

THE EFFECTIVENESS OF BAHIR DAR UNIVERSITY'S
SEXUAL HARASSMENT POLICY

Senior Research Paper

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St. Mary University, Bahir Dar Center

THE EFFECTIVENESS OF BAHIR DAR UNIVERSITY'S
SEXUAL HARASSMENT POLICY

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As a member of examining board of the final senior essay presentation/defense, we certify that we have evaluated this paper prepared by Asnakew Tagele entitled “The Effectiveness of Bahir Dar University’s Sexual Harassment Policy” and recommended that it be accepted as the partial Fulfillment of the Requirements for the Degree of Law.

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INTRODUCTION

1.1. Background

The roles of women in all aspects of development (economic, social, political, health, etc.) have been well recognized and considered all over the world. Although there are variations in commitment and achievement, most governments around the world are working with women empowerment and gender equality. As a result, female participation in education has become one of the key development objectives. Education is the most important means to empower women and make them active participants in all other development processes. It is an entryway for other opportunities including employment and the educational achievement of women can have multiple effects within the family and through generations.

As indicated by Article 13 (2) of the FDRE Constitution, Ethiopia has accepted many human rights conventions which include the security of persons—the right to be free from coercion and intimidation. The principle of equal opportunity for men and women in acquiring rights to live without fear of harassment is also recognized by the Constitution. The Constitution, stating in its preamble the conviction “to live together on the basis of equality and without any discrimination”, has assured the equality of women with men. This part of the Constitution has clearly provided that any citizen has the right to be free from any acts of discrimination based on whatever grounds including sexual harassment. Moreover, Article 35 of the Constitution has clearly stated what has to be done to redress the historical oppressions of women as follows.

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.

There have also been policies at international, national and institutional levels about the education of women. Universal education (education for all) can be mentioned here as an example of policies on equal opportunities of females and males in education at international level. The national education and training policy of Ethiopia has again considered this issue mentioning that equity is one of the educational problems accumulated and transmitted from the predecessor governments. In addition to the international and national laws, institutional policies are also in place in higher learning institutions to reinforce the participation of women in education. Gender and sexual harassment policies are praiseworthy to mention here. To compensate the historic male dominated participation in education, gender policy has been legislated in universities to ensure gender equality in all activities including administration, teaching-learning, research, and community service (Bahir Dar University gender policy, 2013).

Because sexual harassment in learning environments is a form of discrimination in education, developing and implementing a separate policy to prevent and respond to it is another necessity in higher learning institutions. Recognizing the need, the Ministry of Education has launched a sexual harassment policy. Consequently, the policy was adapted and approved by the Bahir Dar University and is effective from 28 March, 2013 (19/7/2005 E.C). This is actually a good start to eliminate and prevent sexual harassment in universities and create conducive learning and working environment for students and employees particularly for females.

Sexual harassment seriously interferes with learning and learning institutions are obliged to safeguard particularly female students who are usually victims. In the introduction part of the Bahir Dar University Sexual Harassment Policy, it has been stated that female students are more vulnerable to sexual harassment and it has also been indicated that a separate guideline (the concept of policy and guideline has been used interchangeably in the policy document) is a necessity to effectively protect, reduce and eliminate sexual harassment.

Although, setting a policy is a prerequisite, the comprehensiveness of the policy, the practical involvement in implementing the policy (operation based on the rules and regulations of the policy and awareness strategies) will make it more effective. Hence,

assessing its effectiveness in preventing, responding, and reducing sexual harassment is required.

1.2. Statement of the Problem

As discussed in the above section, the commitment of the Ethiopian government for gender equity in education has started since the promulgation of the Constitution followed by the commencement of the education and training policy. The achievement requirement of females to join preparatory school and higher education is lower than that of males. As a result, the number of female students has increased at all levels of the education system. Consequently, the gap between the distribution of male and female students is steadily becoming narrower and narrower.

However, creating a mere access for education will not be sufficient so that women become competitive enough with men counterparts. What is needed shouldn't be evenhandedness in mere participation; it should be also in academic success. In other words, gender equality in education requires working with increasing female students' academic achievement which depends again on their involvement in learning. To be fully involved in their learning female students need to be safe and feel secured from real or speculated threat, intimidation or coercion. One form of threat particularly for female students in campuses is sexual harassment. Hence, for female students to be successful in their learning, it requires providing favorable learning environment that is safe and free from sexual harassment.

On the other hand, each person irrespective of gender must be able to exercise individual freedom. However, sexual harassment is inconsistent with the exercise of freedom and liberty as it humiliates the individual. According to Kibwana (2000), protection against sexual harassment and abuse promotes the free exercise of one's sexuality and safeguards the self and the right to self-determination. Freedom from sexual harassment is, a basic human right associated with personal liberty. As Ethiopia has accepted the human rights conventions, all citizens without to an exception to university students have a right to be treated with dignity and respect and these rights extend to classrooms, libraries, and residences. Thus in recognition of these rights and to improve academic

success, universities should be committed to creating and maintaining an environment in which particularly female students are treated with dignity and feel safe and secure in their persons.

Combined with the complicated cultural and traditional burdens that females are trying to come out from, it is so difficult for them to succeed in the uncertain world accommodating rapid changes. This being the fact, the government of Ethiopia is constantly urged from the international community and from internal female activists (proponents) as well to improve all conditions in general and the learning environment in particular for women; and hence it is striving to improve not only participation but also females' success in education. In line with this the Bahir Dar University has indicated in its Gender Policy that academic units have to provide tutorial classes, assign counselors, and provide any other services that help to make females competent (Bahir Dar University Gender Policy, 2013).

Regardless of the efforts to make females successful and competent in education, sexual harassment is a prevalent threat in learning institutions which compromise the achievement of the education goals. Michael (2009) indicated that sexual harassment has become critical and threatens to tear apart the educational fabric in learning institutions of many countries. Generally, global studies have established that sexual harassment in schools is a reality that needs to be curbed (Erulkar, 2004; Leach *et al.*, 2003; World Bank, 2002; Anderson & Umberson, 2001; Mbassa, 2001)

A study conducted on problems of female students at Jimma University by Asresash, Ruth and Kassahun (2002) revealed that harassment (including embarrassment by males during study periods) and lack of security to walk from study rooms to dormitories late at night and when light goes off accidentally were prevalent problems. They strongly recommended that in order to improve female students' achievement in tertiary education, attention should be given to personal security, material support and assertiveness training.

Bahir Dar University has indicated that it has developed its Sexual Harassment Policy based on the guidelines established by the Ministry of Education to prevent sexual harassment in learning institutions. The University has also recognized that female students are more vulnerable to sexual harassment, and sexual harassment deteriorates the victims' participation in education and results in decreased academic performance. Thus, it has indicated the need of the Sexual Harassment Policy to prevent, reduce and eliminate sexual harassment, and to take an effective measure on the harasser.

This shows that education providers have to prevent and respond to sexual harassment. They must make sure that they keep safe and secure environments that respect human rights and favorable for learning. They also should monitor their environments regularly to make sure it is free from sexually harassing behaviors. Taking steps to keep a free learning environment will help make sure that sexual harassment does not take root, and does not have a chance to grow. Moreover, from a human rights perspective, it is not acceptable to ignore sexual harassment, whether or not someone has formally complained or made a human rights complaint.

Hence, developing or adapting an institutional policy is a foundation to effectively prevent and respond to sexual harassment. Educators can prevent many cases of sexual harassment by having a sexual harassment policy in place although the mere existence of even a comprehensive policy would not necessarily be a guarantee for managing sexual harassment successfully. Effectiveness of a sexual harassment policy is rather determined by a number of factors.

Of course, to be effective, a sexual harassment policy should be comprehensive. It should prohibit sexual harassment affirming that sexual harassment will not be tolerated under any circumstances. But an effective policy should also make clear that retaliation for making a complaint under the policy is punishable as a separate disciplinary matter. Again, effective policies encourage victims to come forward and allow the organization to take prompt action to remedy sexual harassment before it affects the entire workplace. Such a policy should provide specific procedures for preventing sexual harassment, such as setting up regular training programs and imposing discipline for violating the policy.

In line with this, Wilken and Badenhorst (2003) have indicated that to remain effective in preventing sexual harassment, a sexual harassment policy should be readily displayed at strategic points, and regularly evaluated. Similarly, Pearce and Dilullo (2001) have suggested that a sexual harassment policy statement should be clear, free of confusing legal terminology and does inform the expected behavior. Generally, the following guidelines are suggested for the effective sexual harassment policy in responding to sexual harassment (Retief, 2000; Owens, Gomes & Morgan, 2004).

- Create awareness by providing orientation, training and other workshops.
- Explain the contents of the policy and complaint procedures.
- Ensure that managers, supervisors and officers are aware of their responsibility for implementing the policy and ensuring compliance.
- have appropriate procedures for dealing with grievances and complaints
- Provide more information on establishing internal procedures.
- Provide special training for assigned officials about administering the organization's complaint procedure.

What can be conclude from the background and statement of the problem is that to prevent sexual harassment, Bahir Dar University should implement its sexual harassment policy as fully as possible and monitor its effectiveness. In order to remedy sexual harassment, it should also have appropriate procedures set up for dealing with complaints once they are made. As a written policy on its own is insufficient, it also has toimplement the policy through communication, education and enforcement.

Research Problems

Based on the above background and statement, the following research question was raised to be answered at the end of the research process.

Is Bahir Dar University's sexual harassment policy effective?

1.3. Objective of the Study

The Bahir Dar University will be effective in preventing and responding to sexual harassment if it (1) has a comprehensive policy, (2) is implementing the policy through communication, education and enforcement, (3) handles properly sexual harassment complaints, and (4) identifies and takes proper measures on harassers. Hence, the main objective of this study was to determine the effectiveness of Bahir Dar University's sexual harassment policy. Specifically, the intention is to:

1. evaluate the efforts to prevent, reduce and eliminate sexual harassment in BDU
2. investigate the awareness levels of female students in the University
3. investigate how the University handles sexual harassment complaints
4. analyze the impact of institutional policy on sexual harassment in BDU
5. To analyze the link between policy-making and policy-implementation
6. Check the inclusion important elements of a sexual harassment policy

1.4. Significance of the Study

If Bahir Dar University has to achieve its goal in gender equity, it is obvious that creating a free and safe academic environment that supports healthy relationships and facilitate student learning is a necessity. The University management, teachers, other employees and students are all partners in creating a welcoming learning environment. Hence, the University has to work with factors that disturb good relationships among such University community. Hence, the findings of this study may be helpful in highlighting the effectiveness and limitations of Bahir Dar University in preventing and responding to sexual harassment, one of the factors that hurdle the learning environment particularly for females, so that it will work to create a more free and safer learning environment.

1.5. Research Methodology

In this section, the methods and procedures of the research process has been discussed. Hence, the sources of data: the population, sample of the study and how the sample members were selected have been explained. Moreover, the methods and procedures of data gathering and data analysis techniques have been discussed.

1.5.1. Sample and Sampling Techniques

Bahir Dar University has twelve academic units: four colleges (Business and Economics, Science, Agriculture and Environmental Science, and Medical and Health Science), three faculties (Social Science, Humanities, and Educational and Behavioral Sciences), three institutes (Technology, Textile, Garment and Fashion Design, and Land Administration), one school (Law School) and one academy (Sport Academy). Cluster sampling was used to select the respondents. Hence, from the twelve academic units, six were selected using simple random sampling technique. From each of the selected units (college, faculty, institute, and school), available female students from three batches (1st, 2nd and 3rd year students) were taken. Moreover, the deans of four college/faculties were randomly selected for interview. The director for the Gender Office was also included in interview. As a result, a sample of 208 female students, four deans and one gender office director were selected for the study and the number of respondent students from each academic unit is shown by Table 1 below.

Table 1: the structure of sample member female students

No	Unit	Number
1.	Science	49
2.	Humanities	32
3.	Educational and Behavioral Sciences	44
4.	Social Science	45
5.	Law	11
6.	Business and Economics	27
7.	Total	208

1.5.2. Data Gathering Instruments

Document analysis, questionnaire and interviews have been used to gather relevant data for the study. The Sexual Harassment Policy document has been analyzed compared to criteria from the literature review. In order to gather evidence about the implementation of the policy, the Gender Office director and four deans were interviewed. The interview was prepared in Amharic and was conducted in Amharic as a means of communication. In the discussion the ideas and facts were translated to and discussed using English. The

intention of the interview was to get evidence about the communication of the policy and the efforts taken to promote the policy. The deans were interviewed about their feelings of responsibility in promoting the policy and creating awareness among students, teachers and other employees of the learning units. The interview contained seven questions to be elaborated during interviewing using probing.

A questionnaire involving dichotomously scored (yes no multiple-choice) twenty-two items was developed based on literature review, which was conducted in order to ensure the correct identification of the dimensions of effective sexual harassment policy and to ensure that the items in the questionnaire were relevant. The questionnaire was circulated amongst teachers in the field of psychology to obtain feedback on its appropriateness. A few minor changes were made based on feedback from such teachers. This ensured face and content validity of the instrument.

The questionnaire is made up of yes-no items designed to determine the level of awareness respondents have regarding the existence and effectiveness of a sexual harassment policy. Thus, the items are part of the constructs of awareness, existence and effectiveness that were identified from the literature review as determinants of an effective policy. The reliability of the questionnaire (the internal consistency of the items) was determined using Cronbach alpha, which is equivalent to the Kuder-Richardson 20 (KR20) for dichotomous data. The reliability index was 0.87 which showed that the items in the questionnaire used are very much related to each other to measure effectiveness.

1.5.3. Data Gathering Procedure

The gender office director and the four deans were interviewed in their respective offices. They cooperated to close their doors so that to decrease disturbance and make the interview effective. Students were contacted through program managers. The intention was to get students in a face to face contact so that they will complete questionnaires without contamination. Furthermore, a face to face administration allows to give clarifications on items which may be confusing for students and to increase response rates. However, it was not possible to get students from the three batches at a

time. Hence, the program managers gave at different times to take home and return after completing it. As a result responses for few questionnaires were found to be identical and discarded from analysis. Moreover, the response rates in all academic units particularly in law were so low.

1.5.4. Methods of Data Analysis

The gathered data have been analyzed using both quantitative and qualitative techniques. Simple percentages were used followed by qualitative analysis. The quantitative analysis was made on valid data excluding missing cases using SPSS version 20. Hence, the number of respondents may vary from item to item. The implications of the findings have been qualitatively discussed in a separate section of analysis and interpretation chapter.

1.6. Delimitation of the Study

As the title of the study is suggestive, this study was carried out in Bahir Dar University. Moreover, the study investigated only the comprehensiveness of University's policy and the effectiveness in its implementation no more than that.

REVIEW OF RELATED LITERATURE

This chapter deals with the existing knowledge and policy about sexual harassment. It summarizes reviews about sexual harassment policies and earlier research findings. Thus, the chapter is divided into three brief sections. The first section discusses the definition of sexual harassment; the second section discusses forms of sexual harassment and the last section looks at the policy formulation.

2.1. Understanding Sexual Harassment

Preventing sexual harassment requires developing a clear policy against it. Such a policy should define what sexual harassment is and provide specific procedures for preventing it. All members of any organization must understand the concept of sexual harassment to avoid violating sexual harassment laws and to be able to defend themselves if they are exposed to harassment. Furthermore, unless there is some degree of consensus about what sexual harassment is and what should be done about it, laws against it are unlikely to be accepted as fair. And laws perceived to be unfair are not likely to be effective or to endure. Hence, sexual harassment deserves to be clearly defined.

Kibwana (2000) defined sexual harassment as unwelcome non-reciprocal male behavior that asserts a woman's sexual role. Their definition included commenting upon or touching a woman's body for compliance in sexual behavior and propositions for dates and demand for sexual intercourse as sexual harassment behaviors. This definition considered sexual harassment as harassment of women by men. Similarly, Blackstone and Uggem (cited in Michael, 2006) indicated that sexual harassment occurs when unwelcome sexual advances or a wide range of verbal or physical sexual conduct unreasonably interferes with a person's job or creates an intimidating or offensive work atmosphere.

The United States Equal Employment Opportunity Commission (as cited in Harvill, 2006) has developed a legal definition of sexual harassment in 1980. It defines

sexual harassment as an unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is a condition for employment, promotion, grades, or academic status; (2) submission to or rejection of such conduct is used as the basis for employment or academic decisions affecting an individual; and (3) Such conduct has the purpose or effect of interfering unreasonably with the worker or academic performance or creates an offensive, hostile, or intimidating working or learning environment.

2.2. Forms of Sexual Harassment

Sexual harassment reveals itself in many forms both overt and subtle. It ranges from supposedly trivial forms of behaviors to extremely serious and offensive behaviors. Sexual harassment can assume the following forms (Ruto and Chege, 2006; Brieger & Oladepo, 2000):

- i. Physical contacts that include sexual assault, touching one's private parts without consent, forced kissing among others.
- ii. Verbal conduct that includes unwelcome suggestions, comments and advances, phone calls of a sexual nature or sexual related jokes and insults that are unwelcome. It also includes inappropriate comments and rumors about one's sex life or person's body.
- iii. Non-verbal communication that comprises unwelcome gestures (such as rude finger signs) unwelcome displays of pictures/pornographic materials or movies involving sex, sending letters, faxes, short messages on phones or emails containing sexually clear or explicit remarks.

Ministry of Education and Transmigration, Indonesia (2011) has listed five forms of sexual harassment.

- i. Physical harassment which includes unwelcome touching in a sexual manner such as kissing, patting, pinching, glancing or staring full of lust
- ii. Verbal harassment which includes unwelcome comments about private life or body part or person's appearance, sexually suggestive jokes and comments
- iii. Gestural harassment includes sexually suggestive body language and or gestures, repeated winks, gestures with fingers, and licking lips

- iv. Written or graphic harassment includes display of pornographic materials, sexually explicit pictures, screen savers or posters, or harassment via emails and other modes of electronic communication
- v. Psychological/emotional harassment consists of persistent proposals and unwelcome requests, unwanted invitations to go out on dates, insults, taunts or innuendo of a sexual nature.

These forms of behaviors become offensive, criminal and immoral if the recipient is a non- consenting and non-participating subject. As long as the non- consenting party shows clearly that he/she does not wish to reciprocate, any form of continued pressure by the initiator, then is sexual harassment (Australian Human Rights and Equal Opportunity Commission, 2008).

2.3. Policy on Sexual Harassment

Rowe (1996) stressed that policies should define harassment, provide examples of harassment, describe management responsibilities and list the options available for dealing with harassment. Similarly, (Pearce & DiLullo, 2001) stated that sexual harassment policy statement should be clear, emphatic and easily understood. They indicated that it should be free of confusing legal terminology that may seem impressive but does not inform employees of their expected behavior. Moreover, Wilken and Badenhorst (2003) pointed out that sexual harassment policy should be clearly worded, readily displayed at strategic points and regularly evaluated to ensure that it remains effective.

According to the Australian Human Rights and Equal Opportunity Commission (2008: 24-27) a sexual harassment policy should include the following essential elements.

1. A clearly worded definition of sexual harassment
2. Examples of sexual harassment that may be relevant to the particular working environment
3. A strong opening statement on the organization's stance on sexual harassment
4. An outline of the organization's objectives regarding sexual harassment
5. A statement that sexual harassment is against the law

6. The consequences that can be imposed if the policy is breached
7. Responsibilities of management and staff
8. Information on where individuals can get help, advice or make a complaint
9. A brief summary of the options available for dealing with sexual harassment

It also recommended that after developing a sexual harassment policy which incorporated the above basic elements, the organization should:

- Officially launch the sexual harassment policy at a full staff meeting.
- The chief executive officer or a senior management representative should endorse the policy and emphasize the fact that all staff are required to comply with it.
- E-mail copies of the policy to employees, put a copy on the intranet and place an automatic shortcut on employee desktops.
- Provide the policy to new staff as a standard part of induction.
- Display the policy on notice boards and include it in induction manuals.
- Ask employees to sign a copy of the policy acknowledging they have received and understood it.
- Assign responsibility for the circulation and review of the policy to a specific position or area to ensure that it is widely promoted and regularly updated.

Moreover, a number of authors agree that the mere presence of a policy does not ensure its effectiveness unless effectively implemented. And they suggested the following procedures for the effective implementation of a sexual harassment policy (Owens, Gomes & Morgan, 2004; Finnemore & Van Rensburg, 2002; Retief, 2000; the Australian Human Rights and Equal Opportunity Commission, 2008):

- Create awareness by including the policy in as many programs as possible, such as in orientation, education and training programs. This will contribute to the creation of a culture where sexual harassment is not tolerated.
- Communicate the policy to all at every level of the organization by providing each one with a copy of the policy.

- Conduct regular training sessions or workshops where the content of the policy and the complaints procedure are explained.
- Ensure that managers and supervisors are aware of their responsibility for implementing the policy and ensuring compliance.
- Provide special training for individuals who were assigned an official role in administering the organization's complaint procedure.
- provide confidentiality for those who report or assist in the investigation of sexual harassment.
- require any employee to report the conduct that he or she believes is sexually harassing to a supervisor or other designated employee;
- Regularly distribute and promote the policy at all levels of the organization.
- Ensure the policy is easily accessible on the organization's intranet.
- Provide the policy and other relevant information on sexual harassment to new staff as a standard part of induction.
- Ensure that the policy is accessible to staff members with a disability.
- Ensure that managers and supervisors discuss and reinforce the policy at staff meetings.
- Periodically review the policy to ensure it is operating effectively and contains up-to-date information.

Even if an effective sexual harassment policy is developed, launched, and is under implementation through communication, education and enforcement, sexual harassment can still occur. Hence, responding mechanisms like grievance procedures, sanctions, remedial actions, consultation procedures and counseling services should be provided as part of the sexual harassment policy. To disclose sexual harassment when it occurs, a sexual harassment policy should prohibit retaliation against persons who bring sexual harassment complaints or provides information in a sexual harassment investigation.

The Australian Human Rights and Equal Opportunity Commission (2008) has recommended that a sexual harassment policy of an organization should provide members of the organization with information on how to:

- i. deal with harassment themselves

- ii. consult with an individual who is responsible under the policy
- iii. lodge a formal complaint through the organization's grievance procedure
- iv. institute a formal hearing to a court

In other words, an organization should have advice for victims on how to react to harassment if they are confident and able by themselves or provide with both formal and informal internal complaint procedures and provide information on how to practice the alternatives. When the internal procedures fail to resolve the complaint or when decisions are reached but the complaint seeks to appeal, there should be a procedure for filing such an appeal.

To respond to complaints and for the policy to have a deterrent effect, sanctions (disciplinary actions or penalties) should be included in a sexual harassment policy. The Ministry of Manpower and Transmigration, Indonesia (2011) has recommended that disciplinary actions should be taken on harassers, on those who retaliated or victimized those who filed complaints or gave information about the incidence and on those who make false accusations. It has also recommended additional remedial actions including asking apology from the harasser and compensations for expenses associated with the harassment. Similarly the Human Rights and Equal Opportunity Commission, Australia (2008) has suggested disciplinary actions on harassers including official warnings, demotion, suspension, transfer and dismissal. It has also suggested that measures should be taken against the person who complained if there is strong evidence that the complaint was malicious or mischievous.

Sexual harassment has a humiliation effect on victims. Hence, victims need to be restored or rehabilitated. The person alleging sexual harassment seeks assistance on how to deal with the matter and counseling to come out from its effects. Hence, organizations are advised to include counseling services as a procedure of responding to sexual harassment (Australian Human Rights and Equal Opportunity Commission, 2008).

From the literature reviews so far done above, it is possible to conclude that the responsibilities of an organization regarding to sexual harassment are preventing it from occurring and responding to it when it occurs. In other words the responsibilities of an

organization in relation to sexual harassment can be summarized under preventing and responding to sexual harassment. Hence, to prevent sexual harassment, the Bahir Dar University has to develop or adapt, launch and implement a sexual harassment policy which:

- clearly defines sexual harassment and lists examples of sexual harassment behaviors;
- states the University's commitment to make a prompt, thorough, and impartial investigation of the complaint;
- tells violators that they will be subject to disciplinary action and what the potential sanctions are;
- includes follow-up procedures to ensure subsequent acts of harassment or retaliation are not occurring;
- instructs employees and students to take immediate and appropriate corrective action whenever they are aware of harassment, including reporting the matter to appropriate officials;
- Protect confidentiality to the extent possible.
- Creates awareness by including the policy in as many programs as possible, such as in orientation, education, training and variety of awareness programs.
- Communicates the policy to all employees and students at every level of the organization
- Conducts regular training sessions or workshops where the content of the policy and the complaints procedure are explained
- Ensures that managers and supervisors are aware of their responsibility for implementing the policy and ensuring compliance.
- Ensures that leaders administering the complaint procedure are adequately trained to deal with sexual harassment.

Even if an organization takes all the above steps to prevent sexual harassment, unfortunately it may occur. Hence, to respond to sexual harassment when it occurs, in its policy, the University should:

- guarantee that there will be no retaliation against the victim or any person who reported sexual harassment;
- provide information on what legal remedies are available;
- make available counseling services to any student or employee who believes that he/ she has been subjected to any form of harassment.
- include corrective measures designed to end harassment and ensure that it does not recur.

Although the Bahir Dar University has a sexual harassment policy, the extent to which it is effective in preventing and responding to sexual harassment is not assessed. Not only is the comprehensiveness of the policy but the implementation of the policy by way of communication, education and training and follow up is very relevant for its effectiveness.

DATA ANALYSIS AND INTERPRETATION

Although Bahir Dar University has adapted a sexual harassment policy from Ministry of Education, the mere existence of a policy or its introduction will not guarantee or assure managing sexual harassment effectively. The policy by itself needs to be comprehensive providing important elements and it should be properly implemented. Thus, this study was conducted to assess the effectiveness of the Bahir Dar University sexual harassment policy in terms of its comprehensiveness (its content) and implementation. In this section the results of the analysis of the gathered data are presented and discussed. The contents of the policy will be analyzed followed by its implementation in terms of communication and promotion of the policy by the University.

3.1. The Comprehensiveness of the Policy

The content of the sexual harassment policy document has been analyzed against the review of the related literature. The policy document was expected to provide a clear definition of the concept sexual harassment and give some examples of sexually harassing behaviors. It should also include statements which assure the commitment of the University Management to prevent and eliminate sexual harassment in the organization. A careful look at into the policy document shows that:

- ✓ sexual harassment has been clearly defined as an unwelcome conduct of a sexual nature and as “quid pro quo”(harassment in relation to willingness to grant or deny sexual favors).
- ✓ examples of sexually harassing behaviors are listed
- ✓ protection from retaliation has been approved
- ✓ measures in relation to the severity of the harassment has been indicated
- ✓ formal complaint, and investigation and resolution procedures are provided

However, the policy failed to include some important elements. After all, the policy document didn't mention relevant articles from the Constitution and the Criminal Code

of the country as a basis of the formulation of the policy. It doesn't describe the responsibilities and commitment of the University management. Although the policy has described that it will be implemented on both permanent and contract employees, the list of specific penalties are provided only for students and teachers. The policy document has provided that measures to be taken on administrative works should be on the basis of Article 67 of the Federal Civil Service Proclamation 515/99. Generally, the missing elements or components of the policy include statements indicating the need to:

- ✓ Include the policy in as many programs as possible, such as in orientation, education, training and variety of awareness programs.
- ✓ Communicate the policy to all employees and students at every level of the organization
- ✓ Conduct regular and comprehensive training sessions or workshops where the content of the policy and the complaints procedure are explained
- ✓ Ensure that managers and supervisors are aware of their responsibility for implementing the policy and ensuring compliance.
- ✓ Ensure that leaders administering the complaint procedure are adequately trained to deal with sexual harassment.
- ✓ Provide informal grievance procedures
- ✓ Provide counseling services
- ✓ Provide remedies to sexual harassment

3.2. Promotion of the Policy by the University

To see the extent to which the policy is communicated to the University community the director of the gender office and deans were interviewed. The deans explained that they come to know about the policy in two ways. First they have ratified the policy as they are the member of the University Senate and secondly a copy of the policy is provided to them. When asked why a copy is provided to them and what they have done as a result, they replied that it is just to know it and to respond according to this policy if an allegation of sexual harassment comes to their office. All indicated that they use it as a part of the student discipline guideline. But they are not advised to make it part of their faculty/college policy.

For the interview whether they promote the policy to students, teachers and other employees, and give training all revealed that no direction was given to them in this way from the top management and ascertained that they never practiced any of these functions. They argued that there is no need to make this policy part of their faculty policy and promoting sexual harassment policy is not and shouldn't be the faculty's responsibility. If that is the case they added that the University shouldn't establish the Gender Office. They strongly believed and hence complained that the Gender Office should be responsible for matters related to gender including the case of sexual harassment.

Moreover, all the deans complained that they didn't well understand what the Gender Office is functioning. They criticized that the Gender Office simply gathers female students and they never heard a report for why they gather them to the respective colleges/faculties. When asked about how students and employees come to know about the policy if it is not their function and if they know that the Gender Office works with only female students, all replied that they know that the policy is not promoted and students and employees are not familiar with it. Still, however, they indicated their belief that all matters related the sexual harassment policy including promotion of the policy, offering trainings, providing the policy to students and employees, making available on notice boards or on the internet and other related activities should be the concern and responsibility of the Gender Office. In any case the deans were not implementing the policy so that a safe learning environment will be enabled.

On her turn, the Gender Office Director has indicated that her Office essentially offers life skills and sexual health training to female students, orient newly employed female teachers, facilitate tutors for female students, orient students about sexual harassment, and provide other support for poor female students including the provision of soap, underwear and **modus**. She admitted that there is limitation in promoting, implementing and evaluating the policy. When asked about the complain of deans, she responded that not only deans but the University management in general has shouldered all burdens related to Gender, violence and harassment on the Gender Office.

She indicated that although the problem of sexual harassment is a serious issue, focus is not given to it by the University in general. For the question the extent to which managers, supervisors and officers are aware of their responsibility for implementing the policy, the director reflected that all have left the responsibility to the Gender Office. In this case, her reaction agrees with what the deans expected to be. But she also indicated that how difficult it is to discharge such deep-rooted and severe issue for a single office unless all units and individual will share their roles. Lastly she said that survey will be conducted in the future and the Office will see what the University would do based on evidence for otherwise now the management is arguing that the office is not fully discharging its roles up to its expectation.

3.3. Females Students Awareness of the Sexual Harassment Policy

To assess the extent to which female students are aware of the sexual harassment policy, respondents were asked to show the extent to which the University has communicated and promoted the policy to them. Sixty-five respondents out of two hundred-eight female students (31.3%) indicated that they were not informed (aware of) the existence of any sexual harassment policy in the University. It seems that most female students are aware of the University's sexual harassment policy. However, as further explored by subsequent questions, it is through training that most students come to know about the existence of policy. As they evidenced, even training was not mandatory and other means of communication and promotion are not properly used. Most respondents 171(82.6%) rather showed that the policy was not provided to them so that they would read and comprehend the provisions. One hundred-fifty (72.1%) respondents revealed that they didn't receive training about sexual harassment and 156 (76.5%) showed that the University didn't require them to attend trainings on sexual harassment. Respondents were also asked whether notices about sexual harassment were posted on notice boards or on the University's website. One hundred fifty-nine (77.9%) of them replied that the policy was not posted in any way. Although the Gender Office Director indicated that orientation about sexual harassment is offered, it was not full flagged training which helps them to prevent and protect themselves from harassment. Students' responses about the promotion of the policy have been displayed by Table 2 below.

Table 2: Promotion of the Policy by the University

No	Item (Statement)	Response	
		Yes	No
1	The University has informed me about the existence of sexual harassment policy.	143(68.8%)	65(31.2%)
2	The University has provided me a copy of the sexual harassment policy.	36(17.4%)	171(82.6%)
3	The University provided me trainings on sexual harassment	58(27.9%)	150(72.1%)
4	The University management forces students to attend sexual harassment training.	48(23.5%)	156(76.5%)
5	Notice about sexual harassment are posted on noticeboards or on the University's website	45(22.1%)	159(77.9%)

3.4. Effectiveness in Prevention of Sexual Harassment

Prevention of sexual harassment is possible through communicating the policy and training the clients so that they will take care and protect themselves. As displayed by Table 3 below, a significant number of respondents indicated that the University has not successfully accomplished its obligations of making familiar the customers with the policy. More than half of the respondents (51.9%) pointed out that they didn't know the legal definition of sexual harassment which is stipulated in the policy and 44.7% didn't know its behavioral definition since no list of examples is not communicated to them. In this case students couldn't understand whether a behavior is harassing or not. As a result they may harass others or being harassed by others as a result of lack of awareness about its effects and consequences.

Less than half of the respondents (40.9%) know the establishment of a separate department, (Gender Office, strictly speaking it is not established for this particular purpose but for female empowerment in general) to handle sexual harassment. The gender office is also concerned about female representation in the University administration, increasing the number of female teachers in each department, etc. and hence working about sexual harassment is an additional responsibility.

Very few students are aware about the University's commitment in prohibiting sexual harassment and retaliation, 36.1% and 34.1% of the respondents respectively. Only 55 respondents (27%) revealed that the University has assured them confidentiality for reporting sexual harassment. This will not encourage students to report if they face observe incidence of harassment. Still few students (29%) acknowledged that the University conducts a survey about the incidence of sexual harassment in its environment. On the other hand, the interview with the Gender Office Director showed that no survey is conducted. That is these students may consider some discussions as a survey for otherwise the response of a larger portion is supported by the Director in that no survey is conducted. Although a significant number of respondents (52.4%) indicated that they have been trained on how to protect themselves from sexual harassment, as revealed by the Gender Office Director, the usual training offered to female students was about life skills particularly assertiveness, and sexuality and sexual health. Because the exposure of university students to unsafe sex was high, the focus of service in higher education was also focused on offering trainings about sexual health.

Table 3: creating Awareness about Sexual Harassment

No	Item (Statement)	Responses	
		Yes	No
1.	The University has communicated me the legal definition of sexual harassment.	99(48.1%)	107(51.9%)
2.	Examples of conduct which could amount to sexual harassment have been listed.	114(55.3%)	92 (44.7%)
3.	The University teaches students how to protect themselves from sexual harassment	85(40.9%)	123(59.1%)
4.	The University assured me that it protects from retaliation if I report the incidence of sexual harassment.	71(34.1%)	137(65.9)
5.	A message that management is committed to prevent sexual harassment is transmitted.	75(36.1%)	133(63.9%)
6.	The University has assured me that confidentiality will be observed when sexual harassment is reported.	55(27%)	149(73%)
7.	The University conducts survey to determine whether there might be sexual harassment problems	60(29%)	147(71%)
8.	The University teaches students how to protect themselves from sexual harassment	109(52.4%)	99(47.6%)

Of all two hundred-eight respondents a significant number of them, 129 (62%) showed that they are worried about the incidence of sexual harassment and 77 (37%) of them evidenced that they know someone in the University who has been sexually harassed and was afraid to object or complain it. Moreover, 137 (65.9%) of them indicated that the University has failed to safeguard complaints from retaliation. Similarly, 63 (30.3%) of the respondents indicated that sexual harassment or their fear of it has distracted them from their study and reduced their efficiency. Many complainants showed hesitation or even fear about coming forward with concerns or complaints of sexual harassment. Thus, female students need to be assured that they will be treated legitimately and protected from retaliation. Otherwise, the existence of the policy without the commitment of the management to encourage reporting the incidence when it occurs and protecting complaints and witnesses from retaliation, will not guarantee protecting and eliminating sexual harassment. Students will be frustrated and obstacle from their learning, will not report if they face harassment, and harassers on the other hand become courageous of their acts. Students' response about the discussed points have been presented by Table 4 below.

Table 4: Female Students Concerns about Sexual Harassment in the Camus

No	Items (Statements)	Responses	
		Yes	No
1	I worry that I may be harassed in this campus	129(62%)	79 (38%)
2	I know someone in the University who has been harassed but who didn't report being afraid of retaliation	77 (37%)	131 (63%)
3	In my campus sexual harassers frighten victims not to report to the concerned authority	71(34%)	137 (65.9%)
4	Fear of sexual harassment has distracted me from my study and reduced my efficiency	63 (30.3)	145 (69.7%)

Regardless of the efforts and procedures to prevent sexual harassment, it may occur in the University. Hence there is always a need to create a condition in which victims will report spontaneously when sexually harassed. As a consequence, students were asked to

indicate the extent to which the University provided them with favorable conditions. As presented in Table 5 below, students indicated that the condition in the University is not encouraging to report and file complains about sexual harassment. For all the items students responded to the negative.

A significant number of respondents indicated that no encouragement from the University management to report incidences when faced or observed (63.1%), no training about how to file complaints (72.9%), no information about the options of reporting or communicating the act when occurred (55.3%), and no phone number is provided to students so that they will dial to report the observance of the behavior or ask for assistance if they face it themselves (68%). Only few students have replied that the mentioned functions are served to them in the University. However, the interview evidence didn't support this. Providing informal ways disclosing sexual harassment and providing phone numbers could encourage students to report about and claim harassments.

Table 5: Grievance Procedures to Sexual Harassment Incidence

No	Items (Statements)	Responses	
		Yes	No
1	The University management encourages me to report sexual harassment incidences.	76(36.9%)	130(63.1%)
2	The University has trained students about how to file sexual harassment incidence complaints	56(27.1%)	151(72.9)
3	The University has provided different options for dealing with sexual harassment complaints.	93(44.7%)	115(55.3%)
4	Information is provided to me about the University's internal complaint procedures	57(27.1%)	151 (72.9%)
5	The University provided me phone numbers for sexual harassment emergency demands	67(32)	141 (68%)

SUMMARY, CONCLUSION AND RECOMMENDATIONS

The objective of this study was to assess the comprehensiveness and the effectiveness of Bahir Dar University's Sexual Harassment Policy. To achieve this, data was gathered from 213 respondents: four deans, one gender office director and 208 students (105 first year, 50 second year and 53 third year students). The findings and implications are summarized in this in the first section of the chapter followed by the conclusion and recommendations in subsequent sections.

4.1. Summary

The result of the data analysis showed that the Bahir Dar University Sexual Harassment Policy clearly defines sexual harassment, gives specific examples of sexually harassing behaviors, approves protection from retaliation, and provides measures and formal complaint procedures.

However, the policy lacks initiative statements about how the policy will be communicated to students, teachers and other employees. It doesn't indicate the need to include the policy in orientation, training, education, and varieties of awareness programs as well as in other college/faculty policies. It doesn't communicate the policy through orientations trainings or providing the policy document to each University members.

The policy lacks informal complaint procedures. Students may face health problems or withdraw their learning because of sexual harassment. Employees may terminate their job for similar reasons. But the policy doesn't include remedies for such damages. The University lacks adequately trained personnel to handle sexual harassment complaints. Although sexual harassment may be physically and emotionally traumatic, the University didn't have a well-trained counselor to rehabilitate victims.

4.2. Conclusion

The results of this study indicate that a policy does exist but that it lacks some basic elements and the implementation thereof is not effective. This has serious implications for the University management. It could be concluded that female students at Bahir Dar University are not safe from fear of sexual harassment and hence it impacts their learning. However, fear of harassment shouldn't interfere with students' learning and they shouldn't fear reporting sexual harassment incidence when it occurs.

4.3. Recommendations

Based on the findings of the study, it is recommended that higher education institutions:

The University Management should make it clear that sexual harassment is contrary to the laws of the country and the policies of Bahir Dar University.

The sexual harassment policy should be improved by including statements about the commitment of the University Management in preventing, protecting and eliminating sexual harassment.

For effective implementation, the University Management should show commitment in promoting the policy, assuring the protection from harassment and retaliation, providing both formal and informal grievance procedures, and conducting surveys to determine sexual harassment problems.

Remedies to sexual harassment should be provided in the policy. For example students may miss classes and/or exams. Hence, they should be tutored and continue their learning. Expenses to medication should be paid. Even remedies to moral damage should be indicated. Moreover, injunctive relief to stop the harassment and to prevent any further harassment should be indicated.

The University should train, educate and counsel students and employees regarding the policy, and take decisive steps when incidents of sexual harassment are brought to attention. The University prepares materials for orienting employees and students.

Sexual harassment policies should be included in such materials. In other words it should be part of other training programs and faculty policies.

It should actively disseminate and promote its policy on sexual harassment in order to increase its visibility and the awareness levels amongst academic community. An awareness campaign, similar to campaigns that aim to educate about the spreading and prevention of HIV/AIDS, should be launched on campuses to act as a deterrent to cases of sexual harassment. The University, through the Gender Office, should ensure that this policy receives wide dissemination so that students, faculty, administration and staff are aware of the policy and its provisions.

The Ministry of Education has developed sexual harassment policy and distributed to higher education institutions to adapt to their particular contexts. However, this study is the first attempt at evaluating the effectiveness of sexual harassment policy in the country and can be regarded as a benchmark study. It is recommended that research should be conducted to shed more light on the effectiveness of measures to combat sexual harassment in higher education in general.

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Appendix I

A Questionnaire to be completed by Students

This questionnaire is designed to collect data about the efforts of Bahir Dar University to prevent, protect and respond to sexual harassment. Please complete this questionnaire genuinely so that the evidence you will give be relevant for the implementation of the sexual harassment policy in the University.

I. Write your:

a) Department: _____ b) Year of study: _____

II. The statements in the following table are about the expectations of Bahir Dar University to accomplish so that to prevent sexual harassment. Read each statement and indicate your agreement using “√” whether the University is accomplishing them or not.

No	Items	Yes	Don't know
1.	The University has informed me about the existence of sexual harassment policy.		
2.	The University has provided me a copy of the sexual harassment policy.		
3.	The University provided me trainings on sexual harassment		
4.	The University management forces students to attend sexual harassment training.		
5.	Notice about sexual harassment are posted on noticeboards or on the University's website		
6.	The University has communicated me the legal definition of sexual harassment.		
7.	Examples of conduct which could amount to sexual harassment have been listed.		
8.	The University teaches students how to protect themselves from sexual harassment		
9.	The University assured me that it protects from retaliation if I report the incidence of sexual harassment.		
10.	A message that management is committed to prevent sexual harassment is transmitted.		

11.	The University has assured me that confidentiality will be observed when sexual harassment is reported.		
12.	The University conducts survey to determine whether there might be sexual harassment problems		
13.	The University teaches students how to protect themselves from sexual harassment		
14.	I worry that I may be harassed in this campus		
15.	I know someone in the University who has been harassed but who didn't report being afraid of retaliation		
16.	In my campus sexual harassers frighten victims not to report to the concerned authority		
17.	Fear of sexual harassment has distracted me from my study and reduced my efficiency		
18.	The University management encourages me to report sexual harassment incidences.		
19.	The University has trained students about how to file sexual harassment incidence complaints		
20.	The University has provided different options for dealing with sexual harassment complaints.		
21.	Information is provided to me about the University's internal complaint procedures		
22.	The University provided me phone numbers for sexual harassment emergency demands		

Appendix II

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