



Violence Against Women and Girls (VAWG) Revitalizing Actions Against



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SUMMARY

Despite legal, institutional and programmatic measures, violence against women and girls continues to affect women and girls. It continues to violate their human rights and shatter their future to realizing their potential. It calls for revitalizing efforts as it effectively addresses the problem which includes the need to strengthening the legal frameworks and designing strategies and programs that address the root causes of VAWGs and in concerted and sustained manner.

This policy brief draws on the findings and recommendations of the study conducted by Professional Association for Development Ethiopia (PADet), Rift Valley Children and Women Development Organization (RCWDO) and ActionAid Ethiopia (AAE) which formed consortium to implement a project entitled "Amplify Efforts for Equal Opportunity and to End Violence against Women and Girls (VAWG)". The study aimed at reviewing existing policies & laws, and their implementation on the equal rights of women to opportunities and end VAWG, and their implementation to inform revisions in policies & laws, strategies and programs. EU CSF III back-stopped the project with its financial and technical support.

CONTEXT

Women and girls experience abuse and violence in all the corners of their social life. 23% of women age 15-49 have experienced physical violence and 10% have experienced sexual violence. Among the ever-married women age 15-49, 34% have experienced spousal physical, sexual, or emotional violence. 22% of these women have sustained some kind of physical injury ranging from cuts, bruises, or aches to serious injuries such as deep wounds, broken bones, and broken teeth as well as eye injuries, sprains, dislocations, or burns. What is even alarming is a number of women and men find justifications for the violent practices by their marriage partner. 48% of women and 9% of men believe that wife-beating is justified when a woman fails to care for her child/children by her husband. With regard to HTPS, 48% of women were given to marriage before the age of 18 years of age. This prevalence rate is put as 44.9% and 23.1% for Amhara and Oromia regions respectively.¹

Despite its prevalence, most cases of violence remain unreported. Only one-quarter of women who have experienced physical or sexual violence have sought help and from among these women, most of them (79%) have sought assistance from neighborhoods and families while only 8% sought support from service providers like lawyers, doctors/medical personnel.² Exasperated by the aftermath of the pandemic (COVID 19), women have also reported their inability to take violence cases to courts because they prioritize earning income in any way they can over following their cases (to address the household economic shock).³

¹ CSA, 2016. ETHIOPIA Demographic and Health Survey 2016

² Ibid.

³ European Commission & Care. 2021. The Impact of COVID-19 on Women and Girls in Ethiopia



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Violence not only constrains the enjoyment of women's and girls' human rights, but also curtails women's capabilities to pursue their potential and become productive citizens

CONTRIBUTORY FACTORS

Gap in the Law

Despite commendable actions by the government to issue policy and legal frameworks to strengthen the protective environment, there are also gaps. Some forms of violence are unpunished while others are punished but with leniency, i.e., without having the effect of deterring violent behavior. The punishment provided for FGC/M ranges from 3 months to five years of imprisonment (articles 565 & 566). It is only when the act cause serious health injury that the punishment goes from 5 years to 10 years of imprisonment. In this regard CEDAW Committee⁴ on its concluding observation indicated that the penalties stipulated for female genital mutilation and other harmful practices stipulated under articles 561-563, 567,569 and 570 to be lenient and recommends their revision (CEDAW/C/ETH/CO/6-7). Data from primary source supplement the concern as in below.

“The punishment set for harmful traditional practices like FGM and child marriage is too low to deter community members from practicing”

Key Informants from Sebaboru and Ankober Woredas

Also the provision of the criminal code on domestic abuse (article 564) is sliver in its scope on 'domestic abuse'. It only covers physical abuse while female partner in marriage and/or irregular union experience multiple forms of abuse beyond physical abuse. According to EDHS (2016), 34% of married women have experienced **physical, sexual, and/or emotional violence** by their husbands. Also, article 564 of the criminal code assimilates the punishments of domestic abuse with those punishments stipulated for physical abuses committed on any person who is not related to the abuser. However, taking into account the nature of the relationship, the vulnerability of a partner to domestic abuse is higher than that of a person not in relationship to a person committing the abuse. The recurring tendency of domestic abuse is much higher than abuse committed against any person. Ethiopian Demographic and Health Survey (2016) shows 22% of married women have suffered some kind of physical injury as a result of violence by their partner, 19% suffered cuts, bruises, or aches, 10% suffered serious injuries such as deep wounds, broken bones, broken teeth, and 7% suffered eye injuries, sprains, dislocations or burns. Hence, assimilating domestic violence to another physical abuse committed outside of marriage or irregular union and limiting its scope to physical abuse only is leaving women suffering from abuse in relationship without legal remedy having the impact of deterring violence behavior of partners.

Another gap indicated by key informants from Ankober and Sababor woreda is the absence of evidence law to adjudicating sexual offences. As most sexual offenses are committed in private; producing evidence or witnesses is practically difficult. The absence of a procedure that give due protection to witnesses also discourage witnesses to give their testimony resulting in reluctance to reporting.

⁴ 'CEDAW' refers to the Convention on the Elimination of Discrimination Against Women and 'Committee' refers to the Convection monitoring body which follows up and monitor country's performance in meeting their commitment on the Convention

Deep-rooted Social Constructs Normalizing Violence & Discrimination

This is a factor that contributes violence to continue affecting women and girls. The CEDAW committee in its concluding observation (CEDAW/C/ETH/CO/6-7) has recognized adverse cultural norms, practices and traditions as well as patriarchal attitudes and deep rooted stereotypes regarding the roles, responsibilities and identities of women and men as contributory factors to sustaining violence against women and girls. Interventions to address these social constructs are not performed in sustainable and coordinated manner and at scale as it dismantle the wrong social constructs and implant a social value that promotes respect and challenges abuse and violence.

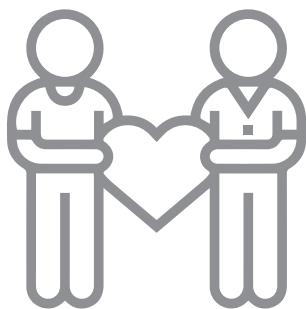
ACTIONS TO REVITALIZE



Revise Laws: The Criminal code provisions that fail to put punishment having a deterrence effect and that fail to criminalize violent behavior need to be revised taking into consideration the experience of other jurisdictions. For instance, the Domestic Abuse Act of UK (2021) (referred to as ‘the Act’), defines ‘domestic abuse’ as behavior of a person towards another person in a relationship which include physical, sexual abuse, violent or threatening behavior, controlling or coercive behavior, psychological, emotional, or economic abuse, i.e., any behavior having a substantial adverse effect to acquire, use or maintain money or other property, or to obtain goods or services (section 1 of the Act). It also sets layers of legal measures enforced taking into account various factors like the type of abuse, the functionality of the relationship, children in the family, etc. Among the legal measures included in the Act are ‘protection notice’ (a legal notice prohibiting the abuser from being abusive towards the person in the relationship); ‘protection order’ (a legal order which, either prohibits the abuser from doing things described in the order, or requires the abuser to do things described in the order). Failure to comply with the notice or order entails imprisonment and/or fine. The Act also stipulates special measures of protection to victims, witnesses and others involves in the legal proceeding. These protection measures include protection order, monetary compensation, child custody order, residence order as well as benefits including shelter and medical benefits. Hence, when revising the criminal code provision on ‘domestic abuse’ (article 564) this could be taken as one case study to build up on.



Do Awareness in Sustainable and Coordinated Manner and at Scale: Fragmented approach implemented thus far has not achieved as it should have achieved. It is high time revitalize and revise approach. Awareness initiatives have to be coordinated in such a manner as it harmonizes approaches, sustains and expands the works on awareness. This requires developing a strategy that defined deliverables and divides roles and responsibilities as well as set a monitoring mechanism that strengthens accountability. The process has to integrate the participation of women and girls, men and boys, communities, government sector offices, civil society organizations, the private sector, media and academic institutions.



Increase the Engagement of Men and Boys: According to a study conducted by UNDP, UNFPA, UN Women and UNV (2013)⁵, factors associated with violence against women enormously account for influential narratives of masculinity that justify and celebrate domination, aggression, strength and a capacity for violence and men's control over women. Working with men and boys allow for changes that exist in from beliefs, attitudes, and wrongly construed norms about what it means to be a man. It also helps develop new and non-violent ideas about manhood and masculinities.

There are also significant numbers of men who are against men's violent behavior and practices but who do not openly challenge it. Engaging men and boys give these men to start examining their silence and understand its impact and hence become change agents (S/GBV sub-Working, 2018).

Hence, expanding the practice of engaging men and boys in the fight against VAWGs is important since it is an effective means to building a society that have zero tolerance to VAWGs. However, since the practice require different approach, the development of strategy and guideline that guaranty quality and accountability is very important to consider.

Expand Coordination at Grass-Root Levels: Despite the legislative and institutional measures, enabling survivors rehabilitate and reintegrate by providing a comprehensive services through coordinated approach is still in stride. Women and girls survivors of violence, especially those living in rural areas, still lack access to essential services, and as a result, continue to be affected by the psycho-social impacts of violence. Also, in the absence of effective legal, rehabilitative and psycho-social support, women and girl-survivors of violence have found very little incentive to report the violence and seek justice against the perpetrators.⁶

This calls for the design of innovative and contextually relevant coordination mechanisms involving local government structures, non-government actors, community mechanisms, women & girls and men & boys. The following case study showcases the use of innovative and contextually relevant coordination mechanism to responding to VAWGs.

Case Study: Using Women Watch Group to Expand Coordination at Grass-root level

AAE works with women watch group, a group involving women and basically established and functioning to fight VAWGs at kebele level. They have by-laws that govern their works on the fight against violence on women and girls. These kebele level groups are further organized and form forum at woreda level. The woreda level forum is recognized by the woreda administration as a community structure to fight VAWGs. AAE has provided training to members on the rights of women and girls and protection of VAWGs. It also constructed office, provided furnishing and stationeries to facilitate the works of the groups and forums. These groups and forums have also been supported to strengthen their networking with women and children, youth affairs, police, attorney office, and courts; health institutions, schools, local women rights associations and nearby public universities. For example, one key achievement is the opening of legal aid centers in collaboration with DebreTabor University and Gondor University at Kimir Dingay town and Guna town respectively.

⁵ UNDP, UNFPA, UN Women and UNV. 2013. Why Do Some Men Use Violence Against Women and How Can We Prevent It? Quantitative Findings from the United Nations Multi-country Study on Men and Violence in Asia and the Pacific. Bangkok:

⁶ UN Women Ethiopia, 2018. Changing the lives of women and girls

They have also been successful in establishing separate court room to hear cases of victim children and women. The police are also using the offices of the women watch groups as temporary staying place for GBV survivors until their cases are referred to other service providers. Women watch groups also play key roles in preventing VAWG and HTPS in their communities by engaging in awareness raising and educating activities.

ActionAid Ethiopia, 2020

Establish disaggregated data on complaints, prosecutions or convictions of VAWGs:

Building up on a robust and centralized data base management system has been the recommendation of CEDAW's Committee to collecting disaggregated data on the number of complaints, prosecutions and convictions. Building the data base is helpful in many ways:

- 1) serves as research inputs on VAWGs in general and responses on VAWGS in particular;
- 2) serves as input to revising policy, legal and institutional measures;
- 3) serves as reliable source of information to base campaign, awareness raising and advocacy works.

Hence, it is of high relevance to establish the data base.

CONCLUSION

Violence against women and girls is still affecting women and girls. This is a violation of right and shatters women's and girls' future by deterring them from realizing their potential. Despite legal, institutional and programmatic measures, the problem has persisted which require revitalizing efforts as it effectively addresses the problem. Strengthening legal frameworks and designing and implementing strategies and programs that address the root causes of VAWGs are the actions that call for revitalized and concerted action.