



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### Forty-eighth session

#### Summary record of the first part (public)\* of the 17th meeting

Held at the Palais Wilson, Geneva, on Thursday, 10 May 2012, at 10 a.m.

*Chairperson:* Mr. Pillay

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### Consideration of reports

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Combined initial and second and third periodic reports of Ethiopia* (continued)

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\* No summary record was prepared for the second part (closed) of the meeting.

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports**

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant** *(continued)*

*Combined initial and second and third periodic reports of Ethiopia* (continued) ((E/C.12/ETH/1-3); core document (HRI/CORE/ETH/2008); list of issues (E/C.12/ETH/Q/1-3); written replies of the Ethiopian Government to the list of issues (E/C.12/ETH/Q/1-3/Add.1 – in English only))

1. *At the invitation of the Chairperson, the delegation of Ethiopia took places at the Committee table.*

*Articles 13 to 15 of the Covenant* (continued)

2. **Mr. Kedzia** asked what steps had been taken to ensure that everyone had access to the Internet.

3. **Mr. Marchán Romero** asked whether the two pieces of legislation referred to in paragraph 387 of the State party report and aimed at protecting intellectual property rights also provided for a special system to protect the traditional knowledge connected with the country's wealth of fine indigenous culture or whether a similar system had been established independently.

4. He enquired about the implementation of the recommendations contained in the report of the independent expert on minority issues (A/HRC/4/9/Add.3), in particular those concerning depoliticizing ethnicity and promoting policies of inclusion, power-sharing and cooperation (para. 98) and organizing a conference on the functioning of the system of ethnic federalism (para. 99).

5. **Mr. Sadi** asked whether a national education strategy was implemented uniformly throughout the country, and whether the State party was aware of the Committee's jurisprudence on education, especially its general comment No. 13 and its various concluding observations. He also wished to know whether the country's many ethnic groups coexisted in peace and harmony and whether, despite differences, a common culture was emerging.

6. **Mr. Riedel** asked what impact the planned construction of a hydroelectric dam (Gibe III) on the border between Ethiopia and Kenya might have on the environment and local populations (not least on livelihoods and food). He would like to know what measures were in place to guarantee the rights of the 100,000 persons likely to be affected, and whether the Government intended to publish detailed information about the project so that the people concerned could evaluate it and submit their comments to the authorities.

7. **Ms. Shin Heisoo** asked why Ethiopia had rejected the recommendation made by the Human Rights Council under the 2010 Universal Periodic Review (UPR) urging it to issue a standing invitation to the special procedures and whether the Government was willing to reconsider its position on foreign donors' funding of charities and societies.

8. **Mr. Kedzia** said that he, too, was surprised that the State party, which had affirmed its determination to strengthen cooperation with United Nations bodies in the area of human rights, was refusing to issue a standing invitation to the special procedures mandate holders. He urged the Ethiopian delegation to provide information on the measures taken to implement the recommendations contained in document A/HRC/4/9/Add.3 on protecting minorities.

9. **Mr. Schrijver**, having enquired about the priority accorded to human rights education in school curricula, asked whether the Ethiopian authorities intended to publish the Committee's concluding observations on Ethiopia to render them accessible to the public and, if so, in which languages they planned to do so. Was there a procedure in place for the purpose?

10. **The Chairperson**, speaking as a member of the Committee, recalled his comment of the previous day on the percentage of the population living below the international poverty line, and said that the data he used had been published by the World Bank in January 2011.

11. **Mr. Getahun** (Ethiopia) pointed out that, as indicated in the Ethiopian Government's written replies to the list of issues, Proclamation No. 188/1999 clearly provided that sharia courts had no competence in criminal cases, but only on issues concerning family relationships such as marriage, divorce, custody of minors, dowry and inheritance. Bigamy was prohibited in principle under the Federal State Family Code and under the legislation of most of the regional states, but was still common practice in Ethiopia. Such marriages were governed by Proclamation No. 188/1999. With regard to domestic violence, the Criminal Code considered spousal abuse as wilful grievous bodily harm.

12. With regard to combating pollution, Ethiopia had several pieces of legislation, including Proclamation No. 300/2002 which governed, inter alia, the management of hazardous waste, chemical and radioactive substances and municipal waste. Environmental inspectors ensured implementation of the standards in force; their decisions could be appealed according to an established procedure. Proclamation No. 513/2007 governed federal solid waste management, and the regions had enacted similar legislation. In addition, the Government had recently adopted the Climate-Resilient Green Economy Strategy, which had a bearing on all aspects of Ethiopian life. As part of the Growth and Transformation Plan, it focused on improving the productivity of small farms and on reforestation, which was a cornerstone of the Strategy. The Government also planned to establish environment-friendly light forms of public transport, such as electric trains, in all the regions. The other pillar of the Strategy was the use of environment-friendly technologies in construction projects.

13. The Gibe III dam project, covered by the same Strategy, would enable 45,000 MW of hydropower to be generated (as opposed to 2,000 MW at present) to nearly 84 million inhabitants. The project was still under discussion; the communities affected, downstream of the dam, had been involved in the process from the outset, as indicated in various documents. The dam's construction would have a positive impact, permitting, as it would, the transition from flood recession agriculture to irrigated agriculture, and prevent the sudden surges in water levels already experienced in the region, with the notoriously devastating consequences.

14. The social and environmental impact of the dam project had been the subject of independent studies, available on the Internet. The Kenyans had been involved in the entire consultative process and in the study of the project's impact on Lake Turkana, which should suffer neither an increase in salinity nor a drop in level. An energy purchase agreement had been signed between Kenya and Ethiopia. The various dam projects were financed primarily from national resources, the remaining funding being provided through loans granted by a number of partners, including China, on favourable terms. All documents relating to the project were available on the Ethiopian Electric Power Corporation website.

15. With regard to pensions, the minimum monthly amount and benefits could be reassessed every five years by the Government on the basis of a study of the issue by the Public Pension Agency.

16. Ethiopia had not accepted the recommendations following the visits of Human Rights Council special procedures mandate holders (A/HRC/13/17), preferring to act on a case-by-case basis. All the recommendations of the UPR working group and treaty bodies were taken very seriously; however, constitutional or budgetary considerations, or diverging opinions, could hinder implementation. The recommendations were included in the National Action Plan on Human Rights, a key objective of which was their implementation after consultation of all stakeholders. The recommendations that Ethiopia felt it could implement were submitted to the legislature for adoption, following which it was for the competent bodies to implement them and allocate the necessary resources.

17. The Ethiopian Constitution and legislation contained, in particular, a number of provisions on representation, self-identification and the use of minority languages and cultures. As of 1991, the nine regional states could choose the main language to be used in the administration, the judiciary and schools.

18. **Mr. Yimer** (Ethiopia) pointed out that Ethiopia had already been visited twice by the Independent Expert on minority issues. Article 91, paragraph 1, of the Constitution guaranteed the protection of all cultures, and Ethiopia each year celebrated Nations, Nationalities and Peoples Day. Article 39 of the Constitution provided for the rights of nations, nationalities and peoples, including the right of secession and to the protection of traditional knowledge. It was the Ministry of Education that set school curricula, which were taught in all schools in different languages depending on the institution. Human rights education was imparted in upper secondary school and university curricula. An advisory body composed of representatives from the nine regional states would be considering all treaty body concluding observations over the coming weeks. Ethiopia was endeavouring to extend Internet access throughout the country, and the Ministry of Communication and Information Technology had been established in 2010.

19. **Ms. Lulit** (Ethiopia) said that the National Reproductive Health Strategy was based on human rights monitored achievement of the Millennium Development Goals, and aimed to raise the population's awareness of the risks associated with pregnancy in order to reduce maternal mortality and facilitate access to high-quality health care throughout the country, especially in rural areas. The number of health centres had increased from 600 in 2005 to 2,500 in 2010. Under the health services expansion programme, local family planning services had been established and over 34,000 health workers had been deployed in rural areas, one of their tasks being to distribute a variety of contraceptive methods. Family planning services were free of charge and located in public institutions. The number of deaths due to abortions in hospitals had dropped from 32 per cent in 2005 to under 6 per cent in 2008.

20. The minimum age at first marriage for girls was now likely to be above 16 years, particularly because girls had better access to education. The number of early marriages and illegal abortions had decreased in recent years. Several policies and strategies had been adopted to improve maternal and neonatal health, including the Making Pregnancy Safer Initiative (2010), the Adolescent and Youth Reproductive Health Strategy (2006), the Revised Abortion Act (2005), and the Policy on Free Service for Key Maternal and Child Health Service at Primary Health Care Level. Similarly, a number of strategies had been adopted to reduce maternal mortality, including programmes to extend health services and increase the number of health posts, promote widespread use of modern contraceptive methods, and provide midwife training and training in obstetric emergencies. Ethiopia could not confirm, however, whether it would achieve Millennium Development Goal (MGD) 5 to improve maternal health by 2015.

21. Antenatal care coverage had increased from 67.7 per cent in 2008–2009 to 71.4 per cent in 2009–2010, while clean and safe delivery service coverage by health workers deployed under the Health Service Extension Programme had increased from 12.3 per cent to 17 per cent, and the contraception acceptance rate had risen from 56.2 per cent to 61.9 per cent. The proportion of births attended by health workers had increased from 5.7 per cent in 2005 to 10 per cent in 2011. Ethiopia should be able to achieve MDG 4 to reduce child mortality, given that the relevant figure had fallen from 97 per cent in 2001–2002 to 59 per cent in 2010–2011, while the under-5 mortality rate had dropped from 144 per cent to 88 per cent during the same period.

22. Food was one of the components of the health service outreach programme. There was no specific anti-smoking campaign, but risk behaviour prevention programmes were in place, including for addictions (tobacco, alcohol and drugs). The Drug Administration and Control Authority organized workshops and training for members of parliament, health workers, social workers, law enforcement officers, journalists and young people. The Ministry of Health disseminated programmes and campaigns to promote healthy lifestyles.

23. **Mr. Ayehu** (Ethiopia) said that cultural policy was based on the principle of equality and that it was implemented at federal level and in the regional states, where cultural centres and tourist offices had been established. The aim of Ethiopian Nations, Nationalities and Peoples Day, celebrated on 9 December, was to promote the values and principles of the federal system and to spread awareness of the identity, history and culture of the different communities making up Ethiopian society. The Ministry of Culture and Tourism, in collaboration with regional organs, had organized cultural festivals devoted to Ethiopian arts and crafts. Similar events had been organized in the regions by the cultural authorities and local tourist offices. The budget allocated by the Federal Government to the Ministry of Culture and Tourism for the 2011/12 financial year was almost 194 million Birr. The Government had also paid some 15 billion Birr in grants to the regional governments to help achieve their socioeconomic development objectives, a package independent of the standard grants. The regional governments could independently establish their budgets in line with their own priorities.

24. With regard to intellectual property rights, Ethiopia considered the right to protection of traditional knowledge to be a collective right of a community which, like other developing countries with a rich heritage, it was very eager to protect. The Ethiopian Intellectual Property Office was currently working on establishing a national system for digital storage of traditional knowledge, and steps had been taken to establish comprehensive legislative, policy and institutional measures in that regard. There was also a legislative package relating to farmers' rights, the protection of traditional agricultural expertise, and profit-sharing.

25. **Mr. Abebe** (Ethiopia) said that the Government, all too aware of the crucial importance of education for the country's development, had introduced free primary education, but owing to monetary constraints, it was not compulsory. A few figures would illustrate the significant progress made in education: the primary net enrolment rate was 96 per cent; between 1995 and 2011, the number of schools in rural areas had risen from 8,434 to 28,349; the number of pupils enrolled in primary schools had increased from 2 million to 16.7 million, including 8 million girls; the education budget, which had been 2.7 billion Birr in 2005/06, had increased year-on-year to reach 6.7 billion Birr in the 2011/12 budget. Regarding enrolment data disaggregated by area and sex, 1.6 million boys (49.8 per cent) and 1.63 million girls were enrolled in primary schools in urban areas, and in rural areas 6.6 million boys (53 per cent) and 5.9 million girls. A scheme to improve the quality of education had been adopted under the Growth and Transformation Plan, and consisted of six thematic programmes: teacher training; curriculum development; management; student assessment and examinations; ethics; and information and communication technology

(ICT). Through this initiative, numbers of qualified teachers had increased apace, especially at upper primary level.

26. The school dropout rate was primarily linked to problems of parental awareness, school accessibility and the dearth of qualified teachers. A number of steps had been taken to remedy the situation, including boosting the number of qualified teachers and spreading them out more effectively across the country, introducing school meal programmes, providing dormitories for girls, and notably using indigenous languages at primary school level.

27. Ethiopia, for which development was a key to survival, could not afford to exclude half the population. Girls' education was therefore a Government priority and was covered by a national strategy and reflected at all stages of organization of the education system – teacher training, curriculum design and higher education. The Ministry of Education had signed a memorandum of understanding with the regional governments to promote the education of girls, further supported by a number of measures at different levels – girls' clubs, or girls' counselling groups in all schools; a peer support system to reduce school failure and dropout; a week-long celebration of girls' education. In addition, the regional and local Women's Affairs Bureaux promoted women's education. Through integrated women's empowerment programmes, women had access to literacy classes and made up half of the 1.5 million adult beneficiaries. Awareness-raising campaigns were also being conducted to promote women's and girls' education.

28. On the issue of child labour, which was clearly widespread, it might just be a question of small tasks undertaken by children for only two to three hours per day and did not prevent them from going to school. The problem needed to be viewed in the context of Ethiopia, one of the least developed countries in the world.

29. Under the Alternative Basic Education Programme, a peripatetic education project had been set up for nomadic peoples. The results were encouraging, although student numbers fell short of expectations. Some members of nomadic communities (Somalis and Afars) had received teacher training.

30. **Ms. Mahlet** (Ethiopia) said that the number of people living with HIV/AIDS, higher in rural than in urban areas, was due not to rape or kidnapping, but ancestral beliefs, ignorance and taboos surrounding contraception. To remedy the situation, awareness-raising campaigns and training courses on sexual and reproductive health, accompanied by the distribution of condoms, had been conducted in all villages across the country, for both men and women. Those initiatives had helped reduce the number of new infections in rural areas and encouraged women living with HIV/AIDS to undergo treatment. An independent study confirmed that since the implementation of the programme 97 per cent of women and 99 per cent of men had been briefed on HIV/AIDS; in other words, virtually the entire Ethiopian population. The incidence of the disease had fallen from 0.28 per cent in 2009–2010 to 0.14 per cent in 2010–2011, and the prevalence rate was 2.3 per cent. The percentage of pregnant women covered by prevention of mother-to-child transmission (PMTCT) services had increased from 22 per cent in 2009–2010 to 33.4 per cent in 2010–2011, while the percentage of people receiving antiretroviral therapy had risen from 8.3 per cent to 9.3 per cent. Almost all the 9,466,000 persons targeted by the voluntary counselling and testing services had been reached and over 125,000 persons had been found to be HIV-positive and were undergoing treatment. Between 2009–2010 and 2010–2011, the percentage of pregnant women screened had risen from 22 per cent to 33.4 per cent and that of pregnant women who had received preventive treatment from 8 per cent to 9.3 per cent. Lastly, the number of health centres providing PMTCT treatment had risen from 1,103 in 2009–2010 to 1,445 in 2010–2011.

31. **Mr. Hidug** (Ethiopia) said that the Government had criminalized acts of violence against women, and the perpetrators were now liable to prosecution. It had established within the Ministry of Justice a special unit composed of judges specially trained in that area, and a court appointed to handle such cases. Ethiopia also had a civil court devoted to cases of violence against women, where on low-income victims sought redress.

32. In order to combat violence against women effectively, the Government had established a mechanism for bringing an administrative or criminal action against members of the security forces and other law enforcement officials who failed to take appropriate action against the perpetrators of such acts. In collaboration with non-governmental organizations, it had also run successfully training programmes on the subject, for judges, prosecutors, police officers and women's rights defenders, as a result of which the conviction rate had been steadily rising.

33. Other measures consisted in raising public awareness of the principles of human rights — and more specifically women's rights — and, to that end, in translating into local languages the core relevant international instruments to which Ethiopia was a party, and disseminating those translations widely throughout the country. In addition, one hospital had been given over to exclusively to the care of abused women displaying the physical and psychological after-effects.

34. Consultations had been held with religious leaders and traditional chiefs in the State of Afar to try to put an end to harmful traditional practices such as abuse of women and to promote respect for their economic, social and cultural rights, and a special law prohibiting harmful traditional practices had been enacted.

35. **Mr. Abraha** (Ethiopia) said that his country had reaped no benefit from the large-scale revolutions of the last hundred years: namely, the industrial revolutions of the early twentieth century, the Green Revolution of the 1960s to 1990s, and the current ICT revolution. So as not to be left lagging behind the rest of the world in ICT, Ethiopia had set about extending its mobile telephone networks and Internet access, managing to increase tenfold the number of mobile telephone users since 2005. While the number of rural villages located less than 5 km from a telephone had risen from 13 per cent in 2004 to 62 per cent in 2010, the aim was to achieve 100 per cent coverage. Moreover, 10,000 km of fibre optic cables had been laid, with connection to the international submarine cable network. There were also plans to use digital technology in education by digitizing documents and textbooks.

36. **Mr. Getahun** (Ethiopia) said that his country had adopted three major laws on traditional knowledge: Access to Genetic Resources and Community Knowledge, and Community Rights Proclamation No. 482/2006; Proclamation No. 209/2000 on Research and Conservation of Cultural Heritage; and, Antiquities Proclamation No. 229/1966 on the protection of the country's historical and archaeological wealth. In that regard, Ethiopia was proud to be considered the "cradle of mankind".

37. Ethiopia was deeply involved in the discussions taking place at the World Intellectual Property Organization (WIPO) on the issue of genetic resources, traditional knowledge and folklore and invited the Committee to participate as well. One of its objectives was to create a centre for innovation and technology and an Intellectual Property Academy and it was planning in the long term to implement a project for the digitization and recording of the country's cultural knowledge and heritage.

38. **Mr. Sadi** asked whether the State party intended to make greater use of solar energy in rural areas, particularly for irrigation and pumping water from wells.

39. **Mr. Marchán Romero** requested the State party to provide detailed information, in its next periodic report, on genetic resources, traditional knowledge and folklore projects

referred to by the delegation. He asked how the State party would go about digitizing and recording traditional knowledge and ensuring of such protection knowledge. He also wished to know whether the State party considered setting up a development fund to give the communities involved access to the revenue the State party earned from the legal exploitation of their traditional resources.

40. **Mr. Getahun** (Ethiopia) said that his Government was aware of the need to move towards solar energy in the long term, but that hydropower remained the cheapest energy to produce. However, local pilot studies were currently being carried out to experiment with other forms of energy, including solar and wind power.

41. **Mr. Abuye** (Ethiopia), commending the fruitful and rich dialogue with the Committee, despite some areas of disagreement, assured it that the Ethiopian Government would give the utmost attention to its concluding observations, which it would transmit to all stakeholders. Welcoming the wide range of subjects discussed, which demonstrated Committee members' interest in the situation in Ethiopia, he said that the Government would ensure in future that its periodic reports and written replies to the list of issues were submitted on time.

42. **The Chairperson** commended the Ethiopian delegation on the frank dialogue and stressed the need for the State party to submit reports to the Committee within agreed deadlines. He welcomed the excellent growth rate and the progress made in poverty reduction, despite the disparities between rural and urban areas. The Committee would certainly ensure that its various sources of information, including international and non-governmental organizations were reliable, and that the information available before drafting its concluding observations was accurate, particularly with regard to forced evictions and resulting land issues. Consideration of the combined initial and second and third periodic reports of Ethiopia was now complete.

43. *The delegation of Ethiopia withdrew.*

*The public part of the meeting rose at 12.20 p.m.*