigned to health services and is concerned as medical facilities are concentrated to the urban areas, resulting in exclusion of the majority of the population to necessary health services. In particular, the Committee is deeply concerned that infant, under-five and maternal mortality rates remain very high. It is also concerned at the low coverage of vaccinations, the prevalence of malaria, low breastfeeding rates and the high incidence of malnutrition.

54. **The Committee recommends that the State party take all necessary measures to strengthen its programmes for improving health care by supporting these programmes with adequate and clearly allocated resources, while paying**

particular and urgent attention to mortality rates, vaccination uptakes, nutrition status, breast feeding rates and the management of communicable diseases and malaria. Specifically, the Committee recommends that the State party pay further attention to the urban/rural divide.

#### **HIV/AIDS**

55. The Committee welcomes the introduction of free anti-retroviral treatment, however notes the challenges involved in ensuring that it be provided to all those who need it. The Committee is deeply concerned over the HIV/AIDS infection rates, and that children and women of child-bearing age remain highly vulnerable to contracting HIV/AIDS. Specifically, the Committee is concerned that testing and counselling are lacking as well as a strategy on how to support and counteract discrimination against children who have contracted or lost their parents to HIV/AIDS.

56. The Committee recommends, with reference to the Committee's General Comment No. 3 (2003) on HIV/AIDS and the rights of the child and also the International Guidelines on HIV/AIDS and Human Rights, the State party to;

- (a) strengthen its efforts to combat HIV/AIDS, including through awareness-raising campaigns;
- (b) ensure the full and effective implementation of a comprehensive policy to prevent HIV/AIDS;
- (c) develop a policy in order to prevent discrimination against children infected with and affected by HIV/AIDS;
- (d) ensure access to child-sensitive and confidential counselling, without the need for parental consent, when such counselling is required and in the best interest of the child;
- (e) continue to strengthen its efforts to prevent mother-to-child transmission of HIV;
- (f) seek international assistance from, among others, UNAIDS and UNICEF, to that effect.

#### **Adolescent health**

57. The Committee is concerned that insufficient attention has been paid to adolescent health issues, including developmental, mental and reproductive health concerns. The Committee notes with concern the high levels of substance abuse. The Committee is specifically concerned over the situation of girls due to the high percentage of early marriages and early pregnancies, as these have a negative impact on their health.

58. The Committee recommends that the State party, taking into account the Committee's General Comment No. 4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child;

- (a) undertake a comprehensive study to assess the nature and extent of adolescent health problems and, with the participation of adolescents, use it as a basis to formulate adolescent health policies and programmes with a particular focus on the prevention of early pregnancies and sexually transmitted infections (STIs), especially through reproductive health education;

- (b) **conduct prevention campaigns to counteract substance abuse and provide youth advisory services;**
- (c) **strengthen adolescent-sensitive mental health counselling services and make them known and accessible to adolescents.**

### **Harmful traditional practices**

59. The Committee welcomes the criminalisation of harmful traditional practices in the revised Criminal Code of 2005, and notes with appreciation the efforts undertaken by the National Committee on Harmful Traditional Practices in Ethiopia to document and combat the practice of female genital mutilation (FGM). However, the Committee remains concerned that FGM and forced and early marriages of girls through abduction are still widely practiced and that a comprehensive strategy to counteract harmful traditional practices has not been developed.

60. **The Committee recommends that the State party adopt a comprehensive strategy to prevent and combat harmful traditional practices and ensure resources for its implementation, in particular in rural areas. Awareness-raising campaigns on the negative effects on the health of children, especially girls, should be conducted for the general public as well as community, traditional and religious leaders. The legislation prohibiting harmful traditional practices and forced and early child marriages should be strictly enforced. The Committee further recommends the State party to provide retraining, where appropriate, for practitioners of female genital mutilation and support them to find alternative sources of income.**

### **Standard of living**

61. The Committee is deeply concerned about the widespread poverty in the State party, and the increasingly large numbers of children who do not enjoy the right to an adequate standard of living, including access to food, clean drinking water, adequate housing and latrines.

62. **The Committee recommends that, in accordance with article 27 of the Convention, the State party reinforce its efforts to provide support and material assistance, with a particular focus on the most marginalized and disadvantaged families, and to guarantee the right of children to an adequate standard of living. In this connection, the Committee recommends that the State party pay particular attention to the rights and needs of children when drafting and implementing national development plans and poverty reduction strategy papers.**

## **6. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)**

63. The Committee welcomes the improved enrolment rate in primary school and the increased budget allocation for education, as well as, improved collection of statistics of the school attendance of children, however continues to be seriously concerned over the fact that primary education is still not free nor compulsory and that the net enrolment is still very low. Furthermore, the Committee is concerned about the large number of school dropouts, the charging of fees in primary education,

overcrowding in schools, the limited provisions for vocational training, the low transition rate to secondary school, the insufficient number of trained teachers and available school facilities, the absence of budget allocations for pre-primary schools and the poor quality of education. Considerable challenges remain in order to overcome inequalities which disadvantage children's access to education, in particular in rural regions, and on the basis of ethnicity and sex.

**64. The Committee recommends that the State party, taking into account its General Comment No. 1 (2001) on the aims of education;**

- (a) ensure that primary education be free and compulsory and take the necessary measures to ensure that all children are enrolled in primary education;**
- (b) increase public expenditure on education, in particular pre-primary, primary and secondary education with specific attention to improving access and addressing sex, socio-economic, ethnic and regional disparities in the enjoyment of the right to education;**
- (c) train more teachers, especially female and provide further school facilities, in particular in rural areas;**
- (d) undertake additional efforts to ensure access to informal education to vulnerable groups, including street children, orphans, children with disabilities, child domestic workers and children in conflict areas and camps, inter alia by addressing indirect and hidden costs of school education;**
- (e) strengthen vocational training, including for children who have left school before completion;**
- (f) seek technical assistance from UNICEF, in particular to improve access to education for girls.**

#### **7. Special protection measures**

**(arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)**

#### **Refugee children**

65. The Committee notes the presence of some 115'000 refugees from neighbouring countries and that the State party has applied asylum policies which to a large extent conform to international obligations. However, the Committee regrets the reservation maintained to the 1951 Refugee Convention with regard to the right to education. Furthermore, the Committee is concerned over the low enrolment rates in school among refugee children and in particular the high drop-out rates among girls, the lack of female staff members at school and medical facilities in the camps, limited reproductive health education and the high risk of sexual abuse and exploitation, particularly for girls.

**66. The Committee urges the State party to;**

- (a) withdraw its reservation to the 1951 Refugee Convention regarding the right to education;**
- (b) take practical measures to increase enrolment rates, especially among girls, such as providing better access to education and ensuring a greater number of female teaching staff;**

- (c) **increase the number of female medical staff and address the need to provide education on reproductive health;**
- (d) **enhance the security in refugee camps and take all necessary measures to protect children, especially girls, against sexual exploitation, establish accessible complaints mechanisms and to investigate cases of abuse fully, and prosecute the perpetrators;**
- (e) **take all measures to guarantee protection of refugee children in line with international human rights and refugee law, while taking into account the Committee's General Comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin;**
- (f) **continue its cooperation with UNHCR in this regard.**

#### **Children in armed conflict**

67. The Committee notes that the State party has set 18 years as the minimum age for recruitment of persons into the armed forces. However, the Committee is concerned about the possible gaps within the recruitment process due to a lack of adequate birth registration. Furthermore, the Committee is concerned over the lack of physical and psychological recovery for all children affected by armed conflict, in particular those who were displaced and separated from their parents and those affected by land mines.

68. **The Committee urges the State party to;**

- (a) **take all possible measures to prevent the recruitment of children and enforce its legislation strictly;**
- (b) **provide physical and psychological recovery measures for all children affected by armed conflict, including those separated from their parents and landmine victims, while paying particular attention to female-headed households;**
- (c) **consider ratification of the Rome Statute of the International Criminal Court;**
- (d) **support the operation of the UNMEE in order to seek sustainable peace in the region.**

#### **Street children**

69. The Committee is deeply concerned at the increasing number of street children, especially in major urban centres, who are also victims of drug abuse, sexual exploitation, harassment and victimisation by members of the police force. Furthermore, the Committee is concerned at the stigmatisation of street children and negative attitudes in society towards them based upon their social condition.

70. **The Committee recommends the State party to;**

- (a) **undertake a systematic assessment of the situation of street children in order to obtain an accurate picture of its root causes and magnitude;**
- (b) **develop and implement with the active involvement of street children themselves a comprehensive policy which should address the root causes, in order to prevent and reduce this occurrence;**

- (c) **in coordination with NGOs, provide street children with the necessary protection, adequate health-care services, education and other social services;**
- (d) **support family reunification programmes, when it is in the best interests of the child.**

#### **Economic exploitation, including child labour**

71. The Committee is deeply concerned at the prevalence of child labour among young children including as young as five and that the State party has not taken comprehensive measures to prevent and combat this large-scale economic exploitation of children.

72. **The Committee urges the State party to develop and implement, with the support of the ILO, UNICEF, and NGOs, a comprehensive plan of action to prevent and combat child labour, in full compliance with ILO Conventions No. 138 and No. 182, which the State party has ratified.**

#### **Sexual exploitation and sexual abuse**

73. The Committee welcomes the initiatives by the State party to combat sexual exploitation of children, including provisions for stricter penalties in the revised Criminal Code and the establishment of a national plan of action against sexual exploitation of children. Nevertheless, the Committee is concerned that a high numbers, especially girls, are victims of sexual exploitation and sexual abuse, and that the majority of cases remain in impunity. Furthermore, the Committee is deeply concerned at the lack of information in the State party report on the extent of the problem and the number of children affected.

74. **The Committee recommends that the State party;**

- (a) **undertake awareness-raising educational measures to prevent and eliminate sexual exploitation, in particular by supporting the current efforts undertaken by NGOs;**
- (b) **provide further resources to support physical and psychological recovery for all children affected by sexual exploitation which to date largely depends upon NGOs;**
- (c) **train professionals, in particular those working with the administration of justice, in order to receive, investigate process complaints in a child-sensitive manner that respects the privacy of the victim;**
- (d) **ensure adequate resources in order to investigate cases of sexual abuse and exploitation, prosecute and impose adequate sentences for such crimes;**
- (e) **implement a comprehensive policy, in coordination with NGOs, for the prevention, recovery and social reintegration of child victims, in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;**

### **Sale and traffic in children**

75. The Committee is concerned at the high number of children who are abducted and sold each year for unknown purposes within and outside Ethiopia. The Committee is deeply concerned at the lack of information in the State party report on the extent of the problem and the number of children affected.

76. **The Committee recommends that the State party;**

- (a) undertake awareness-raising educational measures to prevent and eliminate sale and traffic in children, in particular by supporting the current efforts undertaken by NGOs;**
- (b) provide further resources to support physical and psychological recovery for all children, victims of sale or trafficking;**
- (c) ensure adequate resources in order to investigate cases of abuse, prosecute and impose adequate sentences for such crimes;**
- (d) ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000).**

### **Juvenile justice**

77. The Committee recognises the efforts undertaken, for example through the Juvenile Justice Project Office, however notes that its impact has been hampered by limited resources. Furthermore the Committee regrets the absence of a child friendly juvenile justice system in most of the country and the lack of legal aid representatives for child victims of offences as well as accused children. The Committee is concerned that deprivation of liberty is not used as a measure of last resort and at the lack of separation of children from adults in pre-trial detention, as well as, the practice of long-term detention and institutionalisation. Furthermore the Committee is concerned at the very low minimum age of criminal responsibility (set at age 9).

78. **The Committee urges the State party to ensure that juvenile justice standards are fully implemented, in particular articles 37 (b), 40 and 39 of the Convention, as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty (the Havana Rules), and in the light of the Committee's Day of General Discussion on the administration of juvenile justice. In particular, the Committee recommends that the State party;**

- (a) raise the minimum age for criminal responsibility to an internationally acceptable level;**
- (b) continue to increase the availability and quality of specialised juvenile courts and judges, police officers and prosecutors through systematic training of professionals;**
- (c) provide adequate financial, human and technical resources to the juvenile courts at sub-county level;**
- (d) strengthen the role of local authorities, especially with regard to minor offences;**
- (e) provide children, both victims and accused, with adequate legal assistance at an early stage of legal proceedings;**

- (f) be guided in this respect by the UN Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (ECOSOC Resolution No. 2005/20);
- (g) improve training programmes on relevant international standards for all professionals involved with the system of juvenile justice;
- (h) ensure that detention and institutionalisation of child offenders is only resorted to as a last resort;
- (i) seek technical assistance and other cooperation from the UN Interagency Panel on Juvenile Justice.

#### **Children belonging to a minority or indigenous group**

79. The Committee notes the absence of information on ethnic minorities in the State Party's report and is concerned over the situation of children belonging to minorities, in particular Oromo and Anuak, as they suffer stigmatisation and persecution by the armed forces, including torture, rape and killings, due to the presence of opposition groups within their territories.

80. **The Committee urges the State party to;**

- (a) respect the life of the members of minorities groups and in particular that of children, taking into due account the humanitarian law principle of protecting civilians;
- (b) pay due attention to children of ethnic minorities in the next periodic report.

### **8. Optional Protocols to the Convention on the Rights of the Child**

81. **The Committee recommends the State party to ratify the Optional Protocols to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and on the Involvement of Children in Armed Conflict.**

### **9. Follow-up and dissemination**

#### **Follow-up**

82. **The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented, inter alia by transmitting them to the members of the Council of Ministers or the Cabinet or a similar body, the Parliament, and to provincial or local Governments and Parliaments, when applicable, for appropriate consideration and further action.**

#### **Dissemination**

83. **The Committee further recommends that the second periodic report and written replies submitted by the State party and the related recommendations (concluding observations) it adopted be made widely available in the languages of the country, including (but not exclusively) through the Internet to the public at large, civil society organisations, youth groups, professional groups and**

children, in order to generate debate and awareness of the Convention, its implementation and monitoring.

#### **10. Next report**

84. The Committee invites the State party to submit a consolidated 4<sup>th</sup> and 5<sup>th</sup> report, by 12 December 2011 (that is 18 months before the due date of the 5th report). This is an exceptional measure due to the large number of reports received by the Committee every year. This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Convention.