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Gender Equality and Social Inclusion in Ethiopia

Policy Brief

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This document is a policy brief that addresses the core tenets of gender and social inclusion in Ethiopia's WASH sector as part of the WASH SDG programme.

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Abbreviations

GESI	Gender, equity, and social inclusion
MoLSA	Ministry of Labour and Social Affairs
PLWD	People living with disability
PLHIV	People living with HIV
WASH	Water, Sanitation, and Hygiene

Executive summary

Globally, exclusion and marginalization provide a significant barrier for socially excluded groups to access water, sanitation, and hygiene (WASH) services. Socially excluded or marginalized groups include women, girls, people living with disability (PLWD), people living with HIV (PLHIV), the elderly, the chronically ill, and others. Evidence shows that the lack of WASH service provision disproportionately affects socially excluded populations, particularly women and girls. Local and national authorities play an important role in ensuring the socially excluded groups receive proper attention, are consulted, and their presence becomes institutionalized in planning, budget, management, and monitoring processes.

The 1995 Constitution of The Federal Democratic Republic of Ethiopia supports equality among all people. There are several other national level policies, laws, and documents that address gender equality and women's rights including the 1993 National Policy on Ethiopian Women which encourages women's participation in "...the formulation of government policies, laws, regulation programmers, plans, and projects that directly or indirectly benefits and concern women as well as in the implementation there of".¹ The Ethiopian government has demonstrated its support for safeguarding the rights of women, children and people living with disabilities by creating new institutional mechanisms such as offices within relevant line ministries (e.g. health) that focus on marginalized populations.

The March 2020 draft revised National Water Policy and Strategy provides definitions for equity and inclusion that did not exist in previous version of water policies. The presence of this language demonstrates advancement towards equality for water, sanitation, and hygiene services for all. Regardless of this progress, challenges still exist including:

- Active participation of socially excluded groups in policy, planning, and budget dialogues and processes
- Lack of participation of excluded groups often caused by cultural barriers in decision-making processes and platforms on WASH and other cross-sectoral issues
- Infrastructure design and implementation
- Information flow
- Policy enforcement and regulation

There is an opportunity for individuals within the Ethiopian government with the power to create lasting change in the lives of the marginalized and socially excluded. This would require improving information flow between national, regional, and local levels; improving policy enforcement and regulations; and improving participation from socially excluded groups in WASH decision making including infrastructure design, planning and budget processes.

¹ National Policy on Ethiopian Women. The Transitional Government of Ethiopia, The Prime Minister's Office, Women's Affairs Sector. September 1993, Addis Ababa, Ethiopia <http://almariam.com/wp-content/uploads/2018/10/National-policy-on-Ethiopian-women.pdf>

Introduction and background

Globally, exclusion and marginalization provide a significant barrier for socially excluded groups to access water, sanitation, and hygiene (WASH) services. Socially excluded or marginalized groups include women, girls, people living with disability (PLWD), people living with HIV (PLHIV), the elderly, the chronically ill, and others. Evidence shows that the lack of WASH service provision disproportionately affects socially excluded populations, particularly women and girls. Gender roles and biases make it difficult for women and girls to participate in infrastructure, financial, and other decision-making processes for WASH. Women and girls bear the heaviest burden when it comes to managing WASH needs at the household level including, but not limited to, water collection, yet the opportunities to contribute to decision-making is scarce. This translates to design and management of WASH infrastructure that does not consider the needs and priorities of the socially marginalized.

One key WASH challenge for socially excluded populations includes access to facilities that meet their basic needs including distance to water points, appropriate sanitation facilities, and access to menstrual hygiene and handwashing facilities and products. Another challenge is a lack of participation in planning and budget processes. Without the voice and representation of the socially excluded groups in these processes, decision makers are further exacerbating the problem. Processes of exclusion and marginalization are often deeply embedded into societies, processes, and structures.

Local and national authorities play an important role in ensuring the socially excluded groups receive proper attention, are consulted, and their presence becomes institutionalized in planning, budget, management, and monitoring processes.

The issue

Global: Human right to water and sanitation

Starting in the 1970s and continuing to today, the UN has promoted the importance of water and sanitation as a right. The 1977 Mar del Plata UN Water Conference in Argentina stated, “All peoples, whatever their stage of development and their social and economic conditions, have the right to have access to drinking water in quantities and of a quality equal to their basic needs”.² In November 2002, the UN Committee on Economic, Social and Cultural Rights adopted its general comment No. 15 on the right to water stating that, “The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible, and affordable water for personal and domestic uses.” And universal access to sanitation is “...not only fundamental for human dignity and privacy, but is one of the principal mechanisms for protecting the quality of drinking water supplies and resources.”³ In 2010, the UN declared water and sanitation as a human right. The human rights to water and sanitation provide a template to ensure all people, including those most marginalized and socially excluded, have WASH services that last.

² Report of the United Nations Water Conference, March 1977. Mar del Plata, Argentina.

<https://digitallibrary.un.org/record/724642>

³ General Comment No. 15. The right to water. UN Committee on Economic, Social and Cultural Rights, November 2002

https://www.un.org/waterforlifedecade/human_right_to_water.shtml

Ethiopia: Gender, equity, and inclusion

The 1995 Constitution of The Federal Democratic Republic of Ethiopia supports equality among all people. In Article 25 Right to Equality – the constitution states, “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall guarantee to all persons equal and effective protection without discrimination on grounds of race, nation, nationality, or other social origin, colour, sex, language, religion, political or other opinion, property, birth, or other status.”⁴ Articles 35 and 36 address the rights of women and children, respectively. Article 41 on Economic, Social and Cultural Rights, sub-article 5 states “The State shall, within available means, allocate resources to provide rehabilitation and assistance to physically and mentally disabled, the aged, and to children who are left without parents or guardian.”

There are several other national level policies, laws and documents that address gender equality and women’s rights. This includes the 1993 National Policy on Ethiopian Women which supports gender equality specifically encouraging women’s participation in “...the formulation of government policies, laws, regulation programmers, plans and projects that directly or indirectly benefits and concern women as well as in the implementation there of”.⁵ In addition, The Revised Family Code raised the minimum age of marriage from 15 to 18 years of age and included language on freedom of consent allowing women to be married only if they consent. This document also stipulates women’s rights to property.⁶ The Criminal Code of Ethiopia from 2004 protects women from sexual violence and harmful traditional practices such as female genital mutilation and early marriage. It recognizes “...equality between religions, nations, nationalities and peoples, the democratic rights and freedoms of citizens and residents, human rights, and most of all, the rights of social groups like women and children.”⁷

Additional laws and proclamations address issues of PLWD. Constitutional Proclamation No. 471/2005 mandates the Ministry of Labour and Social Affairs (MoLSA) to ensure social wellbeing and to create opportunities for people with a disability. The 2009 building proclamation (Proclamation No. 624/2009) states WASH facilities in buildings should be accessible to persons with a disability, specifically people with a physical impairment. In addition, in 2010 Ethiopia ratified the Convention on the Rights of Persons with Disabilities. Subsequently in 2011, the ten-year National Plan of Action of Persons with Disabilities was developed. This is supported by the Federation of Ethiopian National Associations of Persons with Disabilities which is very active.

In addition to the revision of laws and policies, the Ethiopian government has demonstrated their support for safeguarding the rights of women, children, and PLWD by creating new institutional mechanisms such as Women’s, Children, and Youth Affairs Directorates within all ministries that focus on marginalized populations. Ethiopia has also signed onto regional and international declarations

⁴ Constitution of The Federal Democratic Republic of Ethiopia. 1994

https://www.constituteproject.org/constitution/Ethiopia_1994.pdf?lang=en

⁵ National Policy on Ethiopian Women. The Transitional Government of Ethiopia, The Prime Minister’s Office, Women’s Affairs Sector. September 1993, Addis Ababa, Ethiopia <http://almariam.com/wp-content/uploads/2018/10/National-policy-on-Ethiopian-women.pdf>

⁶ The Revised Family Code Proclamation No. 213. Federal Negarit Gazetta of the Federal Democratic Republic of Ethiopia. July 2000, Addis Ababa, Ethiopia <https://www.refworld.org/pdfid/4c0ccc052.pdf>

⁷ The Criminal Code of the Federal Democratic Republic of Ethiopia, Proclamation No. 414. 2004 <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/70993/75092/F1429731028/ETH70993.pdf>

including the Millennium Development Goals, the Sustainable Development Goals, Protocol to the African Charter on the Rights of Women in Africa, and the Convention on the Elimination of Discrimination Against Women.

In February 2020, the Ethiopian government and other key stakeholders began the process to review and update the National Water Policy and Strategy. In the glossary of the draft written in March 2020, there are definitions for equity and inclusion. Equity is defined as the principle of fairness which recognises that people are different and need different support and resources to ensure their rights are realised, and inclusion is defined as the process of ensuring that all are able to participate fully and supporting people – including those who are discriminated against and marginalised – to engage in wider processes to ensure that their rights and needs are recognised.⁸ The presence of this language demonstrates advancement towards equality for water, sanitation and hygiene services for all. Regardless of this progress, challenges still exist.

An assessment report by Amref Health Africa on gender, equity, and social inclusion (GESI) in Oromia Region summarizes these challenges stating, “As it is the case for many African countries, the main challenge with regards to gender lies on the difficulty of translating legal reforms and political commitments at higher levels of government into a practical change at grassroots level. This way, in many cases state reform efforts contradict with institutional and practical interests. Thus, really struggle with regards to gender and social status in Ethiopian context is related to the translation of policies and strategies on the ground to serve the needy.”⁹

Issues of gender, equity, and inclusion in WASH

The 1995 Constitution also mentions gender equity and inclusion as it relates to water. Article 90, sub-article 1 states, “To the extent the country’s resources permit, policies shall aim to provide all Ethiopians access to public health and education, clean water, housing, food, and social security.”¹⁰ However, discrimination (formal or informal) is based on gender, age, disability, ethnicity, religion, and poverty level. This leaves marginalized groups such as women, girls, PLWD, PLHIV, the chronically ill, and the elderly without the realization of basic human rights of sanitation and water which should be afforded equally to all. These populations disproportionately lack access to WASH due to problems with infrastructure, participation in decision making, policy implementation and enforcement, and budget allocations at all levels.

Challenges with infrastructure

Marginalized populations face poorly managed facilities, if they exist at all. When WASH facilities are built, the design is rarely inclusive, particularly for PLWD and the elderly. In many regions and woredas, the distance to the water source or sanitation facility is too far or over difficult terrain for PLWD, children, and elderly women to reach. Sanitation facilities (toilets) are not designed or built to accommodate the needs of socially excluded groups. WASH facilities in institutions such as schools and healthcare facilities are rarely separated by gender, are not private, inaccessible for PLWD, and

⁸ Federal Democratic Republic of Ethiopia National Water Policy and Strategy, draft March 2020, Addis Ababa.

⁹ Final Report: Sub-programme Gender Equality and Social Inclusion (GESI) Assessment in Oromia Region, Ethiopia. Amref Health Africa, June 2018, Addis Ababa, Ethiopia.

¹⁰ Constitution of The Federal Democratic Republic of Ethiopia. 1994
https://www.constituteproject.org/constitution/Ethiopia_1994.pdf?lang=en

do not have a space for menstrual hygiene management. This causes privacy issues, absenteeism from school, and can be a security risk for women and girls.

Challenges with participation

There is lack of participation of women, girls, and PLWD in decision making. The participation challenge directly links to challenges with infrastructure. When users of facilities are not consulted, facilities are left lacking, and water and sanitation infrastructure fails to be inclusive or accessible to all.

Interviews for a gender equality and inclusion assessment done in Oromia in 2018 found that “...officials witnessed that they never consult or involve women in the design and construction of any water point. The same is true for PLWDs. They didn’t participate. ‘There are no local policies, strategies, programs, or frameworks in place to promote inclusion of socially excluded groups including women in decision making on WASH related development activities. To the best of my knowledge, I have never seen any water or sanitation point designed appropriately for ease access of persons with disabilities.’ KI (PLWD Representative) from Negelle Arsi.”¹¹

Challenges with information flow, policy enforcement and regulation

Despite the national level laws, policies, and strategies in place, marginalized and socially excluded groups, particularly women, girls, and PLWD, still face significant challenges related to water, sanitation, and hygiene (WASH) in Ethiopia. There is a disconnect between what is written at the national level, how information flows from national to local levels, what is enforced at each level, and the realities experienced by the socially excluded each day. The strides made by the government are a great step in the right direction but are not enough.

Policy recommendations

National level

Develop, disseminate, and implement a national GESI strategy. This strategy should align with but expand upon current national level laws and policy documents.

Improve information flow between national, regional, and local levels

Translate all national level policies, strategies, and guidelines into local languages to ensure they are accessible and reach anyone responsible for implementation.

Ensure national level policies, strategies, and other relevant documents are shared with all stakeholders including government officials, civil society, and the socially excluded groups at regional and local levels. The delivery method should be inclusive and in the local language.

- Hold inclusive awareness raising workshops at the regional level that explain how national level policies, strategies, and guidelines can be used and how to develop manuals for implementation.

¹¹ Final Report: Sub-programme Gender Equality and Social inclusion (GESI) Assessment in Oromia Region, Ethiopia. Amref Health Africa, June 2018, Addis Ababa, Ethiopia.

Ensure workshops include those responsible for implementation as well as individuals from socially excluded groups.

- Hold town halls to inform individuals at the woreda level about national level policies, strategies, and other relevant documents and how they can and should be implemented. The town halls should be spaces for information sharing and feedback between government officials, community-based organizations, and community members, including marginalized populations and socially excluded groups, and should be conducted in the local language to ensure they are inclusive as possible.

Create an awareness raising campaign on improving gender equality targeting men and boys. Develop messages and content in collaboration with members of socially excluded groups using the policy language already included in national level policy, strategy, and guideline documents as a basis. Work with marginalized groups to support information dissemination.

Institutionalize and normalize the process for GESI documents created at the national level to be disseminated to the regional, zonal and woreda levels. Ensure government officials and marginalized populations are aware of the national level documents and policies are enforced at all levels.

Identify models and disseminate best practices for inclusive WASH facility construction including institutional WASH facilities in collaboration with PLWD, PLHIV, the elderly, women, girls, and other socially excluded groups. Provide the regulatory framework and enforcement to ensure all facilities are inclusive.

Expand options for inclusive water point design, site selection, and construction, particularly for PLWD. Draft and disseminate examples of acceptable options that expand on the existing minimum requirements listed in the One WASH National Plan, the design guideline for sanitation under the Ministry of Health, and the guidelines for school WASH under the Ministry of Education.

Improve policy enforcement and regulations

Review and update national level curriculum used to train health extension workers and ensure there is a focus on inclusive practices and ways to raise awareness of socially excluded groups and solutions to their WASH issues.

Add social inclusion indicators to national, regional, and local level monitoring of WASH services and WASH infrastructure.

Improve participation of socially excluded groups in WASH decision making including infrastructure design, planning, budget, implementation, and management processes

Provide dedicated space for individuals representing socially excluded groups in all national and regional platforms including WASH related working groups, policy and strategy dialogues, national reviews, and planning and budget processes, and provide support for their participation.

Ensure information about national and regional policy, budget, and planning meetings is provided in a timely manner to allow time for individuals from socially excluded groups to participate effectively.

Woreda level

Provide budget line items at the woreda level to scale model communal latrines that are inclusive to PLWDs, the elderly, women, and children. Ensure the options for inclusive sanitation facilities outlined in national level policy and strategy documents are known to local stakeholders and available at the woreda level.

Ensure the most effective data on PLWDs and other excluded groups is collected and accessible to all including those responsible for planning and budget processes.

Involve marginalized populations in the planning and budget processes at the woreda level.

Increase prioritization and resources (budget lines) for water points in hard-to-reach areas that are inclusive and support socially excluded groups.

Ensure women are actively participating in the management of the water and sanitation resources, infrastructure, and other processes at the woreda level. In addition, reinforce the policy documents stating that at least 50% of water and sanitation committees (WASHCOs) and water users associations (WUAs) members are women.

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