

Submission by the United Nations High Commissioner for Refugees
For the Office of the High Commissioner for Human Rights' Compilation Report
Universal Periodic Review: 3rd Cycle, 33rd Session

ETHIOPIA

I. BACKGROUND INFORMATION

Ethiopia has ratified the *1951 Convention relating to the Status of Refugees*, with reservations on Articles 8, 9, 17(2) and 22(1), recognizing these only as recommendations and not legally binding obligations, and its *1967 Protocol* in 1969 (hereinafter jointly referred to as the *1951 Convention*). Ethiopia is also Party to the *1969 OAU Convention Governing Specific Aspects of Refugee Problems in Africa* (the *OAU Convention*) since 1973. Ethiopia has not ratified the *1954 Convention relating to the Status of Stateless persons* or the *1961 Convention on the Reduction of Statelessness* (the *1954 Convention* and the *1961 Convention*, respectively).

Refugee protection in-country is provided in accordance with the 2004 *Refugee Proclamation*, which is currently under revision by the Ethiopian Government, in collaboration with UNHCR. Having been approved unanimously by the Council of Ministers in June 2018, the draft document is expected to be discussed once the Parliament resumes from recess on 8 October 2018. Meanwhile, as per standard procedure, the English and Amharic versions of the draft *Refugees Proclamation*, as well as the Amharic Explanatory Note are publicly available for consultation.¹

Ethiopia hosts 928,663 registered refugees and asylum-seekers as of 31 July 2018, from more than 20 countries, with the majority originating from neighbouring South Sudan, Somalia, Eritrea, Sudan, and Yemen. Among these, 50.2 per cent are women and girls, 59.4 per cent are children, while 18.4 per cent are youth aged between 15 and 24 years old.

There are currently more than 2.8 million internally displaced persons (IDPs) in Ethiopia according to the latest IOM Displacement Tracking Matrix, which constitutes a dramatic increase from 1.0 million in mid-2017. Close to one third of this population is displaced following the recent conflict in Gedeo (Southern Nations Nationalities and People's Region) and West Guji (Oromia Region). The primary causes of displacement in Ethiopia are connected to conflict followed by climate-induced disasters and other factors, such as fires and landslides. The majority of displaced individuals are currently found in the Somali, Oromia and Southern Nations Nationalities and Peoples (SNNP) Regions. In all displacement locations, the delivery of basic services suffers from considerable limitations at the local level and at the federal level. In light of growing IDP numbers and their protection-related needs, the capacity to provide adequate protection responses has declined, due to limited funding and presence of humanitarian actors, as well as inadequate displacement response mechanisms.

¹ Available here: <http://www.hopr.gov.et>.

Ethiopia has agreed to be a “roll-out’ country for the implementation of the Comprehensive Refugee Response Framework (CRRF). In Ethiopia, the CRRF is aligned with the nine (9) pledges made by the Government of Ethiopia at the Leaders’ Summit in 2016. National authorities have increasingly sought a more sustainable response that goes beyond care and maintenance of refugees to promote increasing self-reliance. This approach combines wider support to host communities, fostering peaceful coexistence and greater inclusion of refugees in national development programming. Currently, the Government of Ethiopia is working on a 10-year Comprehensive Refugee Response Plan (CRRS) strategy and the revised *Refugees Proclamation* is expected to be passed in Parliament in October 2018 or shortly thereafter.

II. ACHIEVEMENTS AND POSITIVE DEVELOPMENTS

Positive developments linked to 2nd cycle UPR recommendations

Linked to 2nd cycle UPR Recommendation no 155.154: Adopt measures to ensure the issuance of birth certificates to new-born refugees. (Argentina)

Ethiopia has one of Africa’s youngest civil registration systems, inaugurated in August 2016. In line with the Government of Ethiopia’s pledge on Birth Registration, Ethiopia made the national civil registration and vital statistics system (CRVS) accessible for refugees starting from October 2017. Refugee inclusion in the CRVS comes following a new Proclamation, the *Vital Events Registration and National Identity (Amendment) Proclamation* No 1049/2017, which entered into force in August 2017. Since 27 October 2017, the Administration for Refugee and Returnee Affairs (ARRA) registers vital events (birth, marriage, divorce, death) for refugees. Starting from October to end of June 2018, ARRA registered a total of 6,083 vital events for refugees. Out of the total figure, birth registration accounts for 5,002 cases.

Linked to 2nd cycle UPR recommendation no 155.155: Develop a strategy and national plan of action on the protection of migrants, refugees and internally displaced persons with the technical support of international and national partners. (South Africa)

The Government of Ethiopia, in cooperation with UNHCR, is in the process of revising the *Refugee Proclamation* No. 409/2004 since early 2016. The revision is linked to the Nine Pledges made by the Government of Ethiopia to improve the protection of refugees during the Leaders’ Summit in September 2016. Accordingly, a new *Refugees Proclamation* that would repeal and replace the existing one, is currently under review by the House of Peoples’ Representatives for final endorsement. The new *Refugees Proclamation* contains expanded rights for refugees and asylum-seekers, including *inter alia*, the right to education, the right to work, freedom of movement, access to justice, freedom of association, the right to acquisition and transfer of property, the right to acquire driver’s licenses, access to banking services and other socio-economic services. The *Proclamation*, when passed, will enhance the protection space for refugees by increasing opportunities for integration, fostering self-reliance and opening opportunities for solutions.

Linked to 2nd cycle UPR recommendation no 155.87: Step up efforts to combat trafficking in persons, including training for officials, criminal prosecution of perpetrators as well as developing measures for the protection and rehabilitation of the victims of trafficking in persons. (Belarus)

With the engagement of the international community, including UNODC, IOM and UNHCR, the Government of Ethiopia has initiated the revision of the *Proclamation for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants* (No. 909/2015). UNHCR welcomes the initiative and commends the Government of Ethiopia for its

commitment to address the challenges and protection gaps affecting refugees and asylum-seekers.

III. KEY PROTECTION ISSUES, CHALLENGES AND RECOMMENDATIONS

Challenges linked to outstanding 2nd cycle UPR recommendations

Issue 1: Favourable protection environment

Linked to 2nd cycle UPR recommendation no.155.155: Develop a strategy and national plan of action on the protection of migrants, refugees and internally displaced persons with the technical support of international and national partners. (South Africa)

The Government of Ethiopia signed, but has not yet ratified the *African Union Convention for the Protection and Assistance of Internally Displaced Persons Africa (Kampala Convention)*. The Ethiopian Constitution incorporates a few provisions that are specific to the protection of IDPs, but it does not encompass provisions that respond to the various dynamics of displacement. The National Human Rights Action Plan endorsed by the Ethiopian Human Rights Commission does not give coverage to the needs of IDPs. The 2013 Disaster Risk Management Policy as well does not sufficiently address issues concerning the protection of IDPs. The Government of Ethiopia, therefore, lacks domestic laws or policies on IDPs, which explains the absence of systems or government structures to ensure that the rights of IDPs are protected.

In response to the ongoing emergency in the displacement context, there are different initiatives to provide protection and assistance responses to the growing needs of IDPs. In the absence of a framework to address internal displacement, such responses are *ad-hoc* and insufficient, targeted mainly at ensuring basic services to the detriment of protection solutions. It is, thus, critical for national authorities to develop a comprehensive national policy to ensure a system-wide response that incorporates durable solutions for displaced communities in the various regions of the country.

Recommendations:

UNHCR recommends the Government of Ethiopia:

- (a) Ratify the *2009 Kampala Convention* in view of the increasing number of displaced persons across the country; and
- (b) Establish a comprehensive framework for displacement, with clear government-led structures and mechanisms at local and federal levels, to ensure the human rights of IDPs are fully respected and protected.

Issue 2: Security from violence and exploitation

Linked to 2nd cycle UPR recommendation no.155.78: Continue efforts to address FGM, early marriage, and violence against women and girls which remain deeply rooted, according to reports. (Japan)

Harmful traditional practices (HTP) are carried out both in refugee and Ethiopian communities alike. Early and forced marriage as well as female genital mutilation are two of the most prevalent forms of violence within refugee communities. Prevalence varies depending on the geographical region, and on the refugee population. In 2013, the Government adopted the *National Strategy and Action Plan on HTP* which takes into account persons under UNHCR's mandate. However, the scope of the *National Strategy* provides limited opportunities for women and children under UNHCR's mandate to access the national prevention and response services.

Recommendations:

UNHCR recommends that the Government of Ethiopia:

- (a) Include women and children under UNHCR's mandate in the *National Plan of Action on Harmful Traditional Practices*, and facilitate their access to national response services, including legal aid and access to justice.

Issue 3: Fair protection process and documentation

Linked to 2nd cycle UPR recommendations no. 155.98: Strengthen the national system of birth registration, extending it to all persons born on Ethiopian soil (Senegal); **recommendation no 155.99:** Raise the capacity of the Vital Events and National Identity Card Registration Agency in order to ensure the right of all persons to birth and death registration (Sudan); and **recommendation no 155.154:** Adopt measures to ensure the issuance of birth certificates to new-born refugees. (Argentina)

Despite the remarkable progress achieved in ensuring birth registration for refugee children, there are a number of major challenges, which hamper the efficiency and accessibility of refugee vital events registration in Ethiopia. The parallel structure of the Federal Vital Events Registration Agency/Regional Vital Events Registration Agency (FVERA/RVERA) registering vital events of nationals and ARRA registering vital events of refugees leads to a number of challenges with respect to coordination, efficiency and capacity of the system. While ARRA has the delegated authority to register vital events of refugees on behalf of FVERA, ARRA is not integrated in the existing national coordination structure. Moreover, lack of coordination in the implementation of refugee vital events registration has been reported as a considerable challenge in all refugee field operations. In particular, the countrywide roll-out of the refugee vital events registration in October 2017 posed significant operational difficulties to ARRA. These difficulties are related primarily to the institution's limited technical capacity and staffing constraints, but also to the weaknesses of the data management system that does not allow for complete and disaggregated statistical reporting.

The *Directive*, which governs the implementation of *Amendment Proclamation 1049/2017* has not been drafted with a specific protection focus and contains various provisions, which are not in line with international standards and may generate discrimination. To date, 114,538 refugee children were born in Ethiopia. As ARRA VERA has issued over 6,000 birth certificates since the launch of refugee vital events registration last October, the number of children born in Ethiopia and without birth registration remains overwhelming and stands at 108,455 (94.69 per cent).

Recommendations:

UNHCR recommends the Government of Ethiopia:

- (a) Undertake a comprehensive assessment for the development of a national strategic plan of the CVRS, in order to take the necessary measures to build the capacity of ARRA and RVERA staff and ensure equitable, harmonized processes for refugees across the country;
- (b) Adopt a functioning coordination structure on refugee vital events registration, which includes Government actors, such as the Ministry of Health, FVERA, as well as UN and relevant NGOs;
- (c) Ensure that more persons under UNHCR's mandate benefit from civil documentation; and
- (d) Carry out awareness-raising initiatives on the importance and benefits of civil registration, including among the refugee population.

Additional protection challenges

Issue 4: Combating sexual and gender-based violence (SGBV) among the internally displaced population

Displacement in Ethiopia is a growing concern with conflict being the primary factor. Since 2015, the IDP population has increased by 2 million individuals. Persons with specific needs, women, children, persons with disabilities, and older persons are usually exposed to different protection risks, such as family separation, SGBV and lack of access to basic services. The Government is not in a position to provide comprehensive protection interventions to survivors of SGBV and separated/unaccompanied children due to limited technical and financial capacity. Information about durable solution measures, such as return or relocation have not been provided in a clear and transparent manner to the displaced population, which affects their decision-making capacity.

Recommendations:

UNHCR recommends that the Government of Ethiopia:

- (a) Reinforce national systems and structures with special resources to protect displaced persons against SGBV that include prevention and mitigation measures, mechanisms for recovery and rehabilitation, and access to remedies for victims.

Issue 5: Protection of stateless persons and prevention of statelessness

The Government of Ethiopia has not ratified the *1954 Convention Relating to the Status of Stateless Persons* nor the *1961 Convention on the Reduction of Statelessness*. Initial research has shown that there are potential stateless persons or groups at risk of statelessness in Ethiopia. However, due to absence of further assessment of the situation, the extent of the problem remains unknown. Despite its regional obligation stemming from Article 6 of the *African Charter on the Rights and Welfare of the Child* ratified by Ethiopia in 2002, the *Ethiopian Nationality Proclamation* does not yet contain provisions to ensure that children born in Ethiopia, who would otherwise be stateless, be granted Ethiopian nationality. If properly applied, this legal safeguard could help prevent childhood statelessness.

Recommendations:

UNHCR recommends the Government of Ethiopia:

- (a) Consider accession to the *1954 Convention Relating to the Status of Stateless Persons* and the *1961 Convention on the Reduction of Statelessness*; and
- (b) Introduce safeguards to protect children born in Ethiopia against statelessness.

UNHCR
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ANNEX

Excerpts of relevant Recommendations from the 2nd cycle Universal Periodic Review, Concluding Observations from UN Treaty Bodies and Recommendations of Special Procedures mandate holders

ETHIOPIA

We would like to bring your attention to the following excerpts from the 2nd cycle UPR recommendations and UN Treaty Monitoring Bodies' Concluding Observations relating to issues of interest and persons of concern to UNHCR with regards to ETHIOPIA.

I. Universal Periodic Review (Second Cycle – 2018)

Recommendation ²	Recommending State/s	Position ³
Ratification of international instruments		
155.1 Consider ratifying ICERD;	Burkina Faso	Supported
155.2 Continue its process towards the ratification of ICRMW;	Indonesia	Supported
155.7 Ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention);	Uganda	Supported
157.2 Consider signing and ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;	Cabo Verde	Noted
157.3 Consider ratifying the Optional Protocols to CRC on the involvement of children in armed conflict and on a communications procedure;	Brazil	Noted
157.6 Consider lifting the reservations made to articles 17 to 19 (on wage-earning employment, self-employment and liberal professions) of the 1951 Convention relating to the Status of Refugees;	Sierra Leone	Noted
158.3 In line with the recommendations issued by the Committee against Torture and the Committee on the Elimination of Discrimination against Women, consider ratifying the First Optional Protocol to ICCPR and the Second Optional Protocol to ICCPR aiming at the abolition of the death penalty; the International Convention for the Protection of All Persons from Enforced Disappearance; the Optional Protocol to CEDAW as well as the Optional Protocol to CAT, establishing national preventive mechanisms;	Uruguay	Noted
National human rights institutional framework		
155.18 Strengthen the role and mandate of the Ethiopian Human Rights Commission;	Mauritius	Supported
155.27 Equip the national human rights institutions with the necessary resources and capacities to effectively monitor the human rights situation and to independently investigate, provide appeals and redress for alleged human rights violations in relation to the resettlement of communities	Austria	Supported

² All recommendations made to Ethiopia during its 2nd cycle UPR as well as a number of the country's views and replies can be found in: "Report of the Working Group on the Universal Periodic Review of Ethiopia" (7 July 2014), A/HRC/27/14, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/077/54/PDF/G1407754.pdf?OpenElement>.

³ Ethiopia's remaining views and replies, in English, can be found in: *Addendum* (17 September 2014), A/HRC/27/14/Add.1, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/163/15/PDF/G1416315.pdf?OpenElement>.

through the Commune Development Programme;		
Refugees, asylum-seekers and IDPs		
155.153 Continue with efforts to protect the rights of unaccompanied and separated children and female refugees;	Zambia	Supported
155.154 Adopt measures to ensure the issuance of birth certificates to newborn refugees;	Argentina	Supported
155.155 Develop a strategy and national plan of action on the protection of migrants, refugees and internally displaced persons with the technical support of international and national partners;	South Africa	Supported
155.156 Reinforce the strategy and the national action plan concerning internally displaced persons;	Haiti	Supported
Equality and non-discrimination		
155.53 Intensify efforts to eliminate all forms of discrimination against women;	Burundi	Supported
155.62 Ensure equality among women and men in their family relations and continue to combat violence against women and children;	Haiti	Supported
155.67 Adopt legislative or other measures and awareness-raising campaigns to combat and prevent discrimination and societal stigma; in particular against persons with disabilities and persons affected by HIV/AIDS;	Portugal	Supported
Sexual and gender-based violence		
155.73 Increase efforts to effectively enforce the provisions of the Penal Code on sexual and domestic violence and prosecute any such acts;	Liechtenstein	Supported
155.74 Enhance assistance, shelter and rehabilitation for victims of sexual and domestic violence;	Liechtenstein	Supported
155.75 Ensure the allocation of adequate resources for the effective implementation of policies and programmes against violence against women and trafficking in persons;	Philippines	Supported
155.78 Continue efforts to address FGM, early marriage, and violence against women and girls which remain deeply rooted, according to reports;	Japan	Supported
155.80 Continue its existing efforts to implement the national strategy and action plan on the elimination of harmful traditional practices and FGM;	Rwanda	Supported
Trafficking and exploitation		
155.87 Step up efforts to combat trafficking in persons, including training for officials, criminal prosecution of perpetrators as well as developing measures for the protection and rehabilitation of the victims of trafficking in persons;	Belarus	Supported
155.88 Continue strengthening the rehabilitation and reintegration of victims of human trafficking with the support of the international community;	Bolivarian Republic of Venezuela	Supported
155.89 Strengthen the institutional capacity of the National Council to Combat Trafficking in Persons;	Burundi	Supported
155.90 Develop a specific programme to try and punish traffickers of women and children;	Honduras	Supported
Birth registration		
155.98 Strengthen the national system of birth registration, extending it to all persons born on Ethiopian soil;	Senegal	Supported
155.99 Raise the capacity of the Vital Events and National Identity Card Registration Agency in order to ensure the right of all persons to birth and	Sudan	Supported

death registration;		
155.154 Adopt measures to ensure the issuance of birth certificates to newborn refugees;	Argentina	Supported
Freedom of expression		
155.104 Take steps to guarantee the political rights of its people, freedom of expression, association and assembly, in particular;	Japan	Supported
155.105 Take measures to ensure the increased freedom of expression of journalists and media workers;	Republic of Korea	Supported
155.106 Ensure that legitimate acts of political dissent are not criminalized and freedom of opinion, of the media and of assembly are fully respected when applying the Terrorist Act of 2009, in line with the NHRAP;	Germany	Supported
155.107 Review its legislation to ensure that any limitations on the right to freedom of expression, both online and off-line, are in full compliance with article 19 of ICCPR, in particular by providing for a defence of truth in all defamation cases;	Ireland	Supported
155.108 Ensure that journalists and workers in the media can pursue their profession in a free environment which guarantees the rights of freedom of opinion and expression for all persons;	Chile	Supported
155.113 Take further measures to ensure the safety and freedom of action of human rights defenders;	Finland	Supported
156.5 Fully protect members of opposition groups, political activists and journalists who are exercising their rights to freedom of expression, association and peaceful assembly from arbitrary detention;	Canada	Supported
156.6 Repeal provisions of the legislation that can be used to criminalize the right to freedom of expression;	Slovakia	Supported
157.18 Monitor the implementation of the anti-terrorism law in order to identify any act of repression which affects freedom of association and expression and possible cases of arbitrary detention. In addition, develop activities necessary to eliminate any excesses by the authorities in its application;	Mexico	Supported
158.35 Repeal the provisions of the media and anti-terrorism legislation that infringe on the protection accorded to freedom of expression by provisions in article 29 of its Constitution and on Ethiopia's human rights obligations;	Slovenia	Noted
Detention		
156.1 Allow independent observers access to places of detention;	Paraguay	Supported
157.10 Adopt measures which guarantee the non-occurrence of cases of torture and ill-treatment in places of detention and, among them, establish an independent national preventive mechanism against torture;	Spain	Supported
Death penalty		
158.27 Positively consider adopting a de jure moratorium on executions with a view to abolishing the death penalty;	Italy	Noted
158.28 Transform the current practice of suspension of all executions into law, and put in place a "de jure" moratorium on executions;	Belgium	Noted

II. Treaty Bodies

Committee on the Rights of Persons with Disabilities

Liberty of movement and nationality (art. 18)

41. The Committee is concerned that the process of birth registration of all newborn children with disabilities across all territories, including refugee camps, is not carried out to its fullest extent.

42. The Committee recommends that the State party strengthen the birth registration system to ensure that every newborn child with disabilities in all areas of the country, in particular those living in remote and rural areas and those living in refugee camps, are registered immediately upon birth.

Committee on the Rights of the Child

Respect for the views of the child

31. While noting the positive steps taken by the State party to implement the principle of respect for the views of the child, such as the children parliaments and the child rights clubs, the Committee remains concerned that traditions and cultural attitudes continue to limit the full implementation of the right of the child to be heard. Furthermore, the Committee notes with concern that except for the specific provision in the Revised Family Code concerning the adoption process, there is no information on other legal provisions guaranteeing the respect of the right of the child to be heard in schools, judicial and administrative proceedings, alternative care settings, and in the family, and there is no reference to programmes and initiatives for children in vulnerable situations.

32. In the light of its general comment No.12 (2009) on the right of the child to be heard, the Committee recommends that the State party take all appropriate measures to:

- (a) Ensure the incorporation of this right into all laws, policies and programmes relating to children, particularly relating to education, healthcare, alternative care and administration of justice;**
- (b) Guarantee that children and youth are actively consulted and involved in the elaboration and implementation of policies and programmes affecting them, and pay particular attention to the active involvement of children in vulnerable situations, including children with disabilities, minority children, refugee children, and children in street situations; and**
- (c) Develop awareness-raising programmes, including campaigns to promote the meaningful and empowered participation of all children in judicial proceedings, in the school, community, family and alternative care settings.**

Sexual Exploitation and abuse

43. The Committee notes as positive the adoption of national action plans, the establishment of multisectoral coordination bodies to combat violence against women and children and child sexual abuse, as well as the creation of a specialized investigation unit and the development and implementation of awareness-raising and training programmes. However, the Committee remains deeply concerned at the high levels of child sexual abuse in the State party, and at the absence of information on specific strategies and initiatives targeting children at particular risk of becoming victims of sexual abuse. The Committee is also concerned at the large proportion of girls who experience forced sexual initiation, particularly within the context of early marriage and sexual harassment, and it regrets the significantly

low reporting rates of child abuse, including sexual abuse, the absence of mechanisms to assess and monitor the extent of such violations, lack of prosecution and conviction and the lack of adequate rehabilitation and reintegration services for victims.

44. The Committee urges the State party to:

- (a) Further develop and implement awareness-raising programmes, including campaigns, in close collaboration with international donor, agencies, civil society and NGOs, in order to prevent and eliminate gender-based violence, including sexual abuse and exploitation, and pay particular attention to the issue of forced sexual initiation;**
- (b) Design and implement strategies and programmes combating sexual exploitation and abuse of children and targeting specifically children in vulnerable situations, including girls, children in street situations, refugee children, children with disabilities, in school, family-like and alternative care settings, and extend those strategies and programmes particularly to rural and remote areas;**
- (c) Ensure that the institutional bodies responsible for the monitoring, investigation and prosecution of cases of sexual violence and abuse are provided with adequate human, technical and financial resources in order to effectively discharge their respective mandates and are easily accessible by child victims;**
- (d) Establish an efficient system of data collection to monitor and assess the extent of the problem; and Provide all professional groups working with and for children, including teachers, judges, health professionals and care workers with adequate training, carry out sensitization programs for children to detect the risks of sexual violence and establish specialized centres for rehabilitation and reintegration of victims of sexual violence and abuse, particularly in the rural and remote areas.**

Freedom of the child from all forms of violence

45. While welcoming the positive steps taken by the State party to address the issue of child abuse and neglect, notably through the elaboration and implementation of training and educational programmes, the Committee is deeply concerned that violence against children still persists in the school, home and alternative care settings, and deeply regrets the absence of information on the number of investigations and prosecutions of such cases.

46. In the light of its general comment No. 13 (2001) on the right of the child to freedom from all forms of violence, the Committee recommends that the State party take urgent measures in order to:

- (a) Protect all children from all forms of physical and mental violence, in particular, girls, children with disabilities, refugee children, children living in street situations, in poverty, in rural and remote areas;**
- (b) Establish effective procedures and mechanisms to receive, monitor and investigate cases of child abuse and neglect, to ensure proper prosecution of perpetrators and to guarantee that abused children are not victimized in legal proceedings;**
- (c) Eliminate violence against children, in particular girls, in school and on the way from/to school, through the establishment of specialized school protection committees with the participation of students and teachers;**
- (d) Train teachers, law enforcement officials, care workers, judges and health professionals, on how to effectively identify, report and manage ill-treatment and abuse cases;**
- (e) Engage closely with NGOs and local communities for the elaboration and implementation of educational programmes to eliminate the cultural**

acceptance of child abuse and neglect, and to raise awareness about legal protection measures;

- (f) Further strengthen the framework of prevention, physical and psychological rehabilitation and reintegration of child victims, notably through the establishment of specialized centres and shelters, and to ensure that adequate human, technical and financial resources are made available; and
- (g) Cooperate with the Special Representative of the Secretary General on violence against children, UN Special rapporteurs, and other relevant United Nations institutions.

Children with disabilities

53. While welcoming the ratification of the Convention on the Rights of Persons with Disabilities and the commitment expressed by the State party to address the issue of rehabilitation and integration of persons with disabilities, the Committee remains deeply concerned at the persistence of negative attitudes and discrimination against children with disabilities, and at the fact that the vast majority of children with disabilities are deprived of education and face obstacles in accessing appropriate social and healthcare services. The Committee is also concerned at the lack of reliable disaggregated data, and the absence of specific information on initiatives and programmes for the rehabilitation and reintegration of children with disabilities, particularly for those children suffering from multiple and intersecting forms of discrimination.

54. In the light of article 23 of the Convention and of its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability and specifically recommends that it:

- (a) Take urgent measures to elaborate and implement specific programmes for children and youth with disabilities aimed at enhancing their social inclusion, and ensure in particular their access to quality inclusive education, vocational training, social and health services;
- (b) Undertake, in close collaboration with NGOs and local communities, awareness-raising programmes, including campaigns, on eliminating discrimination against children with disabilities, and particularly against children with disabilities who suffer from multiple forms of discrimination, such as girls, children living in poverty, in rural and remote areas, children living with HIV/AIDS, children in street situations, children members of ethnic minorities and indigenous populations, and refugee children;
- (c) Establish a data collection system on children with disabilities, focusing on the type of disability, in order to facilitate the elaboration, development and implementation of relevant policies and programmes; and
- (d) Design and develop training programmes for all professional groups working with and for children and youth with disabilities, including teachers, law enforcement officials, care workers, judges and health professionals.

Education, leisure and cultural activities (arts. 28, 29, 30 and 31)

61. The Committee welcomes the increase in the enrolment rates at primary school level, the development of educational and training programmes for teachers, in particular women teachers, the measures to promote girls' access to education, as well as the development and delivery of alternative basic education programmes in the rural, pastoral and semi-pastoral regions. However, the Committee is concerned about:

- (a) The lack of national legislation on free and compulsory education;
- (b) The persistent regional disparities in enrolment rates and the high number of school aged children, particularly girls, who remain out of school, as well as the high dropout

rates, the significant low enrolment rates in pre-primary education and secondary education;

- (c) The scarcity of school facilities to accommodate children's education needs, especially for refugee children, children of displaced indigenous and minority ethnic groups, teenage girls, as well as children with disabilities; and
- (d) The absence of detailed information on programmes of vocational training for those children and adolescents who leave school.

62. The Committee recommends that the State party take all appropriate legal and policy measures in order to:

- (a) Guarantee access to free and quality education for all children without discrimination on any ground, including by adopting a law on free and compulsory education;**
- (b) Address the barriers of out-of-school children, particularly the direct and indirect costs of education, violence against children and gender-based violence, harmful traditional practices and negative attitudes towards children in vulnerable situations, including children with disabilities, children in street situations, refugee children, and children belonging to minority and indigenous groups;**
- (c) Raise awareness about secondary education and to provide all appropriate means, including financial incentives, in order to encourage primary education graduates to advance to the secondary education;**
- (d) Eliminate regional disparities in terms of attendance and enrolment rates, by paying particular attention to the pre-primary school level, and expand the school feeding programs;**
- (e) Enhance the quality of the Alternative Basic Education (ABE) programmes, and facilitate the transition from the ABE centres to the formal education;**
- (f) Provide guarantees that the school remains a safe and secure environment for the educational and personal development of every child, where freedom of expression is safeguarded, by prosecuting sexual abuse of children, eliminating harassment and intimidation of teachers and prohibiting campaigns of political indoctrination; and**
- (g) Develop and promote high-quality vocational training programmes for all children and adolescents, and particularly for children and adolescents who drop out of school, and strengthen the training programmes for teachers, particularly in and for rural and remote areas.**

Refugee, asylum seeking and internally displaced children

67. The Committee is concerned about the lack of security and protection of refugee, asylum seeking and internally displaced children from violence, exploitation and abuse within and outside the refugee camps. In this context, the Committee is seriously concerned about the reports of disappearances of refugee and asylum seeking children from the refugee camps, and about the living conditions in those camps. The Committee is further concerned that children of refugees are not registered at birth. The Committee also regrets the absence of information on the situation of internally displaced persons, particularly children, due to natural disasters, as well as of asylum seekers, particularly the Eritrean asylum seekers, including a large number of unaccompanied children.

68. The Committee urges the State party to:

- (a) Collect disaggregated data on refugee, asylum-seeking and internally displaced children, including unaccompanied and separated children;**
- (b) Enhance the security in refugee camps and ensure protection of all refugee children, particularly girls, against all forms of violence, including sexual violence, exploitation and trafficking, and establish appropriate mechanisms to**

- report and investigate such cases, and to effectively prosecute the perpetrators;
- (c) Urgently investigate reports of disappearances of children from the refugee camps, establish their whereabouts and prosecute those responsible for such crimes;
 - (d) Adopt targeted policies to promote the integration of refugees, asylum seekers and internally displaced persons, through the development of out-of-camp policies, and to elaborate and implement a comprehensive strategy for the protection of internally displaced persons;
 - (e) Withdraw its reservation to the 1951 Refugee Convention regarding primary education, and ratify the 1954 United Nations Convention relating to the Status of Stateless Persons and the 1961 United Nations Convention on the Reduction of Statelessness; and
 - (f) Urgently improve the conditions in the refugee camps, particularly by providing adequate and quality nutrition, education and health services, including mental and reproductive health services; Ensure that children of refugees are registered at birth;
 - (g) Continue engaging with the Office of the High Commissioner for Refugee in this regard.

Sale, trafficking and abduction

69. The Committee is deeply concerned that while trafficking in children abroad and within the country for the purpose of domestic servitude, commercial sexual exploitation and exploitation in the worst forms of child labour persists, no information was provided by the State party on the number of affected children, and on the number of investigations, prosecutions and convictions. The Committee is also deeply concerned at the lack of rehabilitation and reintegration centres to provide child victims of trafficking and commercial sexual exploitation with the adequate, age-sensitive medical and psychological assistance. The Committee also regrets that the “sale of children” is neither defined, nor criminalized in the State party’s Criminal Code and Criminal Procedure Code, and that the relevant trafficking provisions of the Criminal Code do not comply with the international standards as set by the Protocol to Prevent, Suppress and Punish Trafficking, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (2000).

70. The Committee urges the State party to:

- (a) **Revise all relevant provisions of the Criminal Code and Criminal Procedures Code in order to explicitly prohibit and criminalize the sale of children and to align these provisions with the international standards, including the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;**
- (b) **Develop and implement strategies and policies to eliminate domestic rural-urban and international flows of trafficking, by paying particular attention to vulnerable children, including girls, children living in poverty, out-of-school children, children who have dropped out of school, migrant, refugee and internally displaced, unaccompanied and separated children;**
- (c) **Effectively monitor implementation of bilateral and multilateral agreements on the issue of trafficking, ensuring that special attention is paid to the needs of children who are returned to their country of origin, and ensuring that the principle of the best interests of the child is always respected;**
- (d) **Engage closely with civil society organizations and local communities, in order to implement effective communication strategies and awareness raising campaigns on proper migration channels and the risks of trafficking, as well as**

training programmes for specific professional groups working with and for children;

- (e) Ensure that the National Task Force and the Women and Children's Trafficking Monitoring Directorate are provided with the adequate human and financial resources in order to effectively prevent and investigate instances of trafficking, as well as prosecute and convict perpetrators; and**
- (f) Establish reception and rehabilitation centres, for the safe return, medical and psychological support, and reintegration of all children victims of sale, trafficking and abduction with particular focus on rural and remote areas.**