



S.T Mary's University College Faculty of Law

L.L.B Thesis

MAIN STREAMING GENDER IN THE CURRENT
ETHIOPIAN PARLIAMENT

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Acronyms

1. **CEDAW** : The Convention on the Elimination of all forms of
Discrimination Against Women
2. **EWLA**: Ethiopian Women Lawyers Association
3. **IPU**: Inter Parliamentary Organization
4. **INSTRAW**: International Research and Training Institute for the
Advancement of Women
5. **ICESCR**: International Covenant on Economic Social and Cultural
Right
6. **ICCPR**: The International Covenant on Civil and Political Rights
7. **ILO**: International Labour Organization
8. **MOFED**: Ministry of Finance and Economic Development
9. **MDG**: Millenium Development Goal
10. **NEPAD**: New Partnership for Africa's Development
11. **PRSP**: Poverty Reduction Strategy Programme
12. **PASDEP**: Plan for Accelerated and Sustained Development to End
Poverty
13. **SDPRP**: Sustainable Development and Poverty Reduction
Programme
14. **UN**: United Nations
15. **UDHR**: Universal Declaration of Human Rights
16. **UNICEF**: United Nations Children's Fund
17. **UNIFFM**: United Nations Development Fund For Women
18. **WAD**: Woman and Development
19. **WID**: Women In Development

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Introduction

Gender broadly refers to the socially learned behaviours and expectations that are associated with the two sexes. “Where as maleness and femaleness are biological facts and masculinity and femininity culturally constructed attributes.”¹

From the above mentioned facts we focus not on the biological difference. But the gender difference constructed by men that means the difference is man made. Now we are focusing in this man made difference.

Due to this man made difference women has suffered a lot. If we see in our country women have suffered a lot by the law. “ It is said that men are the head of the family. Wife must obey the command of a husband if it is legal. If husbands have no capacity to hire house woman is under obligation to do that. »²

This shows us that law was one aspect to oppress women. It subordinated women to men. “ Religion was also the other type of tool to oppress women. It says on Christian religion that oh! wives be governed to your husbands as you are governed by God. »³

One can raise so many aspects of oppression of women. As society develops, societies attitude to wards gender also started to get better. Laws, polices programmes began to be designed to protect the right of women and to bring gender equality.

Different efforts were made. Approaches began to be formulated. WAD approach was formulated and tried though it didn't gave a lasting and tangible solution to problems of gender. Its intention was to benefit women. GAD by basing it self up on the correction of WAD put for ward a good and work able approach.

In the Ethiopian parliament how gender main streaming strategy is carried out is under researched my paper will give some starting findings further research.

1. *Gender based analysis back grounder women's bureau strategic policy branch march 1997 CANADA. (page 1)*
2. *1960 civil code of Ethiopia Art 635 (1 and 2)*
3. *Nigist Adane women and Socio Economic development (Addis Ababa International publisher 1975 page 21)*

In main streaming gender in the Ethiopian parliament there are problems of power gap, over sighting, lack of experts, appropriate training lack of resource, lack of culture that supports equality of gender.

These diverse problems did not make gender main streaming, sufficiently effective. The paper can not address the problem that are inter connected with gender main streaming problem especially the case of the women of other regions. It tried to address only the women of the parliament and federal bureaus women's departments which are over sighted by the parliament.

It is tried to collect and analyse books, reports, and datas in the parliament and in order to describe and asses the state of Gender main streaming in the parliament I used data gathering tools questionnaires and group discussion in the parliament. So this research has used both qualitative and quantitative methodology. I believe that the findings about main streaming gender in the parliament are reflective of the parliament.

To show this in the back ground part are discussed the role played by UN to enhance gender equality the U.DHR. The Mexico conference, the Copenhagen and the Nairobi global conferences are discussed.

The Beijing legacy of success are also shown. The other cornerstone in the enhancement of gender equality is CEDAW. Since it was the culmination of decades of international efforts to protect and promote the rights of the worlds women's I have dealt on it on the back ground part. I have also used it as a guide for the legal frameworks which I dealt in chapter II.

In the back ground part since they are the main approaches in gender history WAD and GAD are also discussed. How a gender equality effort developed from WAD to GAD are also shown on the back ground part.

The second part is the legal frame work part. The national legal frame works the policy, The revised family law, The labour law, the criminal law are also seen in the light of the international commitments and the Beijing plat form of action that said. “ Government organizations and other actors should promote an active visible policy of mainstreaming a gender perspective in all policies and programmes, so that before decisions are taken, an analysis is made of the effect on women and men respectively. ” 4

On the third part since the topic of the paper is gender main streaming in the Ethiopian parliament it became necessary to discuss about the parliament specifically about structures procedures and regulations that are related to gender main streaming.

On the fourth part the problems (The findings) are seted out. The findings are based partly on the documents of the parliament. Data are taken from the parliament. On the other part questionnaires had been submitted to the parliamentarians concerning gender main streaming in the FDRE parliament. On the recommendation part I have given my solution to the problems seen in the parliament concerning gender main streaming.

4. *CEDAW and its optional protocol. Inter parliamentary union hand book 2003*

(United Nation Switzerland) page 60

Gender as a main streaming issue in the current Ethiopian Parliament

1. Historical Survey of Gender

1:1. Global Context

“ Women’s empowerment and their full Participation on the basis of equality in all spheres of society are fundamental for the achievement of sustainable development.”¹

This shows us that lack of gender equality is not only the problem of women but it is the problem of all society. Leaving half of the population i.e. the women under deprivation of their right hinders the development of the whole society.

In the long history of man kind, states began to give attention to gender equality only recently, while the struggle for gender equality started before a long time.

As time went on it was felt by the former states that gender oppression is a social problem, it is inflicting increasingly serious damage on children as well as women and it is also destroying the families potential.

The gender inequality was not only the problem of women. It was also harming the males. To express this in good words some writers said that *“Consequences of the gender in equality was harming also the perpetrators of the oppression.”²*

“In the Victorian era starting 1640 history shows us that the attitude towards women was so generally discriminatory and repressive. The women struggled this patriarchy which was founded on supremacy. Patriarchy is a male dominated system or the supremacy of the father.”³

1. Gender manual ministry of water resources of Eth. 2005 (p1)
2. Susan Moller. Justice Gender and the family (London Harper Collin publishers 1987 preface)
3. Ann Oakley. Sex Gender and society. (Temple smith London 4th edition 1978 P3)

When we came to the start of modernity even women were not allowed National suffrage. They were in bitter struggle to gain their gender equality. “ *In USA it shows that although women were not granted National suffrage Elizabeth cady made an unsuccessful run for congress*”⁴

In women’s history the united nation has played a greet role. It has convened four conferences from which a good experience which promotes gender equality was gained.

“ *Four world conferences on women convened by the united nations in the past quarter of the centaury have been instrumental in elevating the cause of gender equality to the very centre of the global agenda*”⁵ The great role played by the united nation was that it coordinated the world community on this great agenda of women. It had worked out also an effective plan of action for the strength of women’s movement.

“ *The struggle for gender equality was still in its early stages at the inception of the united nation in 1945 of the original 51 member states only 30 allowed women equal voting rights with men.*”⁶

We can see from history that in 1945 world was in a level of great technological advancement except Africa Latin America and some Asian countries but the technological advancement of nations did not went in parallel and at the same speed to bring gender equality.

The united nation have understood that codification and law plays a great role to advancement of the women’s cause. For this reason During the first three decodes the work of the united nation on behalf of women focused primarily on the codification of women’s legal and civil rights and on the gathering of data of women around the world.

4. Sue Thomas. *Women and elective office, past present and future*
(New York oxford University press 1998 P2)

5. *JLSR: material for gender and the law 2008 (P1)*

6. *Ibid p (P1)*

Here before transferring to the Mexico conference one can not forget that *“In 1948 the universal declaration of human rights the first international human right instrument encouraged gender equality. It stated that respect for human rights of all people with out distinction as to race langue and religion.”*⁷

The other four conferences convened by the U.N are the Mexico city conference, the Copenhagen conference the Nairobi conference and the Beijing plat form.

1:1: 1. The Mexico City Conference

We can say the Mexico conference was a great success to gender equality. Even though there was still many shortages in its pace it has gained international status for women international women’s year also gave strength to the Mexico conference.

*“ The Mexico city conference was called by the united nation general assembly to focus international attention on the need to develop future oriented goals effective strategies and plans of action for the advancement of women.”*⁸

It has put same key points that lead the united nation in to future activity concerning women. *“A full gender equality, Elimination of gender discrimination the integration and full participation of women in development an increased contribution by women in the strengthen of world peace.”*⁹ Were the main the points put forward.

When wee see the conference we can say it has seen where the weak points in the work of gender equality lies. And has put also plans that will be remedies in the future. *“ Securing equal access for women to resources, establishment of inter national research and training institute for the advancement of women INSTRAW and the united nations development fund for women UNIFEM to provide the institutional for research and training.”*¹⁰ So the contribution of the Mexico conference was not easy.

7. Ibid Page (1)

8. Ibid Page (2)

9. Ibid Page (2)

10. Ibid Page (2)

1:1:2. The Copenhagen Conference

“ It has been made as a representative of 145 member states in 1980 for the second world conference on women to review and appraise the 1975 world plan of action. »¹¹ This shows that conferences on women has started to carry out in regular continuity plans previously set were began to be assessed and feel their impact.

After the Mexico conference on women, “ *In December 1979 of the convention on the elimination of all forms of Discrimination against women one of the most power full instrument for women’s equality the bill of height for women was formulated.* »¹¹ Forming tactics of performance based on assessment of the past works and achievements, began to become a means of strengthening the work of bringing gender equality and avoiding gender discrimination..

The shift was expressed in the formulation different gender approaches one of these formulated gender approach was GAD (gender and development). This approach seeks to empower women and transform the un equal relation between women and men. WAD’S concern was that women had been left out of developing planning. . “ *Its policy was to correct this by bringing women in to all levels of the development in isolation from men.* »¹²

Other basic challenges has also came to WADS approach. “ *Women and men still participate in development on unequal forms with men gaining fewer advantages and bearing more of the disadvantages. The need is as a greet now as it has ever been for action to correct these biases and to brining change in the structures which underlie them.* ” ¹³

Gender approaches continued to develop one up on another. GAD developed by correcting the policy points of WAD. GADS policy stipulates that women have to be seen not as a single category opposed to men. It clarifies that . “*Women are not a single category opposed to men but as themselves divided in many ways by class, age religion and ethnicity* ” ¹⁴

11. *Ibid* Page (3)

12. Mandy MacDonald. *Gender planning in development agencies. Reporting workshop held chere well oxford England may 1993. Page 99*

13. *Ibid* Page 99

14. *Ibid* Page 102

*“In respect of their approach WID seeks to integrate women in to the development process GAD seeks to empower women and transform un equal relations between women and men”*¹⁵

*“ In respect of their focus WID focuses in women, GAD focus on relations between men and women. The problem in WID is the exclusion of women from the development process in GAD. The focus of problem is unequal relations of power that prevent equitable development and women’s full participation.”*¹⁶

*“In respect of their goal WID’S goal is more efficient effective development. GAD’S goal is equitable sustainable development. Women and men sharing decision making and power.”*¹⁷

*“In respect of their strategies WIDS strategy is implement women’s projects, women’s components, integrated projects, increase women’s productivity and income, Improve women’s ability to manager their house holds.”*¹⁸

*“ GADS strategy is identify and address short term needs determined by women and men to improve their condition, Identify and address women’s and men’s long term interests”*¹⁹

From the above mentioned global context of women’s history we have seen that women have struggled in fragmented way since along time. But since the Mexico conference their struggle started to attain international status the U.N general assembly also made great effort to make women’s voice heard in the world.

After the Mexico conference *“An optional protocol enabling women victims of sex discrimination to submit complaints to an international treaty body was opened. In*

15 Gameda Alemi. Tsirate Tsohana Ya Genazebe ye projekt zigijitna main streaming (workshop for parliamentarians Ginbot 1996. Page 24

16 Ibid Page 24

17 Ibid Page 24

18 Ibid Page 24

addition to this some problems were also identified such as insufficient political will, lack of recognition the values of women's contribution to the society, shortage of women in decision making, lack of awareness of women. ”²⁰ The Copenhagen conference made also a good contribution to women's cause though there were shortcomings of the conferences which were identified on the Nairobi conference.

1:1:3. Nairobi The Birth of Global Feminineness'

*“ The movement for gender equality had gained true global recognition as the third world conference on women, equality, development and peace was convened in Nairobi in 1985 ”*²¹

We have said that the Mexico conference has brought many contributions to the women's of the world. But the Nairobi conference redressed one weak point of the Mexico conference. It is said that . *“ The women's movement divided by world politics and economic realities at Mexico conference had now become on international force united under the banner of equality development and place. The other strong point of the Nairobi conference was that the data gleaned by the united nation revealed that improvements in the status of women and efforts to reduce discrimination had benefited only a small minority of women. ”*²²

From this we can concluded that the conferences carried out from time to time were gaining strength. A weak point missed on one conference will be exposed on the next other conference and corrected. *“The Nairobi conference had introduced a wide approach to the advancement of women. It was recognised that women's equality's far from being an isolated issue encompassed every sphere of human activity. ”*²³

20. JLSRI (material for gender and the law) 2008 Page 4

21. *Ibid* Page 4

22. *Ibid* Page 4

23. *Ibid* Page 4

1:1:4. Beijing Legacy of Success

*“While the efforts of the previous two decades starting with the Mexico city conference in 1975 had helped to improve women’s conditions and access to resources. But still decisions that affect all peoples lives were still being made mostly by men. ”*²⁴

The above was assessments made in Beijing. It has showed that though the past conferences contributed their share to the enhancement of gender equality the deep rotated subordination and oppression of women still needs more and considerable effort. Based on this fact *“Recognition of the need to involve women in decision making had began to emerge, during the series of the U.N conference. ”*²⁵

The series of conferences carried out developed new attitudes and frame works *“ The fundamental transformation that took place in Beijing was the recognition of the need to shift the focus from women to the concept of gender recognizing that the entire structure of society and all relations between men and women with in it had to be re-evaluated.”*²⁶

*“The platform for action specified 12 critical areas of concern and the conference was an animously adopted the Beijing declaration and platform. In endorsing the platform for action the united nation general assembly called up on all states the U.N system and other international organizations as well as NGOs and the private sector to take action to implement its recommendations. With in member states the central policy coordinating unit to main stream a gender perspective though out all institutions and programs.”*²⁷

Generally when we see the series of conferences from the Mexico conference to the Beijing platform for action one can say a step by step growth was, made on gender equality. Finally the gender question has get depth and it has be come Abit refined one on the Beijing platform.

24 Ibid Page 4

25 Ibid Page 5

26 Ibid Page 5

27 Ibid Page 5

1:2. Historical over view

(African context)

African is a huge continent where the variety of Ethnic groups modes of livelihood and climatic zones often make generalization and compassion Extremely tenuous. But most historian and lawyers inclined to wards sub-Saharan Africa when they want to deal on the gender history of Africa.

African women during the colonial period experienced dual oppression. They have suffered under the patriarchal structure of the colonizers for a long time. In addition to this they were oppressed by the male supremacy in the family they lived.

It was displayed in history that “ *The colonial patriarchal structure had resulted in most cases in the dual oppression of women embodied in patriarchy and colonialism.*”²⁸

To Fight the economic political social oppression under colonialism the African women had paid scarification with their male counterparts under the banner of nationalism. Through this lofty struggle most African countries liberated themselves around the Nineteen Sixties. “*After liberation, During the first few years of post colonization Gender studies and practice started in unorganized Amorphous gathering of issues. But through time it had shown development.*”²⁹

To day most of the African States are parties to the CEDAW convention. Most of the countries have in corporate in their legal instrument provisions that encourage gender equality. More over around ten countries of Africa has signed the optional protocol of the convention which deals about the personal complaint mechanism where by individuals can complain to the CEDAW commission.

28 *ournal of gender studies on international forum 1996.*

29 *Ibid Page 9*

30 *Look CEDAW and Its optional protocol document P.33 – 36*

The optional protocol imposes more and additional obligation on States. There are also countries that mainstream gender for example Ghana, Botswana South Africa e.t.c.

Currently though works have been done to mitigate the problem of gender inequality and though legal frameworks have been formulated in most of the countries, Africa remains the least developed continent. *“It has 20 of the 31 least developed countries of the world. Africa is susceptible to the disastrous effects of national and endemic disease of the cruellest type.”*³¹

Here it is not hard to imagine what kind of hard life women who are poor of the poor lead in these least developed countries. To combat these problems African countries have designed in a Lagos plan of action a strategy for women and development. Africans have also amended their legal codes as to encourage gender equality. Some of them also made gender a mainstreaming issue. In Africa especially in Sub-Saharan Africa the current challenge that faces gender, needs a tremendous effort beyond amending legal documents.

1:3. Historical Overview of Women in Ethiopia

History showed that Ethiopian women had lived under different types of oppression i.e. religious, cultural, and political. Their oppression was a double oppression. In economically poor families a poor wife and a poor husband were not in a similar status. The oppression of women is more harder.

The Fetha Negest the classical legal document of Ethiopia says *“Wives submit your self unto your husbands as unto lord, for the husband is the head of the wife as Christ is the head of the church.”*³²

This clearly shows women were not allowed to think independently because they should have to obey their husbands as religious men obey the Christ.

Their economic livelihood is also very hard and bitter. Women spend a large part of their time in and around the kitchen and were actively involved in grinding of grain as well as in cooking.

³¹ Lagos plan action 1980 – 2000 For economic development of Africa revised by OAU (P6)

³² Richard Pan crust social history of Ethiopia the Northern and central high lands Addis Ababa University 1990 P.29

Access to some holy places was entirely closed to them. *“Women including Nun and even female animals were excluded from the churches.”*³³

Generally Ethiopian women had experienced a multifaceted oppression in their long history.

1:3:1. Women’s over view history during the Imperial Parliament

The long tradition which was treating the women as a downtrodden continued with only little change during the Imperial regime: (emperor Haile Selasse): Some historical documents showed with some examples the condition of women at that time. *“ In Gujji Oromo in 1968 Researcher tell us that “ Adult men precede all women in some parts of Gujji. Women are relegated to the left side of the house and their association with left is a negative one. Myths also portray women as both stupid and the causes of disruption ”*³⁴

During the Imperial regime modern legal codes were enacted. In the history of the country the first parliament was introduced. When the first parliament started its work in 1924. The parliament was bicameral ie the senate and the house of deputies. In hierarchy the senate was the higher body than the house of deputies. *“each house was composed of 56 representatives in the first parliament there was 2 women representatives.”*³⁵

In 1957 on the opening of the second parliament some reforms were introduced. Standing committees which were not in the first parliament were established. It was a little bit empowered than the first parliament. The first parliament’s duty was only to advise the king. But the second parliament’s duty was promoted to legislate a law though can not be proclaimed as a law unless ratified by the king.

In the second imperial parliament one woman was elected as a member of a parliament. During the imperial regime the opportunity to be elected as a parliamentarian for women wasn’t favourable.

33. Richard pan curst social history of Ethiopia 1990 P. 29

34. Richard pan curst (on the same book and page by quoting Alvarez the historian.

35. *Ye Arba Amet Ermija beEethiopia. which Guday Minster Birhanina Selam Matemiya Bet 1963.*

*“ To run for the election as a candidate, an expense of 3000 – 5000 Bir was needed. The candidate must be literate.”*³⁶ Since most women were illiterate and were not owners of property this criterion was hard especially for women to be a parliamentarian.

On the other hand the two constitutions of the Imperial parliament didn't give recognition to Gender equality. Some provisions of the legal codes clearly manifest gender disparity. Article 56(2) of the civil code authorizes only fathers to be the head of the family.

In the constitution of the Imperial parliament the Role of the king was supreme in Ratifying and passing a law. It is stated that *“By Virtue of his Imperial blood as well as by the anointing which he has received the person of the emperor is sacred this dignity is inviolable and his power Indisputable.”*³⁷ So from this stipulation we conclude that not accepting what the king proposed was considered as violating his sacred dignity.

Having this in mind the imperial parliament served as a legislative body from 1958-1974. *Before these stated years the parliament was an advisory body of the king.*³⁸ What we can say finally is that Ethiopia got the first written constitution during the reign of emperor Haile Selassie in 1931. Before the enactment of the first constitution Ethiopia was administered by Fitha Negest and Kibre Negest. (traditional legal documents).

Some legal historians had commented on this first written constitution of the emperor by saying that It was a base for the start of parliamentary system in Ethiopia but it was not a type that could bring basic administrative change for the country.

Though some modern schools, university and college level education was started women were not encouraged to come to decisive political power. There was no legal provision that supports their empowerment.

36 . 1955 Ethiopian constitution Article “4”

37 Tadesse Beyene (Dr.) Edited. *A proceeding of the international conference of Ethiopia* volume 11 1988 Page 4

38. Paul and Clapham Christophor. *Haile Selassie Government* Frederic A Proeger New York 1969 Page 34

1:3:2. Women is over view history during the Derg

Derg came to power by toppling the Imperial regime in 1974. When Derg came to power it banned the imperial parliament and constitution completely. Derg governed the country sine 1974-1987, with out a constitution. It has only introduced (The constitution of the peoples Democratic Republic of Ethiopia) on September 12,1987.

Of course, a short time after the fall of the Imperial regime women's Agenda came to the forefront by Derg and different clandestine and none-clandestine parties.(Ethiopian peoples. Revolutionary party, All Ethiopian socialist movement, (AESM). Though they have different strategies concerning Gender question, What we can say is that all of them have uphold this agenda in their program.

Derg in Its 1975 proclamation for the public owner ship of rural lands in Art 4 issued that *“with out differentiation, of sexes any person who is willing to personally cultivate land shall be allotted rural land sufficient for his maintenance and that of his family.”*³⁹ Though it has so many difficulties on performance it seems a provision that liberates women from male economic dependency. *Derg in its constitution of 1987 also stated that “women may participate in political, economic social and cultural affairs in equal basies with men.”*⁴⁰

Though it was stipulated on the constitution. The act was on a reverse. Women were not allowed to organize freely. The only legal association recognized by Derg “all Ethiopian women's association”, was directly an appendage of the Derg . Women can not be member of the Derg shengo unless they are nominated by organs of the workers party of Ethiopia ,”*Candidates to the national shergo shall be nominated by organs of workers party of Ethiopia.”*⁴¹ Of course for the first time women have heard what women's association is since they never heard before. But women of different political out looks have no chance to organize and to run election during the Derg Regime.

Even from this Exclusive legal women association representation of women to the shengo was very low. *“Out of 835 shengo members women representatives were only.”*⁴²

39. Tades Beyene. *Institute of f Ethiopian studies Vol Adis Ababa 1988.*

40. *(The constitution of the peoples democratic public of Ethiopia Art 30(2).*

41. *Ibid Art 41*

42 *FDRE Ministry of women's affair. March 8 2008 special edition page 60*

During the Derg the legal associations instead of making effort to full fill the basic needs of women they were running to full fill the political needs of the Derg. Some Journals of the time explains these by saying that *“The women are reluctant to attend meetings unless forced to do so claiming that these never adders issues of real concern that they are required to work for the benefit of other.”*⁴³

*Though Derg put on its constitution that “basic freedoms and right are guarantied and duties respected”*⁴⁴ Freedom of organization and the press were not guarantied. Those who tried to organize and express their aims with out the will of the Derg were harshly punished. Women’s right which can not be alienated from the basic freedom of the rest of the people was also suppressed.

1:3:3. Over view of Gender in Federal Democratic Republic of Ethiopia

Soon after EPREF held power in may 28, 1991 a peace and democracy congress decided to establish a transitional government. The transitional government had 29 seats out of which 6.9% were occupied by women. Efforts was made to ensure women’s human and democratic right. It gave birth to the national policy on women in 1992.

The federal Democratic Republic of Ethiopia has taken some steps to adders the gender issues to this effect the national policy on women (1993). The new constitution of Ethiopia (1995). The revised family code (2000) and the revised penal code 2005, the women’s package and the national program of action were approved. The current Ethiopia government is also sign story of most international conventions and Policies on human right. However the translation of these polices in to action have problems. I deal on this topic on the second chapter.

From this over view of world, regional, and national history we can conclude that the struggle for gender equality has started since a long time. Women’s were oppressed, by culture, religion and by those who held political power. They have experienced oppression more than their male counter parts. But as times goes on and through their struggle different institutions that advocate gender equality has mushroomed and legal document that encourage gender equality had been enacted

⁴³ Sigrid pause Wang. *The Journal of modern African studies* Jun 1988 page 271.

⁴⁴ *Constitution of the peoples Democratic Republic of Ethiopia 1987 preamble page 11*

Chapter II

2. Legal Frame Works In Perspective of Gender Main Streaming In Parliament

2:1. International Commitments

2:1:1. The Universal declaration of human right (1948)

The 1948 Universal declaration of human rights constitutes the first international instrument to detail the rights and freedoms of individuals and contains 30 Articles covering the integrity of individuals political and civil rights (such as freedom of thought, Expression, religion association and access to political process and economic rights).⁴⁵

The declaration when it says human right it refers to both sexes'. We can say women's right protection is contained in this declaration. When we see the declension we see Article where women's right is clearly stated. It says freedoms for all people with out distinction as to sex language or religion. Since the Adoption of the declaration the united nation has worked to translate the principles of the declaration in to international treaties that protect specific rights.

The charter's vision of equality and non discrimination and the many international legal provisions proved insufficient to ensure women's equal enjoyment of international human rights. We can understand from the above statements since 1948, International organizations like U.N has started to give considerable concern to the equality of gender. The concern that is given can be affirmed by the evident transition made from the 1948 declaration to the 1967 and 1979 conventions.

The 1948 declaration itself set out some provisions that can not be seen easily in the light of women's right protection. For Example Art 16(2) of the declaration tried to avoid forced marriage which were the point of women's right violation. FDRE constitution is also based on such declaration. The same is cited in 34 (2) of FDRE constitution. Art 17 of the declaration casts some light on the right of ownership of property by women. This is also clearly set in FDRE constitution of Article 35(6).

45 CEDAW and its optional protocol (Hand Book) for parliamentarians U.N Switzerland 2003 Page 7

The declaration in its every provision says “every person” that means including women. The FDRE constitution also says every person on the start of its every provision, it is because of Art 13 (2) of the FDRE constitution. i.e the Interpretation of FDRE constitution must be in the manner of international agreements and conventions adopted by Ethiopia.

The other international bill of human right that contained a provisions for the protection of women’s right is the international covenant on economic social and cultural aright (ICESCR).

It says in its Article 3 that the states parties to the present covenant under take to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present covenant. The article demands all states and parties to make the utmost struggle to narrow the gender disparity.

The other Article is Article 10 of ICCPR (The international covenant on civil and political rights. It is the other part of the international bill of human rights. In its Article 10, it puts that” marriage must be entered in to with the free consent of the entering spouses.

2:1:2. The Convention on the elimination of all forms of discrimination against women.

*“In 1967 the International community adopted the declaration on the elimination of discrimination against women which Expressed concern that despite progress which had been made in human rights considerable discrimination against women continued to exist.”*⁴⁶

The global movement for the protection of rights of women culminated in the adoption of the most important instrument on the subject to date i.e 1979 convention on the elimination of all forms of discrimination against women (CEDAW). In addition to the comprehensive set of rights laid down in the above mentioned international bill of human

rights additional means for the protection of rights of women were found imperative since it was found out that, owing to the special position of women found them selves in the oppressive environment the mere fact of their humanity hasn't been sufficient to guarantee protection of their right.

*“Sixty four states signed the convention and two states submitted their instrument of ratification at the mid decade world conference of the united Nations decade for women in Copenhagen in 1980. On 3 September 1981, the convention entered into force .”*⁴⁷

CEDAW is now a tool to legitimize the demands for gender equality. It is necessary to emphasize the international obligations. It helps also countries to improvement of national legislation of countries.

“ CDEAW brings together in single comprehensive human rights treaty the provisions of previous united nations instruments concerning discrimination on the basis of sex.”⁵⁸

Rights and Provisions of CEDAW

- Article 1 defines discrimination against women as any distinction exclusion or restriction made on the basis of sex.
- Art. 2 obliges states parts to condemn discrimination against women in all its forms and to pursue by all appropriate and with delay a policy of eliminating discrimination against women. Art. 2 goes further by setting out the measures that states parties should take and include.
- To embody the principles of equality of men and women is their national constitution or other appropriate legislation.
- To adopt appropriate legislative and other measures including sanction prohibiting all discrimination against women.
- To establish legal protection against discrimination through national tribunals and other public institutions.
- To refrain from engaging in any act or practice of discrimination against women to ensue public authorities also act accordingly

47 Ibid Page 8

- To take all appropriate measures including legislation to modify or abolish existing laws, regulations customs and practices which constitute discrimination against women.
- To repeal all national penal provisions which constitute discrimination against women.

Art 3 requires states parties to take measures to ensure the full development and advancement of women. Art 4 provides adoption of temporary special measures to accelerate defecto equality between the two sexes such as affirmative action measures.

Art 5 requires states parties to no modify social and cultural patterns of conduct of men and women in order to eliminate prejudices. Other areas covered by the CEDAW convention includes.

Art 6 trafficking in women. Traffic in women extremely violates gender equality. It do humanises women. Since it is in human it is stated that “ *states are required to suppress traffic in women and to take appropriate measures including legislation.*”⁴⁸

Concerning women’s right is public and political life CEDAW “ *Regumes arties to eliminate discrimination against women and political life. Women’s must be entitled to vote and eligible for election on equal terms with men.*”⁴⁹

The other area where right of women discriminated is nationality. On this part “ *states are required to grant or retain their nationality.*”⁵⁰ Education is the other place where women are discriminated to avoid this it is a said that “ *States are required to eliminate discrimination against women in education in respect of access to studies at a pre school general technical professional higher technical and vocational training levels.*”⁵¹

It is said that women’s are highly harmed by lack of family planning and due to lack of health services based on that it said “ *states are required to take measures to eliminate discrimination against women in health came in order to ensure that women have access to health care services.*”⁵²

48. For parts Expressed on zis page look CEDAW and its optional protocol (Hand book for parliamentarians) 2003 U.N rights and provisions part I (page 12)

49 . CEDAW and its optional protocol (Hand book for parliamentarians 2003 U.N

50. Ibid Art 9

51. Ibid Art 10

52. Ibid Art 10

Women's do not get also economic and social benefits for along time. This condition is prevalence in many parts of the world. To work to the elimination of this act it is said that “ *States and parties are required to eliminate discrimination against women in economic and social life. They are to be granted the same rights as men to social benefits bank loans mortgages and other forms of financial credit.*” ⁵³

Art 17 – 22 part V of the conventions deals with the establishment of the CEDAW committee, out lines the reporting obligations of states parties and addresses the committee meeting.

Art 23 – 30 deal with the administration and other procedural aspects related to the CEDAW conversation such as participation in the treaty, reservations, a dispute resolution mechanisms.

Art 14 of the convection “*deals with specific needs of rural women requires parties states to take account of their particular problems the roles they play in the economic survival of their families.*” ⁵⁴

Women has no access to law since only men were supposed to be heads of the family expert of laws and express their ideas boldly to eliminate this discrimination. It is said that “ *Women are equal with men before the law have identical capacity to that of women they are to have the right to conclude contracts, administer property.*” ⁵⁵

Here, finally it is tried to deal on legal frame works and international commitments concerning gender and women's empowerment in Ethiopia. But one mustn't forget that since there is no yet a comprehensive legal frame work for the establishment of vital events or birth registration system in Ethiopia it poses some challenges to the interpretation predation into deeds of the policy, the constitution, the amended penal code and the new family code. The means to prove the age of youths i.e girls and boys in case of crime, age of marriage,, generally protection of their right will be difficult. This problem puts some flaws in to the legal frame works.

53. *Ibid Art 12*

54. *CEDAW and its optional protocol 2003 (U.N Hand book for parliamentarians Art 14*

55. *Ibid Art 15*

2:2. Ethiopian an Women’s Policy (1992)

Based on this international commitments Ethiopia formulated a woman’s policy. Ethiopia formulated women’s policy during the transitional government in 1993 under the prime minister’s office. *“Policies are broad general guide line of action that out line the frame work with in which objectives are established and specific strategies are selected and implemented. Policy should flow logically from the governments organizations strategy basic philosophy.”*⁵⁶

So from the above definition it is understand-able that general guide line of action is needed to establish a stand on gender equality. On this formulated women’s policy of Ethiopia we can see three parts. *“On part one is stipulated the existing condition of women in Ethiopia. It expresses on this part that the productive participation of women in the society is high. They are productive and give birth also to productive forces ie children. Though they are productive and are giving birth to the productive force they are not beneficial of their proper share. The cultural and economic imposition in the society has made them un equal user when compared with their male counter parts.”*⁵⁷ They have become back word of the society.

The policy has put that women’s are working the whole day continuously. It say that *“Though their amount of work differs from place to place, from culture to culture, on average women are engaged daily-on tedious work from 13 – 17 hrs.”*⁵⁸ To make women mothers of bright future generation, discrimination must be eliminated. Equal access to-resource for both genders must be created.

The policy further elaborated the condition of the Ethiopian women by classifying them as those who live rural and City and those who are regular workers. *“ The Rural areas 85% of women’s labour is spent on very tedious and hard manual labour.”*⁵⁹

56.. *FDRE house of peoples representatives (Research, study and documentation centre) training on project planning 2008 Page 8*

57. *National women’s policy 1992 (page 5)*

58. *Ibid page 11*

59. *Ibid page 11*

*“In the cities women are engaged on low payment works. In factories in whose women employment is 30% the women get only 21% of the payment.”*⁶⁰ That means though their number is 30% in factories and industries the salary and payment they get amount only 21% of the payment.

Concerning social services the policy further elaborated that *“young women’s are migrating to cities in search of works. They engage in prostitution and are exposed to stupefying drugs. Women’s policy (transitional government of Ethiopia.”*⁶¹

*“Women who are victims of harmful traditional practices are numerous. Though it differs from region to region and from culture to cultures, at least 60% of Ethiopian women are victims of this harmful traditional practices “*⁶²

*Concerning education the policy had put that, though women are half of the number of the society, out of the existing school enrolments women’s are only 23%.”*⁶³ *“But the current statistics shows us that elementary school enrolment has grow from 26.2 percent in 1994 to 90.5 percent in 2008. In 2008 secondary school enrolment women’s are 37.1 percent. Higher education enrolment of women currently has reached 24%.”*⁶⁴

The second part of the policy sets out its objective. Its main objectives are:

*“Ensuring the right to control and own property in the society, and equal political, social as well as economic participation. Ensuring equal political participation and decision making power“*⁶⁵ Especially for the rural women fulfilling basic social needs ie technology that simplifies their hard and tedious work. Eliminating step by step of the deeply entrenched back ward culture that hindered equality of Gender.

60. Transitional government of Ethiopia National women’s policy 1992

61. Ibid Page 14

62. Manual for health extension workers FDRE Ministry of health 2007 May page 4

63. National women’s policy (1992) Page 17

64. FDRE Ministry of Education SENE 2001 Ethiopian Calendar WWW moe.gov.et.

65. National policy (transitional government of Ethiopia 1992)

Empowering the decision making of women from lower to higher hierarchies of the state and government, are the main objectives of the policy. “ *In its content part the policy focus on the following priority area, such as, women and poverty, education and training for women, women and health, violence against women, women and the economy, women in power and decision making. Institutional mechanism for the advancement of women are also the other areas. It said that in order to achieve these priorities operating mechanisms have been laid down to support the implementation at the federal and regional levels of the government structures.*”⁶⁵

The policy not only put the unfavourable conditions that exist it has also put forward how to work and tackle these problems. It says that “*In order to implement the policy tactics of performance are also set out. Democratic rights, right of speech and organization, right to elect and to be elected shall be ensured. The government will create a favourable condition for ownership of land, equality in education and for decision making.*”⁶⁶

The policy has put some basic rights that should have to be fulfilled especially around employment of women in modern economics. It says also that these stated rights should have to be one of the basic indicators for gender equality. It says that “*On tactics of implementing the policy further right are enumerated such as equal pay for equal work, equality based appointment and promotion.*”⁶⁷ Finally the policy has put system of monitoring and evaluation and with its systems and procedures.

But as it is said “*consistency or degree of conformity between policy statements and the actual functioning of organizations must be examined in all areas including recruitment, training, information evaluation, and reporting procedures.*”⁶⁸

Generally, based on the above mentioned points it can be said that Ethiopia’s women’s policy is comprehensive and encourages the present work of Gender mainstreaming. Of course the implementation of the policy needs qualified women staff and expertise on Gender. It needs allocation of adequate resources. More than that it needs commitment of political leaders.

65. National policy (transitional government of Ethiopia 1992)

66. Ibid page 25

67. Ibid page 27

68. Ibid page 36

The policy document should be invoked as a standard for measuring practice and use as a basis for discussing gender and as basis for its evaluation. The policy finally has put three pillars that support the policy. It has summarized the pillar directives in a good and clear way. It said that “ *every policy, law, regulation and even plans should have to incorporate equality of men and women, giving special consideration to women in every benefits, enhancing women’s participation and decision making role.*”⁶⁹ According the policy every law that contravenes the above pillar ideas can not be a law or regulation in the country.

Concerning civil service organizations the policy has set out that “ *They should be equally beneficial with men. They should equality participate i. every field all these benefits and equal participations should have to be supported by law.*”⁷⁰

According to the above set principles every one can debate against any law and regulation in the country. If it does not a incorporate women’s case from this point we can say the policy is a good tool to struggle for gender equality.

2:3. FDRE Constitution

“ *Constitution law is that body of rules which ascertains where sovereign power resides in a state, and which explains and describes the power of the bodies and persons to whom is delegated political power by sovereign.*”⁷¹ Based on the above mentioned purpose FDRE constitution issued at Addis Ababa August 1995.

The constitution on its preamble “ on second paragraph” stated that it is firmly convinced for the full respect of individuals and peoples fundamental freedoms and rights with out any sexual, Religious or cultural discrimination.

“*The constitution in Art 25 under the provision dealing with right to equality put that the law shall guarantee to all persons equal and effective protection with out discrimination on grounds of race nation nationality or other social origin colure, sex.*”⁷²

69. National women’s policy 1992 (Transitional government of Ethiopia page 36

70. Elementary principles of Juries prudence GW keeton 1994 London (Isaac Pitman LTD).

71. Elementary principles of Juries prudence GW keeton 1994 (P267) London

72 .Article 25 FDRE constitution.

In the above constitutional provisions fundamental freedom and right is guaranteed for women along with their male counter parts.

On Article 34 of the FDRE constitution, women's have equal right while entering in to during marriage and at the time of divorce. This provision has guaranteed gender equality right to women in forming a family.

The cornerstone in a legal aspect of women's right is the one that is put in Art.35(1) of the constitution. Women have equal right with men in the enjoyment of rights and protection provided by the constitution. In legal aspect it encourages, The Elimination of all aspects of gender discrimination.

In Article 35(3) the constitution has also put means of implementing the law. Women in order to remedy the legacy of discrimination are entitled to Affirmative measures. Affirmative measures is a commitment which included measures to create greater equality between women and men and between groups defined on the basis of race or ability/disability etc.

The same Article (5) and (4) puts elimination of laws, customs and practices that oppress or cause bodily or mental harm to women. Mentally or bodily harmed women can not live in life let alone speak about empowerment and gender main streaming. Of course Art 35(3) of the constitution seems to have some contradictions. Art 35(3) says women are downtrodden and oppressed for a long time for this reason to remedy this legacy are entitled to affirmative action. On the other hand Art 25 of the constitution says the law shall guarantee to all persons equal and effective protection with out discrimination on grounds of race, nation, nationality or social origin, Colour and sex. So in what way do the Affirmative action support the women? It did not answer. It is by seeing the inequality that the constitution provided a specific affirmative action provision. We can see The harm still un avoided even at world level that *“ every year 3 million girls and women are subjected to genital mutilation/cutting a dangerous and potentially life threatening that causes un speak able pain and suffering.”*⁷³

73. UNCEF innocent research centre 2005 U.N children's fund report

The other most important provision of the constitution which encourages smooth functioning of Gender main streaming is Art 35(6) which says that women have the right to full consultation in the designing and execution of projects and particularly in the case of projects affecting the interest of women. It prohibits the implementation of gender blind projects. Women have lived under the subordination of men for along time. They have last their social and economic independence to redress this legacy to bring gender equality much work is needed. Until this equality is attained priorities should be given to women. But some state follow gender blind budget expenditure they ignore the priority that should have to be given to women. They ignore or fail to address gender issues and concerns. *“Thus” a policy, strategy development, Intervention is a gender blind when it ignores or fails to address gender issues and concerns.*⁷⁴ One of the basic hindrances for equality of gender is lack of economic equality. Those who are at the helm of the economy controls power and politics. *“Article 35(7) of the FDRE constitution granted women to acquire, administer, control, use and transfer property.”*⁷⁵ In particular they have equal right with men in respect, to use transfer, administer and control land. This provision is also a tool for the empowerment of women and gender main streaming. It helps the smooth operation of gender main streaming in rural Ethiopia where the majority of the women live under husband’s economic dependency.

Article 35(8) says women shall have a right to equality in employment, promotion, pay, transfer, and of pension entitlement. This provision protects women from employers who ran after profit. Some employers employ women on some sectors because they hire women cheaply. In most works women’s are not promoted to a higher position even though they have the knowledge and skill because of the shoveniest attitude of the males.

*“As a research made by EWLA, 46 percent of Employers taken as a model think that maternity leave for them makes to lose a lot of profit. Some say also the coast of maternity leave for women must be played by the society but not by us”.*⁷⁶

74. *Guide line for main streaming gender in budget process (MDFED) in UNICEF and Birtish councl page 38*

75. *FDRE constitution Art 35(7)*

76. *Dimtaschin Ethiopian lawyers Association quarterly review 1997 Ethiopian calender*

From this we can infer that most employers are unwilling to employ women who are at the age of birth giving. Because they think they may lose their profit due to the leave of maternity. Article 35(8) of the constitution should have to be supported by detailed regulation of Ethiopian employment law. Because still discrimination in employment is existing .

”According to the information of Ethiopian civil service commission in year 2000, the employment women in civil service was only 30% .”⁷⁷ The information further states that even out of these 30% employees, most are assigned on low paid and lower_standard works.

Finally when we conclude, the FDRE constitution can play considerable role in empowering and gender main streaming operation if it is exploited in great effort and commitment. It encourages economic equality , owning and controlling of property, equality in family administration, and bringing women to key decision making posts, all are seated out in the constitution. It can be used as a great tool in gender main streaming and in the process of Empowering women in our country.

2:4. Other legal Instruments

2:4:1. FDRE family law

The FDRE family law has been amended in 2001 to protect the right of women. Some of its substantial amendments can be cited as the one to avoid the problem of early marriage. This was a serious problem in the country. Especially in the country side they were forced to conclude a marriage with out their consent. They were forced to discontinue their education. They were suffering from medical complication caused by early marriage. They were sold for the purpose of dowry by their parents. Art 7 of the family law gave remedy to this problem. It says *” Neither a man nor a women who hasn’t attend the age of 18 years shall conclude a marriage.”⁷⁸* Male and female can conclude marriage at 18 years of age. Of course this is not still effective due to lack of law of vital birth registration (birth registration).

77. Dintaschin EWLA quarterly review 1997 Eth.Col

78. Revised family code proclamation of 2000 No 1/2000.

More or less Article 7 of the new family law can mitigate the problem of early marriage in Ethiopia. It is one of the problems that prohibits women from education. It also avoids forced marriage which causes health complication on girls.

In the former civil code (concerning the law of a family) Art 635 and 637 puts that husbands are head of families but the new family law seted out that husbands and wives should have to respect and help each other . In their family, concerning administration of their property the farmer code in Art 656 put that common property other than the earnings, salaries and in-comes of the wife shall be administrated by the husband. But in the new family law it is administrated by one of them based on their common agreement.

Art 69/1 of the FDRE family law also laid down in its provision that with out the consent of both spouses immoveable property can not be sold or transferred to others (this provision was not in existence in the former code.

The new family law was enacted in accordance with the new constitution. Having a good family law helps empowerment of women.

2:4:2. Criminal code of 2004

In the new criminal code changes have been made to protect the rights of women. The new criminal code has acknowledged clearly the great injuries and sufferings caused to women by reasons of harmful traditional practices . This practice is life threatening. *“It is wide spread in Ethiopia with more than half of girls ages 15 – 19 years having been circumcised. Female genital cutting is strongly associated with negative reproductive health out comes, such as infections. Obstructed labour, perinea tears, fistula, and Infertility.”*⁷⁹

Rape which needs legal prohibition is a common occurrence in both rural and urban areas. *“ A study of Adolescent in six per urban areas says that in Ethiopia 9% of sexually active Adolescent girls and 6% of Adolescent boys had been raped.”*⁸⁰

79 .National Adolescent and youth reproductive health strategy 2007 -2015 FDRE ministry of health Pa. 6
80. Ibid Page 7

“Another study on street violence Among² girls ages 10-24 in Addis Ababa found that 15 % of respondents had been raped, and during their first sexual activity. 43% had been coerced in to sex.”⁸¹ For this type of criminal act the new penal code has put punishment of 5-15 rigorous Imprisonment.

Abduction is another crime acted against women. Its prevalence in Ethiopia is wide. It is “ *an unlawful kidnapping and forced seizure of young girl for marriage is a form of sexual violation . The practice is common in certain parts of Ethiopia especially in SNNPR (13%) and Oromiya (11%) Regions.*”⁸²

It is from This point that the new criminal code committed itself to the protection of these human rights of women. Psychologically injured, women who are swallowed by fear should be liberated. Abduction, rape and other violence’s darken the path of empowerment and gender equality. The main task of gender main-streaming should have to be following Seriously how the law functions and find a gap where it needs amendment.

Life security for women has become a serious matter. Concerning this it is said that “*My vision for the ideal society is a world where women will walk fearlessly on the streets at any time of a day or night with complete freedom.*”⁸³

81. *National Adolescent and youth reproductive health strategy 2007 - 2015 FDRE ministry of health*
page 7

82. *Ibid page 7*

83..*Smt Renuka chowdhury (Minister of women and child development. (Central social we fare board*
New Delhi 2007

2:4:3. Ethiopian Employment Law

“ The ILO “ Decent work ” Frame work have a greed to decent work agenda which a rims to bring equitably to men and women, decent work and liveli hoods job related secunty and better living standards to the people of both poor and rich countries .”⁸⁴ It can be seen from this that ILO set out a principles that work must be decent. “ Women have fewer opportunities to take on paid work and often work in the informal sectors of the economy where they do not benefit from social security provision .”⁸⁵

The above saying embodies focal points related to employment concerning women. Women are suffering from discrimination in terms of wages and promotions. The gap of wage is high between men and women. Women are not engaged mostly on paid work and often work in the informal sector. To fight this type of discrimination the Ethiopian labour proclamation says. *“ Women shall not be discriminated against as regards employment and payment on the basis of their sex.”⁸⁶*

In Employment of women there is various oppression related to their health. When women’s are employed their biological nature wasn’t taken in to consideration. The birth they give wasn’t seen as societies benefit. Their pregnancy wasn’t taken into consideration. We can conclude this from the provision set out to fight this malpractices. It say *“ It is prohibited to employ women on type of work that may be hated by the minister to be particularly ardour or harmful to their health.”⁸⁷*

The labour proclamation dealt at length on pregnancy it says *“No pregnant women assigned to night work between 10pm and 6Am or employed on over time work.”⁸⁸ On other article also puts issues concerning termination of the contact “An employer should not terminate the contact of employment of woman during her pregnancy and until four months of her conferment.”⁸⁹*

⁸⁴ *Women and work ILO head quarters Geneva Report and document No55*

⁸⁵ *Ibid Art 87(5)*

⁸⁶ *Labour proclamation of Ethiopia No 377/2003 Article 87(1)*

⁸⁷ *Ibid Art 87(2)*

⁸⁸ *Ibid Art 87(3)*

⁸⁹ *Ibid 87(5)*

From the above provisions so many things can be concluded one aspect of oppression originates from the employers need of profit. The need of profit does not make them to take consideration about the health of pregnant women from the provision we can infer also that women will not get employment opportunities because at the time of pregnancy they reduce their productivity and the employer also pays during the maternity leave. This oppression is brought up on them due to their biological nature. The proclamation is thus intended to protect the women's right.

Women are not only affected economically but also in employment condition. It is also related to their health. Unfavourable condition on work harms their health pre and after pregnancy. We have said several times that women are half of the population that means a labour or employment law is connected with the livelihood and health of half of the population. Whenever we talk about gender mainstreaming one great focal point that plays negative or positive role in women's life is labour law. Because the number of women integrating in to the modern economy is increasing for this reason the impact of labour law is considerable.

We have the law and the policies at hand. But there are many loopholes that need remedies beyond the law and the policies. That is problem of performance.

The task of gender mainstreaming in the parliament should have to carry out constant research and studies on the applications and impact and policies. And remedies should be searched for these problems.

2:5. Ethiopia women's change and development package (Hamle 1998)

By FDRE ministry of women's Affairs

It is a package formulated by FDRE ministry of women's affairs in 2005. The package is intended to indicate what to implement concerning women in the forthcoming years. *"In its first part it set out the existing condition of women in Ethiopia. Next to that it laid down vision, objective, and strategy. ."*⁹⁰ In its third part it incorporated the solution it intended to give to rural and urban women's problems.

90. Ethiopia setoch Ye Limatina Lewt pakage yesetoch geday minister Hamle 1998 Page 23 and 24

The package stressed in its introduction that since women numbers half of the society every work of development should have to relate with them. It further elaborated that every social political and economic movement that does not greatly consider women will fail or doesn't achieve its aims.

The package touches *“that the FDRE constitution is one aspect of victory for Ethiopia women. Creating good conditions of free organization in federal and regional levels, enacting and amending the new criminal and family code in away that protects women’s right is part of responding to women’s age old questions.”*⁹¹

The package also explains that woman’s oppression needs special and peculiar effort to bring them to gender equality. It implies that priorities should be given to women we can see from the package that *“Women have double oppression one social oppression and the other due to their womanly status and as the other human beings. It has expressed also, the Ethiopian women’s participation in armed and different types of struggle for their freedom. In the other part is cited that the progress made to solve the problem of the women in the country, particularly in the past 15 years. Women’s question has got proper place in the federal and regional constitutions. Women’s participation in the different ranges of state hierarchies is increasing.”*⁹²

*“The package also stressed education as main sector that enhances gender equality considerably. It has taken education as a main weapon to fight inequality. It has taken education as one indicator to evaluate gender work by saying that out of the total enrolment of students in the country, females account in elementary schools 45%, in secondary schools 35% and in higher educational institutions 22.1% .”*⁹³

But the current data is expressed in the previous chapter. Entering in to the problem part the package put some points. It points out that though there are encouraging development in mitigating the women’s problem in Ethiopia there are still problems that need tremendous effort. Work is needed to eliminate the deep entrenched economic cultural, social and political problems on women.

91. *Ethiopian women change and development package Hamle 1998 (page 1).*

92. *Ibid page 7*

93 *Ibid page 8*

The package stipulates the condition of women in the rural areas as being worse than the urban areas. It tried to put the hard livelihood and lack of authority on their common family property it says that *“in rural areas though it differs from place to place there is subordination of women economically to the husbands. There is still problem in administrating and controlling property equally in the family. In rural areas women spend 13 -18 hrs on tedious and hard work. Spend a lot of time in fetching water, searching fuel wood, caring for and feeding children, grinding grain as well as working on farms. Though they work hard they are not equally beneficiary.”*⁹⁴

The package has tried to assess the reasons why the task of gender in equality has not achieved great success. It has tried to see the weak points that prevailed in the past before setting out to new gender task. It has put the weak points by saying that *“The gender biased thinking in the society, uncommitted leadership, less women participation are the short comings stated by the package.”*⁹⁵

The package after evaluating the past 15 years i.e since 1991 gender work, it has tried to put corrective measures in its package. It tried to show its future base of gender work. It has put the core of its plans by *“making women beneficiaries of land ownership, effectiveness of women’s work force in away that benefits them, make a gender based and gender participative agricultural development plans, organizing women in different production associations, make them beneficiary in micro finance saving and barrowing programmes. Create favourable conditions to make them effective leaders in every sector, and promote a work of mass media around burning issues of women.”*⁹⁶

The package further expressed that *“it will work out a plan that mitigates unemployment in urban areas by focusing on different training and enhancing women’s capacity and economic income. Protecting the right of women in civil service and private employment, helping women entrepreneurs, developing educational enrolment of women are also some of its focal points as a solution.”*⁹⁷

94. Ethiopian women’s change and development package (page 9)

95. Ibid page 17 – 20

96. Ibid page 20

97. Ibid page 29

2:6. M.D.G (millennium Development Goal)

Since 1990, a series of world summits and global conference have spelled out a comprehensive agendas for human development including selected Goals, time bound targets and quantifiable indicators.(97)

Goal and targets mobilise national and international partners in to action and help forge a new alliances. They also provide a means for bench marking and assessing progress to to wards human development.

*“In September 2000 world leaders adopted the millennium declaration. The declaration covers issues of peace, security and development including the environment protection of vulnerable groups human rights and governance.”*⁹⁸

The declaration consolidates asset of inter connected development goals into a global agenda. These goals are designated as the millennium development goals or MDGS.

1. Eradicate extreme poverty and hunger
2. achieve universal primary education
3. Promote Gender equality and empower women
4. Reduce child mortality
5. Improve maternal health
6. Combat HIV/AIDS malaria and other diseases
7. Ensure environmental sustain-ability
8. Develop global partner-ship for development.

Each goal comprises numerical targets to be achieved by the year 2015. Appropriate indicators have been selected to monitor progress.”⁹⁹

We can see from the above stated version that M.D.G is closely inter connected with gender issue. The Goal stated on No3 is directly connected to gender. Women are also psychologically threatened most from child mortality. In exposition to HIV women’s number is high generally, all the 8 goals of the M.D.G have considerable relation to gender equality and empowerment.

97. united nations development group country reporting on the millennium development goals second guidance note October 2003 (page 1)

98. Ibid Page 1

99. German Technical cooperation GTZ and department of economics Addis Ababa University PRSp monitoring and budget tracking October 2003

Gender equality is at the heart of reaching the MDGs. Thus sex disaggregated data are essential for monitoring M.D.G progress. Goal 3 explicitly refers to gender equality and the empowerment of women. All the other goals also must be disaggregated by gender so as to report key dimension of gender in equalities. Gender discrimination doesn't occur indiscriminately, it is often mediated through a multitude of channels (education socio economic status, rural urban location, ethnicity etc.

*M.D.G didn't make states to follow a rigid application. It says "It must take into account national development priorities. Thus the targets need to be contextualised to the country's specific situation."*¹⁰⁰

But some say these goals seems difficult to implement in poor countries like Ethiopia. It is said that poor African countries and Ethiopia are advised to make effective movement in collaboration with donors and partners to interpret the goal into meaning full deeds.

Under every goal indicators are set to show direction of implementation and according to assessments made it was shown that women were seen from points of problem only but not as the decisive allied forces of development. 25% of the world poor population are found in the Saharan African countries in which Ethiopia is a member.

This goal is also incorporated in the NEPAD key policies. Ethiopia is also part of NEPAD. Ethiopia has worked out a document based on NEPAD polices to implement this goal.

*"MDGs has 8 broad goals, 18 sub goals and 45 indicators for courses implementation."*¹⁰¹ To see the course of Ethiopia in the light of MDGs we see U.N development program made review in 2003.

100. U.N development group country reporting on the millennium development goals second guidance note October 2003 page 1

101. . Ibid page 14

Concerning gender the review put that employment of women in work is low in the past four decades in Ethiopia. This trend didn't show change in the past 40 years. To get solution to this problem Ethiopian government should have to search other solutions which are related to culture economy and legal trends. Finally on this part review said that gender gap can be narrowed in elementary and secondary schools but concerning illiteracy it is suspicious to achieve millennium goal.

2:7. Five year development plan of FDRE On women **(Yekatit 1998-2002)**

“ The first poverty reduction strategy program was completed (1995-1997 Ethiopian calendar). Now The Ethiopian government is on the second PRSP program (Yekatit 1998-2002).”¹⁰²

“ The introduction of the second PRSP Explains that the plan was formulated to avoid Poverty stage by stage. The introduction further states that the second term plan was prepared after assessing the weak and strong point of the first term five year plan.”¹⁰³

“ What makes the second five year plan different from the first is that it is worked in accordance with the millennium development goal program.”¹⁰⁴

“ As the introduction makes it clear “ This second five year plan here in after called a plan for accelerated and sustained development to end poverty i.e (PASDEP).” The new nomenclature is based on the future vision of Ethiopia.”¹⁰⁵

The PASDEP (1998-2002) has set that it is planned in the prospect to ensure food security program, working on health and education, to promote women's political participation, to avoid harmful traditional practices, to reduce traditional work of women and to translate in to deeds laws that are enacted to protect rights of women.

*“ The PASDEP indicated that to enhance the beneficially of women in all sectors i.e, to promote participation of women in education, to develop access to water.”*¹⁰⁶

102. FDRE Five year development plan (Yekatita 1998-2000 (MOFED)

103.. Ibid (Introduction part paragraph 1)

104. Ibid (Introduction part paragraph 2)

105. Ibid Page 149

106. Ibid Page 149

Chapter III

3. How is Gender Main Streamed In The Current Ethiopian Parliament

3:1. Legal Powers Duties and Organizational Structure of the Current Parliament

Before entering or dealing with the subject matter of main streaming gender in the parliament it is necessary firstly to define the duties and structures of the parliament.

*“The house shall have the power and duties granted to it under article 55, 70(1), 79(4c), 82(2c),102, 103 and 104 Of the constitution and shall include legislating, over sighting and controlling governmental bodies and taking measures where necessary, establishing and organizing deferent committers, approve or appointing the governmental officials facilitating the conditions for members to meet with the electorate constituencies.”*¹⁰⁷

Controlling the government means “ *the parliament has the power to call and to question the prime minister and other federal officials and to investigate the executives .*”¹⁰⁸ And it can be seen this power is further extended in the FDER H.P.R code of conduct and regulation by saying that “ *over sighting and controlling governmental bodies and taking measures where necessary.*”¹⁰⁹

As we see from the constitution and the regulation the parliament has the power, to legislate, over seeing and control government bodies. Over seeing governmental bodies and legislating are the two most important functions that characterize the parliament as a body that control the applications in to deeds of what it has legislated.

107 The FDER house of peoples representatives regulation 3/2006 Article 4B.

108 FDRE Constitution Art 55(17)

109 H.AR code of conduct and regulation No 3/2008

The parliament controls and legislates through its parliamentary committees. One of these committees is the women's affair standing committee. (a gender committee that) shall play a role in main streaming gender.

In its Article 4(1) of the regulation 3/2008 the parliament has enumerated its function and duties as “ *legislating laws, oversights government bodies, establishing different committee, approve or appoint government officials.*”¹¹⁰

The regulation has also seted how it discharges the above mentioned responsibilities. It has seted out that “*It shall perform its functions on the basis of short and long term plans, creating conducive atmosphere that will help it achieve success in performance, pursuing the principles of transparency account ability and participation and by evaluating performance.*”¹¹¹

The above stated principles are also the principles of each committee in the house. Because it is put clearly by saying that the principles stated shall be adopted and applied according to the circumstances for the performance of committee's activities. Besides the parliament and its committees there is another part of the house called the house of federation.

3:2. **The house of federation**

Article 53 of the constitution puts that the federal government shall have the house of the peoples representatives and the house of federation.

The parliament (house) and the house of federation shall jointly perform some functions “*elect the president of the republic, has the opening address of the president at the commencement of the annual session.*”¹¹² The house of federation has also its own special task accorded to it by the constitution. Takes proper measure in any state when human

110. *The house rules of procedure and conduct Art4(1).*

111. *Ibid Art 4(2)*

113 . *FDER Constitution Art 70(2)*

rights are violated with in any state and the violation cannot be stopped, deter mine the Exercise of the power of levying taxes and Amend the constitution in accordance with Article 105(2) of the constitution.

Here women's and children are the first for front vacations of human right violation. The participation of women is necessary in the house of federation. *“Currently out of 120 member of the house of federations. There are 22 women members .”*¹¹³

3.3. The house of the speaker

In accordance with Article 55(19) of the constitution speaker and deputy Speaker. Who shall lead the house shall be elected by the house. The election of the speaker shall be held at the commencement of the term of office of the house under the chair man ship of the president of the republic or the federal supreme court.¹¹⁴

Concerning power and duties of the speaker, *“He over sees and administer the house, he shall preside over the meetings of one house. He shall give the necessary say interpretation to issues requiring interpretation .He shall present proposal for election of committees chair persons and deputy chair persons. He shall coordinate the activities of the standing committees. In consolation with the chief government whip and chief of main opposition party he shall assign neutral and professional person to be in charge of the secretariat. He shall organize and manage the advisory and coordinating committees of the house as provided under the regulating .”*¹¹⁵

On the same manner the power of the deputy speaker is also stipulated that *“The deputy speaker- deputises for the speaker when where he is absent. He shall carry out duties assignment to him by the speaker.”*¹¹⁶

113 . *The FDR house of federation public relations office*

114. *The house procedure and code of conduct regulation Art 8(1,2, and3)*

115. *Ibid Art 9*

116 . *Ibid Art 116*

From power of the house of the speaker we can infer some points concerning gender. Since the speaker present proposal for the election of committees chair and deputy chair persons we can note that he is one who proposes the chair and deputy chair of the woman's standing committee which is the gender committee in the house. The speaker shall coordinate the activities of the standing committees it means that his role is high to make gender to be main streamed in the other committees of the also house.

I have raised the above point to raise that women's standing committee's chair and deputy chairs should have to be proposed by the women of the house in general. I will deal in detail on problem finding chapter.

3:4. The standing committees

Standing committees play the considerable and the most important roles in the house. They are called in most world parliaments as a motor part of the parliaments. Because most of the work of the house is done in these committees.

*“There are 12 standing committees in the house. Each standing committee has its own chairs and deputy chair. Those who are represented in the standing committees from both governing and opposition parties are those who have capacity and party allegiance.”*¹¹⁷

*“Each standing committee over sight government bodies assigned to them.”*¹¹⁸ For example the capacity building affairs standing committee shall supervise 7 governmental institutions. The women's affair standing committee shall supervise ministry of women affair and the woman's affairs section in cache federal governmental institution and women's development fund. As stated above all the rest standing committees have ministries, commissions, under them for over sighting purposes. Here over-sighting is the core purpose to be clarified .

117. Documentation and research centre of the house capacity building training plan Meskerem 2001

78 Ibid Art 150 (1b)

118. The regulation of the code of conduct and procedure No 3/2006 of the house

Over sighting is defined in some countries on the same way “committees of parliament charged with such functions including the investigation and inquiry into the activities and administration of ministries and department as parliament may determine”¹¹⁹

In FDRE parliament the committee investigate inquires into all matter related to the mandate of the minister or the commission. It should have to be noted that each standing committee over sights the Ministers and other governmental bodies assigned to them. “The committee investigates their report of performance and sends the necessary feed back after the investigation.”¹²⁰

“The other type of over sighting is by calling the minister or the head of the government body to present his report of performance on the general regular meeting of the house or only to the standing committee which over sights it. When the report is presented only to the standing committee the standing committee can invite interested members of house who wants to raise questions to the minister who present his report.”¹²¹

“After interrogation and questions the report of the performance will be adopted. When the report is presented to the general regular session of the house it is chaired by the speaker of the house. But when if it is presented to the standing committee it is chaired by the chair or deputy chair of the standing committees.”¹²²

“The other activity of the standing committees are when a draft law is initiated by the executives (government bodies) they send it to the house for the purpose of adoption in the first process. The draft is presented debated on to the regular general session of the house. It is the first reading done by the house. After the first reading the speaker transfers the draft for deep scrutiny and deep analysis to the standing committee which has mandate to oversights the initiator of the draft with the questions raised by the general session of the house. The standing committee who received the draft scrutinize the draft by calling the ministers or its experts and by inviting stake holders of the draft and interested house members and this is called the second reading of the draft.

119 Issaku Saliah Parliament of Ghana experience of over sight Ghana 2006

120 The house rule of procedure and code of conduct regulation 3/2006 Art 150 (1b)

121 Ibid Art 150 (1)

122 Ibid Art 153 (1)

*Finally the standing committee which scrutinized the draft presents it again to the general session of the house. The house asks questions debates and finally vote is given. If it gets the majority vote it will pass and done on Negarit Gazeta for enforcement.*¹²³ Based in the light of the above procedure and activities of the committees of the house we can analyse the function of the gender committee (Women's affair standing committee.

“ The major objective for the establishment of women's affair standing is to ensure the respect of the rights of women stipulated in the constitution and to enable them to have the advantage of their rights.”¹²⁴ So here the main task of this committee is to ensure the respect of women's right enshrined in the constitution.

*“It the committee also investigate and amend laws that work against women and have the power to initiate draft laws concerning gender.”*¹²⁵

*“In perspective of the above mentioned procedure of the house the women's affair standing committee oversights the Minister of women's affair on ministerial standard. The others bodies over sighted by this committee are departments of women in the federal ministers.”*¹²⁶

Note the difference between ministry of women's affairs and women's affairs standing committee. The former is women's Minister established by proclamation No 478/2005 on ministerial level.

123 For this part look the FDRE house rules of procedure and members conduct regulation No 3/2006 Art 154 which says debate on draft laws.

124. Ibid Art 172 (1)

125. Ibid Art 172 (2)

126. Ibid

Women's affair standing committee is the parliamentary committee. It is one of the committees of the house. Ministry of women's affair is minister on the executive side that is responsible for women affair.

“ The minister of women's affair have powers and duties to initiate recommendation on the protection of the rights and interests of women at national level and follow up implementation of some by devising strategies. This Minister has also a great role of main streaming gender “It follows up by designing strategies, that the separation of policies, legislations, development programs and projects by federal governmental organs give due consideration to gender issues.”¹²⁷

Here the provision shows that there should be gender disaggregated data, and gender analysis to control the strategy it designed. The provision further elaborates the duties of the Minister by indicating to design strategies of supervision to know whether women's interest is incorporated or not in the plans programs and projects of different government bodies.

We can also see some of the women's Minister function from its annual report it presented to the parliament that *“ It has moved to follow the application of the women's change and development package and it has made also solutions for the problem arise on the process of implementation.”¹²⁸* The above can be cited as an example that the Minister plans and supervises the implementation of its strategies ie women's change and development package.

127. Proclamation No 471/2005 Definitions of power and duties of the excutive organs of FDRE proclamation Art 29

128. Ke Hamlee 2000 – Megabit 2001 Ye Setoch Guday Minister Report Le Hizib Tewkayoch Mikirbet

*“The other duty of Ministry of women affair is to enhance decision making based on gender equality of various use government organs.”*¹²⁹ The above mentioned task of the minister of women’s affair is over sighted in the parliament by the parliament’s women’s affair standing committee.

When ever different Ministers initiate a draft and brings it to the parliament or to the committee which over sights them women’s affair standing committee can raise gender related questions on the general session of the house and the meeting of the other standing committees.¹³⁰

It should have to be observed that the women’s affair standing committee over sights Ministry of woman’s affair and women’s affair departments of different federal government bodies. It is only the Ministry of women’s affair that can initiate draft laws concerning women and brings to parliament. The other women’s affair departments in the federal government bodies which are over sighted by the women’s affair standing committee can not initiate laws and bring to parliament since they are subordinates of their respective Ministers for example women’s department of Ministry of foreign affair can not initiate and present a law to the parliament but only Ministry of foreign affair that initiates and presents a draft concerning its Minister. Because it is independent Minister(131).

*“The other thing we note here are that there are eleven standing committees in the house as stated in proclamation 470/2005.”*¹³² Gender issues can not be only the responsibility of women’s affair standing committee. When for example A Ministry of health reports about the performance of its Ministry questions concerning gender can be raised by the standing committee that over sights it. It can not say it is not my concern and it is the concern of women’s department in my Ministry which is over sighted by women’s affair standing committee. Because gender affair is across – cutting concern of all house committees. Gender is across cutting issue in all committee. But it is not apriority performance in other committees as it is in women’s affair standing committee. (133)

129. *Definitions of power and duties of FDRE executive organs Art 29(6)*

130. *The house rule of procedure and code of conduct Reg 3/2006 Art 172(1)*

131. *Proc 471/2005 Definitions of power of the executive organ Art 29(1)*

132. *Proclamation 470/2005 house of peoples representative working procedure and members code of conduct (Amendment)*

133. *The house rules of procedure. Regulation No 3/2006 Art 150 (2)*

Women's affair standing committee works to redress the imbalance that exists. It has men's its the committee out of its 15 committee members 5 are males. It gives training also for males works with males the committee is established specifically to work on women's affair.

"In women's affairs standing committee the task is compulsory and has the priority. It is said that they make sure that when proclamations and plans are issued and endorsed whether they are based on gender equality and gender sensitized. But though gender issue is across cutting issue in all committees number of women is very few in every committee except in the women's affairs standing committee." ¹³⁴

Of course help is needed from men. In some parliaments of the world there is indication that gender committees are helped by men. That *"It was agreed that achieving a gender balance in the committee was a challenge they faced and that more would need to be done in order to strengthen the role played by men."*¹³⁵

I have dealt at length on parliamentary committees and "Committees over sight" because they have focal role on main streaming gender it is said that *"In all countries the exercise of parliamentary over sight was emphasized as a key working method to ensure the gender main streaming in national parliament and to ensure that governments are held to account for their actions."* ¹³⁶

Parliamentary committees are central to enhance the empowerment of women. It is their position to create influence of their interest.

WE have seen the over sight function of the committees of the house and the women. Though the over sighting power and system differs from country to country, over sighting is the main and core function in every parliamentary principle. The effectiveness of the over sight depends on the relation of the executive with the parliament and the power it has. Art 55(17) of the FDRE constitution stipulated that "The house of peoples.

134. *Ye Hizb Tewekayoch Mikrbet Tinatna Mirmir makes Hidar 1998 (P4)*

135. *The role of parliamentary committees in mainstreaming gender inter parliamentary Union December 2006 Gene Vo*

136. *Ibid page 9*

3.5. Other bodies Established By The house

*“To the house the power of establishing ombudsman and Human right commission is given in accordance with Art 55 (14, and15) of the constitution. The house by its accorded power has legislated proclamations that establishes the two bodies.”*¹³⁷ These two bodies have the power to control the performance of human rights activities of the executives. They control from ranges of human right to administrative faults of the executives and the regional states.

For this reason though the human right commission and the ombudsman works on human right in general the women’s affair standing committee can use these committees on some points. It can get data and cases concerning the abuses of gender equality and in their reports to the house the committee can raise questions concerning equality of gender and can give them recommendation that support gender equality.

The gender committee of the house can use these two establishments in the protection of women’s right. The other body responsible to the house is the auditor general. *“ It shall draw up and submit for approval to the house of peoples representatives his offices annual budget.”*¹³⁸

The above provision shows that it is responsible to the house. It shall also audit and inspect the accounts of Ministers and other agencies of the federal government to ensure that the expenditures are properly made for activities carried out during the fiscal year and in accordance with the approved allocations and submit his reports there on to the house of peoples representatives. Women’s are the most poverty stricken in the society. So it is possible to control whether the budget’s allocation is proper and gender sensitive

137 FDRE constitution Art 55 (14,15)

138 FDRE constitution Art 102 (2)

In the above provision it says that the auditor general has the power to ensure that the expenditures are properly made for activities carried out during the fiscal year. On the other hand Art 35 (6 and 7) of the FDRE constitution puts, women have the right to full consultation of national development policies the designing and execution of projects and particularly in the case of projects affecting the interests of women. From this we conclude that the auditor general since it controls expenditure it has also the power to audit whether the budget is gender sensitive or not or whether women's interest is incorporated in it or not. Women's standing committee has here a chance to protect women's interest through the auditor general. When the auditor general presents its report to the house it can raise and inquire about women's budget.

We have seen that the women's standing committee has the chance to raise question as the other committee of the house on the ombudsman and on auditor general by presenting it self on the session on which they propose their report to the parliament. The committee also has the right to raise question concerning gender on the prime Ministers report or at any program of time for the prime Minister.

3.6 . The Women’s Caucus in the house

*“The other gender related organization in the FDRE house of peoples representatives is the women’s parliamentary caucus. The caucus is an organization that is committed to the struggle for peace, democracy, good governance economic development and gender equality.”*¹³⁹ It consists of all women in the parliament who is willing to be a member.

*“It also accepts as supporter male parliamentary members who have interest to work on gender equality in the parliament it is non partisan both opposition and governing parties are in corporate.”*¹⁴⁰

*“ It is an independent association. There are no right and duties enumerated by the house concerning the caucus. It is established as a legal entity in 2005. It has got its license of establishment from the pertinent government body.”*¹⁴¹ It says on the introduction part of its regulation that we are established as a caucus member in accordance with Art 31 of the constitution. *“The regulation of the caucus further explains that it was established in July 12, 1996 and ruled by the rule of procedures, organization and code of conduct regulation No 1/2006. Out of 547 seats in the parliament 117 seats are occupied by women. 117 women’s can have the right to caucus members ship.”*¹⁴²

Parliamentary caucus in external world also has a good role concerning rights of women. It is said that *“ The presence of an organized women’s caucus also exerts appositive influence on a passage of legislation dealing with women, Children and finally.”*¹⁴³

*“We can infer that caucus plays a role in passing legislation concerning women, and children. Women can build on the caucus a united stance for the debate in the parliament. On the same manner the regulation of the FDRE parliamentary caucus says in its regulation that the objective of the caucus is to follow up the implementation of the provisions on women’s right which are enshrined in the constitution and all new proclamations and amendments of rules and regulations that ensue the equality of women.”*¹⁴⁴

139 . 3rd round parliamentary Cocus regulation Hamile 4 /1998 Addis Ababa No 1/2006 Art 4(4)

140. Ibid Art 7(1,2)

141. Ibid Art 28(2)

142. Ibid Introduction part paragraph 4

143. Sun Thomas Cly wilock - Women and effective office(New york oxford press 1998

144 . 3rd term parliamentary Cocus regulation Art 4(1 – 5)

From the above we can conclude that the women's caucus as one gender establishment in the parliament. It is organized in accordance with FDRE parliamentary regulation No 3/2006. It is an independent establishment. It has its own license of establishment from the pertinent government bodies which registered and acknowledges associations. It can make its session out of the regular parliamentary work time. It can plan implement its works independently. It elect its own leaders. But here one doesn't forget that since the dominant number of parliamentary electives are the governing party members, Most of the members are from the governing party.

3.7. The Business advisory committee of the houses

The other committee in the parliament is the business advisory committee of the house. *“This committee is consists of the speaker of the house the deputy speaker of the house, the party whips, Representatives of the groups of the house delegated according the proportion their seats.”*¹⁴⁵

*“The function of this advisory committee is to formulate business to be discussed by the house, allocate the debate time for each agenda, follow up and supervise the administration of man power finance and property.”*¹⁴⁶

As we conclude from above the business to be debated may be Initiated by the executive, the speaker, the committees, the members and by parliamentary groups. The business to be debated in the house may be submitted to the business advisory committee in two ways, In case of the agenda initialled by the Executive and parliamentary groups it shall be submitted to the advisory committee through the whips concerned. In case of the Agenda to be initiated by the speaker, the parliamentary committee and members of the house shall be submitted by the speaker to the advisory committee. (147)

*“The Advisory committee shall decide the agenda to be submitted for debate by consensus . An agenda that has been decided up on consensus shall be presented to the general regular sessions of the house by the speaker.”*¹⁴⁸

145. *The FDRE house of peoples representatives rules of procedure and conduct regulation 3/2006 Art 142(1)*

146. *Ibid Art 146 (2)*

147. *Ibid Art 143 (1 – 4)*

148. *The house of peoples representatives rules of procedure and regulation No 3/2006 Art 145(3,4)*

3:8. Parliamentary groups in the house

*“ They are collection of members of a party or parties which haven’t competed against each other in electoral regions but which have competed in political programmes and consists of party or parties that have won not less than ten seats.”*¹⁴⁹

Parliamentary groups are organised in a such manner because it helps them to get more time of speaking on presented agenda it is said that *“ Party or parliamentary group leaders or party whips or representatives shall be given priority to present their opinions on behalf of their respective parties.”*¹⁵⁰

3.9. Government Whips in the house

Government Whips is also a structure in which *“ the parliament the political party or the coalition of political parties which constitute a majority in the house shall elect one chief whip and not more than four assistant whips the government chief whip shall be appointed by the prime Minister.”*¹⁵¹ The opposition parties also appoint their whips.

*“ The whips inform the members of their party in the house about the agendas of the house before hand. They shall cause their members to attend sittings in the house and vote for their party. These whips also present to the body concerned a list of their party members who serve on various committee of the house on behalf of their parties.”*¹⁵²

Here we can see the whips of the governing party or the opposition party have a chance to assign women as members of standing committee. Because they have a right to assign members of standing committee.

3.10. Parliamentary post held by women.

*“The deputy speaker is woman out of 547 seats women’s seats is 117. There are 195 standing committee members out of this 23 are women . Out of the 24 Advisory committee members out of this two are women.”*¹⁵³

149 . Ibid Art 181 (2)

150 . 150 Ibid Art 36 (2)

151 . The FDER house of peoples representatives rule of procedure and conduct No 3/2006 Art 183

152 . Ibid 185 (1)

153 . Ministry of women’s affair march 8,2008 special edition Addis Ababa Page 12

Finally in this chapter we have defined the structures of the parliament especially structure which have gender relations. It is necessary to make definitions on structures because it is these structures which play pros and cons in main streaming gender. To under stand the process of main streaming gender in the current parliament one should have to own over view of the structures and their inter relations. Having an over view of the above chapter helps to identify problems of main streaming gender in the current parliament.

Chapter IV

4. Loopholes in gender mainstreaming in Current Ethiopian Parliament.

4:1. Power gap in the house

In this chapter it is tried to address the problems of gender main streaming in the current parliament of Ethiopia. In undertaking any work it is said that knowing the problem is getting half of the solution. In the same way also finding a problem helps ones institution or organization to foresee the problem in advance and give the necessary solution before the advancement of the problem in to a higher stage. It is based on these statements that these chapter based on problem finding.

Parliamentarians must work with effort for gender equality they should have to buled norms that support gender equity in parliaments. It is said that “Parliamentarians had a key role to play in promotion of gender equality in parliaments norms promoting equal opportunities for women and men were translated in to national laws.”¹⁵⁴

The power is needed not because to build superiority of women. It is for democratic reason. both sexes must have equal representation. both sexes have different experiences of life. These experiences must be represented. Both sexes can be benefited if equal participation on all social aspects are ensured.

*“ Power is a big word that frightens many of us off and makes us rather in effective: Often defined as the capability to exercise control over others by controlling the resources and sources of information.”*¹⁵⁵

From this saying we can under stand power is the main thing to control resource and information of course power is relative all of us have power but the power each individual possess is not equal. It is common that men have benefited from power and privilege over women. If there is no power one could be excluded from economic and political influence.

154 Role of parliamentary committees in mani streaming gender and promoting the status of women. Reports and documents No 52 2006 Geneva IPU

155 Mandy MacDonald gender planning in development agencies Oxfam publication Page 17

In Ethiopian parliament 3 terms of parliamentary election was held (1995-2005). Though it shows in numbers of women representatives growth from term to term the growth is not comparable with the necessity. Because more than other countries our problem is very wide we are one of the few least developed countries in the world. Women are poorest of the poorest. That means our women are the most poorest in the world. The number of woman Parliamentarians are 117 out of the total 547 seats.¹⁵⁶

The national women’s policy has said that “*we have to ensure women’s participation when ever policies, laws, regulation and programs and plans that affect women’s interest directly or indirectly is worked out*”¹⁵⁷ From this we can conclude that sufficient women participation in the parliament is necessary to create influence and culture of gender equality.

If we see the number of women parliamentarians’ legislators their number is not enough to carry out gender main streaming effectively.

Women parliamentarians in three terms of the parliament.

Term	Year	Total seats of the house	Seats held by women	Seats held by men
1 st	1995 – 2000	547	13	534
2 nd	2000 – 2005	547	42	505
3 rd	2005 - 2010	547	117	430

Table 1 - Human Resource Department of House of Peoples Representatives. 2008 February.

It is said that “*the number of women holding seats in the second term tripled to 42 seats in the second term. In the third term the number of women holding seats rose by 117 and surpassed many nations with long and established democracies.*”¹⁵⁸

156 . Look Table 1.

157 . National women’s policy (transitional government) 1992 content of the policy part two.

158 . Ministry FDRE women’s affair March 8, 2008 special edition Page 61

More than any other countries in poorer countries the growth participation of women in all fields is necessary. We need more than any country the representation of women because without their representation and participation we can not resolve our wide problem. Our problem is wider than nations with long and established democracies.

In the house there are different levels of positions. Ranging from the house speaker to the common parliamentarian. (who are not member or chair of standing committees). The speaker, the committee chair person have more role and influence than the ordinary member. The ordinary members of the house of course have a chance to ask question to debate on the regular session of the house and by participating on hearings. But standing committees have more power to investigate the reports quarterly yearly. And on hearings give feed backs to ministers after investigating reports. They have more power of influencing the executive than the ordinary members.

In addition to that it is stated in the package for women that *“of course encouraging works have been done in the past in respective of participation of women but they are not basic when compared with the problem of our country.”*¹⁵⁹

This clearly shows us that the political participation of women less and few. Women in standing committees has even lesser proportion than that we see in the general number of seats of the house. Let us see by chart the gender composition of standing committees for the term 2005 – 2010.

159. *Ethiopian women's change and development package Hamle 1998*
(Ministry of women's affair) Page 9

	Name of the standing committee	Year 2005 – 2010 term 3rd	Total No of S. Committee members	No of women	Men
1	Deference and security standing committee	2005 – 2010	12	3	9
2	Capacity building standing Committee	“	13	2	11
3	Trade and industry Standing committee	“	11	1	10
4	Rural development standing committee	“	12	2	10
5	Environment and natural resource standing committee	“	13	1	12
6	Infer structure standing committee	“	12	2	10
7	Budget and finance standing committee	“	12	2	10
8	Law and administration	“	13	5	8
9	Women’s affair standing committee	“	13	9	4
10	Information and culture	“	11	3	8
11	Social affair standing committee	“	14	4	10
12	Committee of pastoralist	“	11	1	10
			147	35	132

Human resource department of house of people’s representative February 2008

In the term (2005 – 2010) we have concluded that in the standing committee out of 147 members women are only 35.

In the previous term i.e in the second term (2000 – 2005) out of 152 standing committee members only 18 were members of standing committees. The same term 5 standing committee had no women members at all. Representing women in committees is an urgent need. We can see how parliamentary committee representation is important that "*Parliamentary committee work offers an important opportunity for main streaming gender issues in the work of parliament, not only in developing legislation but also in terms of oversight of government action.*"¹⁶⁰

Unless we worked for more representation of women in the parliament, in the standing committee, in the chairs and deputy chairs of standing committee our work for democracy will be limited. In a society in which male shovenism is predominant main streaming gender might be retarded. We lack also the life experience of half of the nations population.

*"Many women parliamentarians work through committees to voice their concerns and interests and raise the profile of gender issues however the low level of representation of women in the worlds parliaments continues to hamper gender main streaming efforts."*¹⁶¹.

It is easy to conclude from the above saying that unless we put women in a key legislative position we can not bring the desired development in the house since women's participation has an institutional consequences.

Now if we look the position of standing committee chairs and deputy chairs the problem gets more serious.

160. *A Survey of women and men in parliaments (Inter parliamentary union 2008 report and documents No 54 Page 83*

161. *Ibid page 82*

	Term of election	No of women chair or deputy chair of standing. C	No of men chair or deputy chair standing. C	Total No of the chairs and deputy chairs.
1	Second term 2000 – 2005	-	26	26
2	2005 - 2010	3	23	23

Table 2: Human resource department FDRE parliament February 2008 .

Her as we look as the position (hierarchy) gets higher and higher the number of women participants also gets less and less. Generally in the house they are 147, in committees. They are 23, in chair or deputy chair of standing committees they are 3. ¹⁶²

Committees in the parliament are key places where women should have to be represented sufficiently for main streaming gender. “The *standing committee follow up and supervise government bodies, it initiate laws, present suggestions, Examine witnesses and documents prepare various, leadership Seminars and forums.*” ¹⁶³

We can see that women’s role in standing committee is more essential. “ *Women should be present in all bodies, including governments, parliaments, trade unions and enterprise, not only in high numbers but also in a key decision making positions.*”¹⁶⁴

From this we can infer that the current parliament has problems in gender main streaming because of insufficient women in key positions.

162. Look Table 1 and 2

163 . The house of peoples representatives of the FDRE rules of procedures and members code of conduct regulation No 3/2006 Art 150 (1)

164. Women and work ILO an IPU report document No 55 Geneva 2006.

4:2. UN favourable election procedure concerning gender in the house.

We have very little women leaders. Even those who come to power come to the leadership after over coming so many difficulties such as a biased socio cultural context, Financial constraints, and so on. After passing the hurdles and came to parliament some conditions should have to be conducive. For those few who come to parliament good condition should have to be created.

“The FDRE house rule of procedure stipulate that the members of each standing committee including the chair person and the deputy chair person shall up on the recommendation of the speaker be elected by the house from among members.”¹⁶⁵

Of course it has some democratic ingredients. It says “ up on the recommendation of the speaker be elected by the house from among members. But it has difficulty that standing committees are elected at the beginning of the election term. Most of them do not know each other since they come from different direction of the country. In addition to this the women’s issue is more complicated and needs the leadership of a militant and non-submissive, who are sensitive to women’s cause is needed. Women’s can target such kind of women’s leaders at least after a stay of four month in the parliament. The other difficulty is that, recommending is done by one male speaker. The recommended and leaders lead the committee for the whole five year. The election made by the haste recommendation of the speaker impairs leadership in the women’s committee of the house. ‘*The women’s affair standing committee needs a strong and militant leadership.*

The women’s affair standing committee over sights more departments than any other standing committee in the house. The problem of the women (Which are half of the population is more complicated than any other part of the society. Though problem of females is the problem of males still there are no many males who consider the problem as their own problem from their own heart. More work on male’s awareness is needed since with out participation of males there will not be success. Strong effort in the houses is needed to make the flavour of gender equality more strong for this leadership plays the considerable part.

165. FDRE house of peoples representatives procedure and code of conduct Art 149 (2)

4:3. Insufficiency of knowledge of Gender budgeting and application

*“Gender budgeting is a type of budgeting that include analysis of public revenues and public expenditures from a gender perspective.”*¹⁶⁶ Through national budgets governments out line their policy intentions and the resources they intend to use to implement them.

*“Gender gaps are wide spread in access to and control over resources, in development opportunities in health and education, and in the process of decision making in political economic and social affairs. Girls and women bear the largest and most direct cost of these in equalities.”*¹⁶⁷

From the above definition we conclude that analysing the budget from the gender perspective provides a useful mechanism to assess the effects of government policies on men and women. Unless budget is in gender perspective women can not come to the forefront of gender equalities by breaking the multifaceted burden over them. There is some Information that shows there is in sufficient gender budgeting. It says *“Although gender issues are not mentioned in the public expenditure review document government expenditure has been rationalized to pro-poor activities by giving priority to economic and social infra structure such as education health road, agriculture and clean water.”*¹⁶⁸ Here even though the budget is pro-poor it is difficult to find the share of gender from the total budget.

The women’s affair standing committee over sights (supervises) the work of ministry of women’s affair department of different ministers. One of the main tool to know whether or not gender is mainstreamed in these over sighted committee and in it self is budget. We can put women interest in to development and bring gender equality through gender budgeting. We can assume men and women priorities are equally addressed in developmental needs through gender budget

166 . *Guide line for main streaming Gender in Budget process guide line (UNICEF, MOFED, British Council in collaboration Page 37*

167 . *Ibid Page 6*

168 . *Tiruwork Tizazu Gender main streaming in the SDPRP and the Federal budget (Page 181, Addis Ababa 2004.*

“Budget as an element of a macro economic policies can be an instrument in eliminating inequalities. It can make growth process more pro-poor by targeting resources to address inequalities and to empower poor people particularly women.” ¹⁶⁹

Here the word “pro-poor” Analysis doesn’t show gender budgeting concept and doesn’t specifically target gender in equalities. I made the analysis not to recommend a solution on this chapter but it is intended to show the problem as a problem clearly.

In the current parliament in survey carried out on 20 sample males it has shown us some thing about gender budgeting the question was concerning the allocation of budget to developmental works that says what is your attitude to wards gender budgeting?

- a) Budget allocated for developmental works benefits both sexes so applying gender budgeting has no meaning.
- b) Budget allocation must be gender oriented. The result concerning the survey was as follows.

The males data was

No	Number Respondent	Age	Sex	Education	
1	4	30 – 45	males	Master holders	3.supported gender budgeting 1.didn’t support
2	7	30 – 40	males	Bachelor	5. supported gender budgeting 3. Didn’t support
3	9	30 - 45	males	Diploma and certificates	2.supported gender budgeting.7 didn’t support

169 . Pro-poor budgeting and the role of parliament edited by Tasew Wolde Hana (Tiruwork Tizazu MOFED. Page 181

When we see the males out of 20 randomly taken males from the members of the parliament 11 members didn't support gender budgeting 9 support.

- From the master holder batches the one who didn't support gender budgeting has his origin in pastoralist area.
- From the Bachelor holders 2 of them say when a development plan launched it benefited the whole members of a family. Family is benefited irrespective of gender the whole family is benefited. Those who didn't support gender budgeting in the certificate and diploma areas also have the same idea.

Here it shows that more of them do not believe in gender budgeting. Concerning the females. 15 female parliaments were taken to fill the questionnaire.

Females

No	Number of females	Age	Sex	Education	Response
1	6	25 - 35	F	Holds of Bachelor degree	The whole support gender budgeting
2	9	36 - 40	F	Diploma and certificate	7 support gender budgeting 2 didn't support

From the diploma and certificate group 2 women's didn't support gender budgeting

- One women said I love my husband we live happily equally. (We benefit each other equally). Gender budgeting doesn't matte only agreement and trust among families.
- The other women said this creates suspicion between husbands and wives between males and females. It prevents women's and men's from working to gather in one spirit for development.

Here the above saying shows that concept of gender budgeting is not grasped. Some say from a development plan both genders are beneficial why do we talk about gender budgeting some say gender budgeting creates mistrust in the family (see the chart). Analysing the budget from gender perspective is one form of task of democracy.

It helps to the attainment of gender equality, happiness and trust in the family comes if families are equals and free of oppression. It says that “Democracy is premised on genuine partnership between men and women and the era eradication of gender inequalities. Analysing the budget from the gender perspective provides use full mechanism to assess the effects of governmental policies on men and women boys and girls and the real contributions all individual make to the economy. From the above we can conclude that there is a problem of grasping the concept of gender budgeting.

In addition to the above data in the current FDRE parliament, if we look “The 2001 ET.C 9 Month Performance Report) submitted to the regular session of the house, ministry of transport and communication has said nothing on gender. Ministry of defence put in one paragraph about gender awareness they worked and most of ministry of youth and sport’s reports wasn’t also gender disaggregated. Because gender work is considered as women’s affair department only.

The committee that over sight them focus only on the task of its sector. The committees are swallowed by their sect oral task they don’t ask about the reports gender desegregation.

But the world parliamentary principles say that “ *It is what gender mainstreaming is about: It is not only one committee dealing with women’s affairs but every committee, and that every body has to look into what a new law means for women and whether or not it helps to improve the situation for women.*”¹⁷⁰

From the above findings we can say that insufficient gender budgeting acts as hindrance for main streaming gender in the current parliament.

170. *The role of parliamentary committees in main streaming gender (Inter parliamentary union) Reports and documents No 52 Geneva 2006 page 33*

4:4. Insufficient Over Sighting

“The house has the power to call and to question the prime minister and other federal officials and to investigate the executives conduct and discharge of its responsibilities.”¹⁷¹

This is the main task of the house done through its committees. It has an investigative power of the work of the executive. It investigates its budget use, policy implementation and human right.

Though the committee has over sighting power still strong over sighting can not be done. Since all of the committees except the public finance committee chairman, all are members of the governing party. Because of this the over sighting on the executive is not so strong as desired. The women’s affair standing committee is also one of these committees and shares this problem.

We can see easily from the parliamentary debate. When a new draft is presented to the house opposition parties strongly debate in the house than members of governing party.

On sample survey made on 10 parliamentarians 2 women and 8 males the whole said that it is opposition parties who strongly debate in the house.

“Effective parliamentary over sight has thus become all the more crucial to ensure that these new responses are devised and implemented with full transparency and accountability.”

The other challenge that draws back main streaming gender is the lack of support of gender experts. The gender committee of the parliament has considerable responsibility. It should have to assess how the laws related to gender are implemented at national level. What their impact is on gender equality and what their strong and weak points are. It doesn’t collect data’s through member of the parliament when they go to their constituencies and doesn’t analyse through the use of gender experts. This makes it in capable to over sight the executive sufficiently by having full information.

171. FDRE constitution 55(17)

There are 547 representatives in the parliament (see the chart) “Each representative goes to his woreda to his constituency. He gathers his electorate he can collect information and expert operation.”¹⁷²

These representatives can bring how gender policies strategies and plans are implemented in their woredas and the committee will have rich information to supervise the role of the gender related laws. But to collect the information sufficiently and to analyse it sufficient gender experts are needed.

As we see from the parliament’s rule of procedure and code of conduct there is only one research and study centre for the whole committee. That is not enough to sufficiently main stream gender.

As we see from the previous data’s there are very few women in each standing committees, in addition to this each committee except the women’s committee is swallowed by its ministries sectoral work and marginalises the gender issue from its committee. And the males in each committee except the women’s committee are not sensitive to the gender issue since they focus on their sectoral issue.

Concerning the difficulty of over sighting the other difficulty arises that the women’s committee has no frequent communication with the other committees to know how gender issue is over sighted in those committees. It doesn’t get enough information from the other committees. The women’s committee gets information about each committees once a year on the hearings. But this is not enough. Even on the annual report of each sector it doesn’t it does not get enough time to debate about gender issue in other committees.

172. House rules of procedure and cods of conduct regulation Art 104

5. The Behaviour of the parliamentarians to wards gender issue.

A question was posed to 12 male parliamentarians' and 8 female parliamentarians. The question was: How many percent of male parliamentarians make effort from their staunch conviction for a gender equality. It is shown as follows.

- Concerning the male respondents to the questionnaire

No of male respondents	Their response	Educational level of respondents
7	15 – 25% of males support staunchly	3 Bachelor 4 Below Diploma
3	45 – 50% support staunchly	2 Bachelor 1 Diploma
2	Below 2% support staunchly	1 Bachelor 1 Diploma

Female Respondents

Number of female respondents	The Response they gave	Educational level
2	only 5 – 10% support staunchly	1 Bachelor 1 Diploma
3	only 2% support	3 Diploma
2	0%	1 Bachelor
1	30% of them support staunchly	1 Diploma

But most of them responded that males give us lip service, they are not supporting gender equality from their heart especial those who are elected from pastoralist areas has experiences of bigamy and are most family work are done by female labour.

One Bachelor holder woman said that most males consider gender equality as if it reduces their privilege and adds to the female.

The presenter of this paper also have seen from the parliament and from the parliament program of Ethiopian Television that this year (2008 – 2009 May) 12 questions concerning gender was raised on parliamentary session. 12 of them were raised by women. This doesn't include trainings and workshops of women. On trainings and workshops of women males will also be obliged to raise questions since it is the only agenda on workshops and trainings. This shows that mostly only women are active on their cause.

Generally most of them agree of course there are positive changes towards gender equality on part of males but it is not adequate.

There are some points that clarify this problem as a problem it says that “*There is a gap for discrimination. Combating discrimination also requires building a culture of equality tolerance, sensitization and raising awareness.*”¹⁷³

From this we can concluded that a biased behaviour and culture are also a problem for gender equality. There are other points that show us even in the existence of good legal frame works a biased culture plays a great negative role. It says that though political willingness exists, though there are conducive legal frame works exist, there are so many un written backward customs that are still dragging up back ward. Shortly only good legal framework can not guarantee gender equality.

6. Resource in Sufficiency

“*In 2003 when national and federal women's affairs department and women's associations held a conference at a country level in Mekele most of them put as a challenge lack of skilled man power and resource.*”¹⁷⁴

173. *Women and work inter parliamentary union reports and documents No 55 page 4*

174. *National and federal women's affairs bureaus conference minute (Mekele) 2003*

In addition to this we have expressed that women's affair standing committee also has no expert of its own till to day. "The federal ministers women's department which are over sighted by the women's affair. Standing committee in their 9 month reports of 2009, Five of them put as a problem lack of man power. Those who worked for some time and gained experience leave the post for another place for a better pay."¹⁷⁵ They reported that they are faced with man power problem for gender main streaming.

7. In Sufficiency of Experience and Capacity In The Women's Affair standing Committee

Regarding this 10 members of standing committee were given a questionnaire Concerning how many percent of the 132 standing comates (for the number look the chart) is lacking capacity to work as a standing committee in competent way?

All of them agreed there is lack of capacity. Each responded in respective of their own committee (The woman's affair standing committee).

4 members responded that out of 16 standing committee members half of them lack experience and capacity.

3 members say only 5 members have a capacity and experience problem.

2 members said only 4 members have experience and capacity problems.

1 member said all of them have capacity problems.

Generally if we take on average there are 40% of lack of experience and capacity.

This isn't an easy challenge for gender main streaming. Especially at the beginning of the new term of a parliament it will not be easy to over sight the Bulky technically and politically contented reports of the executive. In a woman's affair standing committees reports there are technical gender parts like Gender Budgeting and main streaming gender which needs technical knowledge.

175. *Nine month reports of the women's development fund, Ministry of Health Education, youth and sport women's departments nine month report to women's affair standing committee 2009.*

8. Problem in Training

On the survey made on 11 people randomly all of them agreed that training is given in the parliament. For the question what is the strong and weak points of the training. 7 males and 4 females responded.

2 females and 5 males identically said the training is based most of the time on donors desire. The committee did not identify its problem and prepare training. The problem is proposed to the house by donor. Though 2009 this year it has started to work on its own way still the problem is not avoided.

The training given by the donors of course is most important they have also done a lot in up grading the gender awareness of the house. But one who gives training needs continues assessment of the trainees. There should have to be close relationship with the trainees. Assessment must be done to determine the gaps. The training which is adequately grasped and which is not grasped must be identified. The problems encountered by the house in the course of application must be identified and additional training must be designed. Generally close relationship between trainees and trainers must be created.

2 Females and Two Males added to the above that training doesn't sufficiently target the problem of the members. (Does not identify) The place where the members does not understand. This is because participatory and particular assessment is not made. Only some questionnaires are filled at the end of each training. A short written and filled questionnaire only doesn't give full remedy.

Chapter V

Conclusion

Inequality of gender is a great problem of development especially for a poor country like Ethiopia. To achieve eradication of poverty it needs the mobilization of the whole of its people. And half of this people are women. But this half population are under the oppression that results from gender inequality. Which is additional load to poverty?

Based on this problem mainstreaming gender in the current parliament is introduced as it is done in some other parts of the world. It is intended to overcome the problems of gender inequality by good implementation of the new gender policy, the newly amended laws that are based on international commitments such as CEDAW and the GAD approach.

In the course of mainstreaming gender some problems are still appearing. The power gap that is manifested by the few number of women in the parliament. The problem in oversighting, lack of the help of Experts, a training not targeted to the gender problem, The inability to impact the majority of the males in favour of gender equality, marginalising the gender issue in the other committees of the house, leadership problem insufficient experience on some technical and most important tools such as gender budgeting and some mainstreaming techniques are some of the problems that are acting negatively on mainstreaming gender in the current FDRE parliament.

We can travel on the real track of sustainable development, peace and democracy when make tireless effort to bring the gender equality the have number of the population of the nation.

We have established benchmarks that are the international commitments on gender, the local gender policy and laws. We should have to apply them creatively on the current parliament.

Recommendation

1 Narrowing power gap in the house

In the current Ethiopian parliament women representatives are few. They are also more fewer in the standing committees of the house. There are only 3 women chairs and deputy chairs in the standing committee. This condition weakens the task of main streaming gender in the current FDRE parliament.

To suggest solution to this - Since standing committee is the key position in the parliament for main streaming gender and to enhance the influence of women in the house the number of women should not be at least less than one fourth of the standing committee members in the whole committees of the house. This should have to be enacted on the current Regulation of the FDRE Rules of procedures and members code of conduct Regulation No3/2006. It is said that if their number is less than one-fourth they can not reflect their interest in the standing committee sufficiently. Every committee will not get the sufficient experience of women. Because human beings have diversified experience to share. Lack of sufficient representation also creates a gap in fulfilment of democracy. The committee also lacks more experience for main streaming gender and to legislate and to analyse draft laws concerning gender.

To create a good condition for this and to have women of better capacity in the house intensive training targeted on gender mainstreaming, gender budgeting, over sighting mechanism should have to be given. Internal and foreign experiences sharing should have to be made.

To have more parliamentarians in the house, political parties, NGOs, other civic associations and the government should have to make a wide campaign on the benefits of electing women to parliament before and during National election. Especially mass media's Role should have to be considerable. The other thing to fill the gap of power is that governments, political parties, NGOS, civic societies and medias (private and state medias) must work to change the prevalence cultural belief in male superiority and greater ability to lead. Awareness work must be done to change females custom of

Subordination. Political parties' government and civic societies must work to widen the pool of female candidates for top posts like parliaments and higher administrations as well as top leaders of political parties. Because by neglecting half of the society's leadership sustained and accelerated development will be very far from us.

2. Change of Election procedure is necessary

The gender issue is a serious problem in the country. Art 149 (2) of the house of peoples representatives of the FDRE rules of procedures and members regulation say that the chair and deputy chair of the standing committee shall up on the recommendation of the speaker be elected by the house from among the members.

Here I suggest as a solution that interim election should have to be made before the last and regular election carried on. The other problem is in the regulation phrase that says chairs and deputy chairs are recommended by the speaker. This prevents the house from searching alternative it forces them to elect only from what is recommended by the speaker only.

Women of the house know who works hard, who is militant and who has capacity to deal with the gender issue. So there have to be interim election. On the regular and last election recommendation on of candidates for the women's standing committee should have to be made and elected to the house.

Gender in equality is a serious and key problem in the country. It needs knowledge, skill and hard work. It is difficult to identify such hastily. Investing in women is central to sustain able development. To invest in women strong leadership is the decisive factor. The regulation of the house must take into account this problem.

Election is made at the starting term of the parliament and the members do not know each other for this reason to elect a leader that serves five year it will be haste. The members need time to know each other. Otherwise they are electing what is recommended. Here a quarter of a year is needed. Up to that time interim election should have to be made before the last and regular election carried on.

The other problem is that, in the regulation phrase that says “chairs and deputy chairs are recommended by the speaker. It prevents the house from searching alternative. It forces them to elect only from what is recommended by the speaker only.

Women of the house know who works hard, who is militant, and who has capacity to deal with the gender issue than the speaker. This recommendation narrows their right.

So there should have to be interim election. On the regular and last election recommendation of candidates for the women standing committee should have to be made by women and other democrat males and elected by the house.

The above mentioned Regulation of the house must take into account this problem. Leadership is the decisive factor for gender problem in the parliament. On the survey made on 10 parliamentarians. 7 women and 3 men have supported the above idea.

3. Sufficient Gender budgeting application is needed

In the current parliament though training is given on gender budgeting application is still not sufficient. Other documents also showed us that though the government budget report is pro-poor they are not gender budgeted of course some start is seen in ministry of education and health.

Budget allocations can be pro-poor but one must know in least developed countries of the world half of the development force of the country i.e women are the poorest of the poor. Unless our budget scrutinizes these poorest of the poor it is as if we are walking to the development of the nation on one leg.

If we construct schools by targeting generally the poorest only, poor males will be advantaged. Because though they are poor they have some traditional privileges over the poor women.

The government has set on some documents about the need for gender budgeting such as on gender budgeting of MOFED (Minister of Finance and Economic Development), on National action plan for women as well as on five year development plan of 2005-2010

PASDEP. But in practice they are very insufficient. Pro-poor budgeting must be extended also to gender budgeting to target poorest of the poor.

Gender budgeting must be applied on all development sectors. The house must check on the reports of the executive whether budgets are planned, allocated and implemented, based on gender budgeting. The house can make gender budgeting common in all government bodies by investigating and giving technical feedback to all the government bodies. It can direct the whole government bodies to wards gender sensitive budgeting.

On the reports of the executive bodies and on hearings of the house reports of the executives should be seen from different dimensions of gender sensitive budgeting such as planning, resource allocation, monitoring and evaluation. The house should put on its regulation what should be the major contents of the reports of the executives to the house. Gender budgeting should be reflected in the contents of the reports to the house.

There should have to be a detailed Regulation and directive that forces every sector to have a gender budgeting guiding manual and implementation-system based on the constitution.

4. Enhancement of over sighting mechanism is needed in the house.

We can see from sessions of the parliament transmitted through Ethiopian television that strong debtors against the executives of the governing party are members of opposition parties. Such strong debate also helps to create favourable condition for gender issue to influence the parliamentary atmosphere.

The other challenge that reduces the strength of over sighting against the executives is that the house committees have no strong expertise under them as each sector of the executive has. Due to this the standing committees doesn't gather and analyse in formations that helps them to over sight the executives sufficiently. To suggest a solution to this during National election the political parties sees only the final advantage i.e wining political power wholly as the only advantage.

Although winning political power is the real and final victory. Winning many seats without winning political power wholly is not neglected if more seats are won by opposition parties debates can get depth and experiences also can be gained from in-depth debate by both parties. So before National Election awareness must be created about the advantage of the Representation of having different parties in the parliament.

On the other hand over sighting is not an easy mechanism. Whether the executive has accomplished its work or not, whether it has worked in accordance with the constitution is checked and corrected by over sighting.

In the women's affair standing committee for decision making, for research and for over sighting, analysed and concrete gender related information is necessary. Unless a committee has such a mentioned type of information there will not be sufficient over sighting. Over sighted documents are also legacy of experiences and history for the coming generation as well as for research so, the over sighted documents content should be rich in comprehensive information.

The Gender committee and the other committee of the parliament must have Expertise that pertain their sector and collect information from constituents. Since this can provide a useful source of information about problems around the sector they over sight it helps them to sufficiently over sight the executives and helps the gender committee of the parliament also to see the gaps in the gender related law.

5. Resource must be full filed to the women's affair standing committee.

The committee has a role to carry out gender training, to investigate the impact of gender laws on the life of women and men. It has to collect gender related information from different corners of the country through the members of the parliament. The committee's over sighting of the executive yields fruit only when it gets full and concrete information. For this purpose skilled gender experts are needed under the committee. For the experts good payment and conducive conditions should have to be created and good utilization of the skill of the experts should have to be made.

Having a gender expert under it enables the committee to collect information analyse it and research it and can make it available for gender training and with such concrete and analysed information its capacity of over sighting will be developed and it can promote gender mainstreaming. It can share good experience with donors and external gender organizations it can also make considerable support for the implementation of the policies and the laws related to gender.

6. Capacity Building and Experience Sharing should have to be Strengthened

There are 16 members in the women's affair standing committee of the parliament. On the randomly made survey on 10 people the general out come of the survey shows that on around 40% of the committee members is seen lack of committee work experience.

To reduce such a problem, they should be assisted by capable gender experts. Different manuals of gender over sighting should have to be prepared. Training that is based on impact assessment should have to be given i.e. trainings based on the findings of the committee itself. During national election political parties must widen the pool of women candidates.

7. Problem and gap targeted training is necessary

On survey made randomly on 11 people i.e. 7 males and 4 females generally they have agreed that there is training in parliament. But most of the training is based on problem found by donors. In addition to this the impact of the training is not regularly evaluated the gap is not searched. Only trainings up on training are given. .

The parliament gender committee has good access to information. It gets information from the departments it oversees and it can get also from different parts of the country by orienting parliamentarians who go to their different constituencies. So by collecting and analysing such information's it can find out problems and can prepare a training based on that problem and in this way can build capacity of the members on gender.

So the parliament gender committee has a wide chance of seeing and getting the problems around the implementation of gender laws. By identifying such problems it should have to devise its gender training in the house.

The women's affairs standing committee should have to exploit some of the chances it has in the house. To carry out training, gaps of laws must be identified, implementation of the laws related to gender must be supervised at national level this can be done through the members of the parliamentarians that go to the people or constituencies. The committee at least can divert the training given by the donors to these supervised problems. It can exploit the training given by the donors to build its capacities by collecting nation wide information.

Finally if the house works on such suggested solutions the gender law can be implemented smoothly and help the development of the country.