



Introducing Child Protection and Child Friendly Justice in a  
Society with Complex Socioeconomic Challenges

## **Experinces and Lessons from Ethiopia**

Tsegaye Deda Baffa (*Author*)

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## **Forum for Street Children Ethiopia**

***NB: to be added***

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# Acknowledgements

# Abbreviations

AACPC	Addis Ababa City Police Commission
ACRWC	African Charter on the Rights and Welfare of the Child
ASP	Associated service providers
CANU	Child Abuse and Neglect Unit
CBCC	Community Based Correction Centres
CBCP	Community Based Correction Program
CBO	Community Based Organizations
CFB	Child Friendly Bench
CICL	Children in conflict with the law
CPDS	Child Protection Data System
CPS	Child Protection System
CRC	Convention on the Rights of a Child
CSO	Civil Society Organizations
CTC	Centre for Trafficked Children
EPUC	Ethiopian Police University College
FDRE	Federal Democratic Republic of Ethiopia
FFIC	Federal First Instance Court
GDP	Gross Domestic Product
MOLSA	Ministry of Labour and Social Affairs
NGO	Non-Governmental Organisation
NPA	National Plan of Action
SCS	Save the Children Sweden
TAR	Training and awareness raising
UNICEF	United Nations Children Fund
VAC	Violence Against Children

# Preface

Save the Children Sweden (SCS) has been one of the NGOs engaged sturdily in the promotion of the rights of children and ardently supporting the endeavors of child protection and child friendly justice (CFJ) in Ethiopia. Particularly, SCS and Forum on Street Children-Ethiopia (FSCE)<sup>1</sup> are the pioneering supporters of the police child protection units (CPUs), community based correction programs (CBCP), and child friendly courts (CFC) in the country.

In Ethiopia, popularly recognized practice of child protection and CFJ was commenced during the 1990's, following the establishment of the first CPUs in Addis Ababa city. Starting from the inception of the first CPUs, SCS and FSCE have been vanguards in advancing and expanding the practices. Recognizing the progress attained over the years, and noting the importance of documenting and sharing the experiences and lessons gained in the course, SCS took on a study and documentation of the practices. This document presents the key experiences and lessons.

SCS trusts that those involved in the practices of child protection and CFJ in Ethiopia as well as in other countries with similar circumstances to that of the Ethiopian will find the document a source of invaluable information. It wishes the document be dedicated to those who hold the courage to start putting the idea into practice and to advance the practice enduring the multifaceted challenges.

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<sup>1</sup> FSCE is among the prominent indigenous NGOs working for child protection. It was established in 1989 by a group of social development professionals who used to work in child-focused organizations. Its establishment was specifically in a response to the increased number of street and abandoned children in Addis Ababa city caused by the drought and famine of 1984/85. FSCE was highly acknowledged by the government, other NGOs and the public for its distinguished contribution in the introduction and advancement of the practices of CPUs, and community based correction programs, among others. Also, a pioneer in successfully collaborating with government agencies, particularly with the police.

# Introduction

## Background

### Emergence and development of the child protection and CFJ practices

Practice of child protection and CFJ is relatively a recent phenomenon in the Ethiopian context. It has a history of not more than a couple decades only. Emergence and development of formally recognized practices of child protection and CFJ in Ethiopia is associated with the emergence and development of the democratic form of governance in the country. Before 1991, the country's political and governance environment was not accommodative of the issues of human rights, democracy and democratic rights.

For various reasons, ideology amongst them, the socialist regime did not ratify the United Nation's Convention on the Rights of a Child (CRC).<sup>2</sup> However, in 1979, it established a national children's commission that facilitated care and support for orphans and poor children. Indeed, literatures indicate that since the 1960's various international NGOs, private and voluntary social welfare agencies had been providing social services, education, health and other basic assistance to handicapped and disadvantaged children, beside supporting children affected by famine.

In 1991, the government of the Federal Democratic Republic of Ethiopia (EFDR) has ratified the CRC and domesticated it in 1992 by publishing the statement of ratification in the *Negarit Gazeta* – which was the official law gazette of the government by then.<sup>3</sup> The fact that the government had adopted the CRC was a significant milestone for the start of major initiatives towards the practices of child protection and CFJ. Subsequently, the government has reviewed its laws, formulated varied national policies and programs that directly deal with the matters of children; and established structures that support maintenance of the CRC and implementation of the policies and programmes.

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<sup>2</sup> Save the Children UK. Child Situation Analysis for Ethiopia. Save the Children UK, 2004. 19

<sup>3</sup> Yohannes, Seyoum and Assefa, Aman. Harmonisation of laws relating to children, Ethiopia. African Child Policy Forum, undated. 4

Parallel to such developments from the government side, hundreds of local and international NGOs and civil society organizations (CSOs) began to emerge and partake in promoting and protecting child rights. A formally recognized practice of child protection in the law enforcement system commenced following the establishment of CPUs during the second half of the 1990's. CPUs are first introduced as pilot projects in Addis Ababa city in collaboration between the Addis Ababa City Police Commission (AACPC) and FSCE. Based on the lessons from the CPUs, Community Based Correction Centers (CBCCs), Centre for Trafficked Children (CTCs), and Child Friendly Courts (CFC) began to be introduced and operate. Currently, establishment and operation of such specialized systems has become a national level practice. They are existent in most of the larger towns including the national and regional state capitals.

## Achievements

The introduction of such specialized systems and services has improved the practices of handling of children, those in conflict with law as well as victims of violence and abuse by ensuring specialized treatment, follow-up, and support during the justice processes.<sup>4</sup> Children were being handled better and their cases were being dealt with more promptly and appropriately where such systems and services are available.<sup>5</sup>

As the result of such practices and associated efforts, many other forms of good effects have also been attained towards safeguarding the rights of children and protection of children from abuse and offence: change and improvement in the awareness and attitudes of the general public and members of concerned agencies; improvement in the level of competencies of involved professionals; improving trend in institutionalising and integrating the roles of child protection and CFJ into the concerned government institutions; improving scale of collaboration among different actors; and increased rate of reporting, management and conviction of child abuse cases.

The weightiest effect is, however, the positive impacts made to the lives of children involved. Hundreds of thousands of children have been reportedly provided with different forms of specialized services and supports in person. Ideally, every service provided to a child has somehow contribution in shifting his/her life to a positive direction or at least in reversing or interrupting the negative experience. Every child who is protected from abuse, reintegrated to family, rehabilitated from unacceptable behaviour, provided with learning support, treated in child friendly manner, and provided with restorative justice is benefiting towards the betterment of his/her life.

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<sup>4</sup> Nielsen, Julia Sloth., Chirwa, Danwood., Mbazira, Christophe., Mezmur, Benyam., and Kamidi, Rino. Child-friendly Laws in African Context: Good and promising practices. African Child Policy Forum, 2008.

<sup>5</sup> Martin, Florence and Williams, John Parry. The Right Not to Lose Hope: Children in conflict with the law – a policy analysis and examples of good practice. London: Save the Children Fund, 2005.

## Gaps and challenges

Of course, the practices and the experiences have not been free of pitfalls and challenges. Apparently, there are much more gaps yet to be filled and much more distance yet to be gone. Vast majority of children in the country that need and deserve special services of protection and treatment were not and are not getting it. Most children who were served also received much less than the extent and quality of service they needed.

On the other hand, the journey towards what has just been achieved by itself was not a quick and smooth one. The factors behind this – factors that not only make the success in the introduction and practicing of child protection and CFJ a difficult venture but also exacerbate the problem of child abuse and maltreatment – are very many and complex.

The acute poverty, extreme level of illiteracy, and massive size of the population with bulge of children are the major ones. Apathy, disregard, irresponsibility, and the like unjustifiable causes are also not out of the list. Similar to many other non-advanced societies, child protection and CFJ has been a less understood and less prioritized issue in Ethiopia. The society holds differing views about children – their role, status, and rights – than what is normally expected to be in principle. Widespread traditional beliefs and practices of harmful effect on children form one aspect of this.

Beyond and contrary to this, there have been complex factors that intensify the problem of abuse and maltreatment of children: grave scale of poverty, frequent droughts, and recurrent and widespread conflicts. Families as well as the government have been challenged by acute scarcity and very many competing priorities. It is sometimes perceived as talking about and seeking for democratic rights where the very basic needs of livelihood is not fulfilled. The extensive scale of the forms and incidents of child abuse and maltreatment added to the very large size of child population put a heavy pressure and discouragement on those who wish to fight the problem – appears to be as if trying to fight an unbeatable battle.

Consequently, those involved in the processes of introducing and implementing the child protection and CFJ systems and services have passed through a very rough route, full of upheavals and challenges, involving great experiences and lessons though. This being the case about the setting in which the practices of child protection and CFJ has been introduced, what were achieved so far are not trivial. The trends in the indicated factors have also been improving. The state of the country's setting now is not the same as how it had been before, and definitely it will not remain so in the future too. The recent socioeconomic trends are rather encouraging. What remains crucial is thus to align the future efforts with the changing socioeconomic trends based on the achievements and lessons from the past. There lies, indeed, the underlying cause of this piece of work.

## Purpose and methodology

The purpose of this document is to support advancing and sharing the lessons acquired during in the described course of introducing the practices of child protection and juvenile justice in the country. Accordingly, the document identifies, organises, and presents best practices and lessons that deserve to be built up on, shared and replicated. It also does analysis of the practices and lessons and deduces recommendations thereby. It comes with, thus, organised lessons regarding effective application and adaptation of the general principles and popular traditions of child protection and child friendly justice in the contexts similar to the one in question, Ethiopia – in the countries with complex socioeconomic challenges. This will be a contribution to the body of literature on the subject of child protection and child friendly justice.

The document is founded primarily on first hand information and experiences of the author as well as others who have long been involved in the practice. In constructing the contents of the document, besides interviews with key informants<sup>6</sup> – those who have been actively involved in the inception, introduction, and implementation of the idea and practices of child protection and CFJ in the country – a number of other sources of information are consulted. Among other relevant literatures, these include:

- Reports form governmental and non-governmental organizations on the practices and results of child protection and CFJ initiatives;
- Researches, case studies, and evaluations done on the practices and related issues over the years;
- Official documents containing the required information, such as, policy papers, strategic and annual plans and reports, process manuals, training manuals, and documentaries.

## Content structure

The contents are structured into six chapters. The first chapter provides a brief introduction of the concepts, principles, and requirements of CP and CFJ. In doing so, the chapter aims to establish a foundation and boundary for the forthcoming discussions and analysis. The second chapter aims to give an overview of the problem and practices in the country. It describes and analyses the magnitude of the problem of child abuse and maltreatment as well as the setting in which the CP and CFJ practices are being implemented. These include key

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<sup>6</sup> More than 70 people were interviewed from the major cities/towns where the child protection and CFJ practices are widely implemented relative to others: Addis Ababa, Nazareth, Bahirdar, and Diredawa. The interviewees represent police, judiciary, and NGOs directly involved in the processes and services of child protection and CFJ.

trends in the national socioeconomic environment, and legal and structural frameworks and arrangements for the implementation of child protection and CFJ.

In chapter three, the extant specialized systems and services of CP and CFJ are described. A detailed account about the emergence, development and processes of such systems and services are provided together with the related key challenges and lessons. Chapter four particularly focuses on the practices of training and awareness raising. Where, the role and the scope of training and awareness raising towards successful implementation of CP and CFJ practices is discussed besides a detailed description and discussion of the practices of training police officers in Ethiopia. Chapter five is about data and information. Where, the kinds of data and information relevant for effective endeavors of child protection and child friendly services; the key features of a child protection database system; and the major principles and processes of data operations and management are described. Finally, chapter six summarizes the key issues, lesson, and recommendations.

*Chapter I*

# **Child Protection and Child Friendly Justice**

**An Overview of the Concepts and Standard Practices**

## 1.1 Child Protection

The concept of child protection is used to describe a set of usually government-run services designed to protect children and young people who are underage, and to encourage family stability.<sup>7</sup> Child protection refers to prevention and response to violence, exploitation and abuse against children.<sup>8</sup> Child protection is an effort aims at strengthening the care of the most vulnerable children, and preventing all forms of violence, exploitation and abuse against children – ensuring full maintenance of the rights of all children at all times in accordance to the Un CRC and other related international, regional and national instruments. In a broader sense, it is about provision of a universal service for children and families in general and more specialized services for children and families with specific problems and needs.<sup>9</sup>

The particular focus is however on those children who have already been subjected to serious maltreatment or who are imminently at risk of being seriously maltreated or abused. Children need to be provided with protection against all sorts of risks and vulnerabilities underlying many forms of harm and abuse including sexual abuse and exploitation, trafficking, hazardous labour, violence, living or working on the streets, the impact of armed conflict, harmful practices such as female genital mutilation, child marriage, lack of access to justice, and unnecessary institutionalization.<sup>10</sup>

Child protection efforts comprise a wide range of proactive and reactive measures. Prevention of the risk of abuse and maltreatment through measures that address causal factors; protection of children at risk through measures that deter or impede possibility of the incidents of abuse as well as mitigate the consequences; and investigation and adjudication of the cases of abuse and maltreatment. ‘Due to the complexity of the problems facing children exposed to insecurities, three regulatory regimes need to be ensured as a whole, namely human rights protection, crime control, and economic efficiency’.<sup>11</sup>

A key strategy is building a protective environment for children that will help prevent and respond to violence, abuse, and exploitation, which involves multidimensional efforts that should be implemented through varied actors and systems/arrangements. A protective environment for children boosts development progress, and improves the health, education

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<sup>7</sup> Wikipedia, the free encyclopedia

<sup>8</sup> Nosworthy, David. "Placing Children and Youth on the Security Governance Agenda." *In Seen, but not Heard: Placing Children and Youth on the Security Governance Agenda*, edited by David Nosworthy, 3-31. Zürich: Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2009. xv

<sup>9</sup> Beckett, Chris. *Child Protection: an introduction. 2nd Edition. London: SAGE Publications ltd, 2007.*

<sup>10</sup> UNICEF. *Child Protection Strategy. UNICEF, 2008.*

<sup>11</sup> Hammad, Aleya El Bindari. "Health Indicators and the Impact of Insecurities on Children." *In Seen, but not Heard: Placing Children and Youth on the Security Governance Agenda*, edited by David Nosworthy, 35-54. Zürich: Geneva Centre for the Democratic Control of Armed Forces (DCAF), 2009. 47

and well-being of children and their evolving capacities to be parents, citizens and productive members of society.<sup>12</sup>

Range of the roles and responsibilities of building a protective environment are often spread across government agencies, with services delivered by local authorities, non-state providers, and community groups, as well as families and parents in particular. The strategies of building a protective environment include:<sup>13</sup>

- Ensuring legislative reforms
- Raising awareness and sensitization of all concerned parties including government, community, family, and children;
- Strengthening government commitment and capacity to fulfill children's right to protection;
- Addressing harmful attitudes, customs, and practices;
- Developing children's life skills, knowledge, and participation;
- Building capacity of families and communities;
- Providing essential services for prevention, recovery, and reintegration;
- Encouraging open discussion of child protection issues with all stakeholders including media and civil society partners;
- Establishing and implementing effective monitoring and oversight;
- Inclusion of child protection issues in national development plans;
- Establishing partnerships among governmental, non-governmental and faith-based organizations, concerned international and regional intergovernmental organizations, professional associations, children and youth, and the media;
- Policing and penalizing violators;
- Improved border controls that ensure authenticity of identification papers and passports.

## 1.2 Child Friendly Justice

CFJ is part and parcel of the concept and practice of child protection particularly concerns children who come into contact to a justice system. It stipulates the principles and manners of treating children and handling their cases through the processes of justice. UN CRC /Article 37 & 40/ and related international standards on the Administration of Juvenile Justice as well

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<sup>12</sup> (UNICEF 2008): 2

<sup>13</sup> UNICEF. Child Protection Information Sheet: What is Child Protection?  
[http://www.unicef.org/protection/files/What\\_is\\_Child\\_Protection.pdf](http://www.unicef.org/protection/files/What_is_Child_Protection.pdf) (accessed December 16, 2011).

as the African Charter on the Rights and Welfare of the Child (ACRWC) /Article 17 require states to establish a child-centered, specialized justice system whose overarching aim is children's social reintegration, and which should guarantee that their rights are respected. The international laws also emphasize the need to divert children away from judicial proceedings whenever possible and to redirect them to community support services. According to the laws, the formal justice system should only deal with the small minority of children who have committed very serious crimes and represent a threat to their society. Detention of children should always be a measure of last resort.

CFJ is a practice where all stipulated standards of juvenile justice are fulfilled and thereby all rights of children are preserved in the course of investigation, prosecution, adjudication and correction to all children who come into contact to the system for what so ever reason. This applies for children who are victims as well as in conflict with the law and with regard to criminal as well as non-criminal matters. A CFJ system provides justice for children affected by violence and abuse, and makes the justice process friendlier to all children who pass through the process– victims, offenders, and witnesses.

According to the recently adopted European Union guidelines,<sup>14</sup> 'child-friendly justice' refers to justice systems which guarantee the respect and the effective implementation of all children's rights at the highest attainable level, bearing in mind the principles listed in the guidelines – which are set based on and in recognition of the UN CRC and all other related international and European instruments – and giving due consideration to the child's level of maturity and understanding and the circumstances of the case. It is, in particular, justice that is accessible, age appropriate, speedy, diligent, adapted to and focused on the needs and rights of the child, respecting the rights of the child including the rights to due process, to participate in and to understand the proceedings, to respect for private and family life and to integrity and dignity.

In a CFJ system, all rights of children, among which the right to information, to representation, to participation and to protection, are fully respected with due consideration to the child's level of maturity and understanding as well as to the circumstances of the case, so long as that does not jeopardize the rights of other parties involved.

Example of the qualities that characterize a CFJ system include:

- All rights of children are maintained all the time to the maximum extent possible;
- Principles of restorative justice are always applied, and alternatives to formal justice procedures and institutionalized corrections are considered in handling young offenders;
- Procedures in the judicial system (investigation and court proceedings) do not involve

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<sup>14</sup> Guidelines of the Committee of Ministers of the Council of Europe on CFJ (Adopted by the Committee of Ministers on 17 November 2010 at the 1098th meeting of the Ministers' Deputies); Available on web address: [https://wcd.coe.int/wcd/ViewDoc.jsp?Ref=CM/Del/Dec\(2010\)1098/10.2abc&Language=lanEnglish&Ver=app6&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383](https://wcd.coe.int/wcd/ViewDoc.jsp?Ref=CM/Del/Dec(2010)1098/10.2abc&Language=lanEnglish&Ver=app6&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383); (accessed on 15 December 2010)

secondary victimization of children;

- Children are properly informed about their rights and cases through out the justice process;
- Children are provided with protection/safety services through out the justice processes;
- Children are treated with care, sensitivity, fairness and respect throughout, with special attention for their personal situation, well-being and specific needs;
- Investigation and court proceedings are held in a child friendly setting;
- All communications with children are done in a manner adapted to their age and maturity, in a language which they can understand and which is gender and culture sensitive.
- All professionals working with and for children received specialized training that makes them well capable to deal with children and their cases in the system;
- Multidisciplinary approach that ensures access to all kinds of associated services such as medical, psychological, and social, and that integrated processes are followed;
- Free legal aid, counseling and representation is provided;
- Views and opinions of children are heard and respected;
- Their cases are handled without undue dalliance;

## 1.3 Implementing child protection and CFJ

Implementing child protection and CFJ demands solemn commitment and significant investment particularly from governments, CSOs/NGOs, and communities. ‘While it is the State which takes on obligations under the Convention, its task of implementation - of making reality of the human rights of children - needs to engage all sectors of society and, of course, children themselves’.<sup>15</sup>

Successful implementation of child protection and CFJ calls for a systems approach, which is designed and managed robustly. Such system comprises the set of laws, policies, regulations; the set of functions and services needed from all concerned sectors – especially social welfare, education, health, law enforcement and justice; the set of specialized institutional structures and resources particularly dedicated to the functions and services across the sectors. International instruments, particularly the two major conventions, the CRC and ACRWC, demand governments to undertake all appropriate legislative, administrative, and other measures that are necessary to install a coordinated mechanism for the implementation of the rights recognized in the conventions.<sup>16</sup>

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<sup>15</sup> Committee on the Rights of Child. General Comment No. 5 (2003): General measures of implementation of the Convention on the Rights of the Child (arts. 4, 42 and 44, para. 6). United Nations, 2003: 2

<sup>16</sup> Yohannes, Seyoum and Assefa, Aman. Harmonisation of laws relating to children, Ethiopia. African Child Policy Forum, undated. 9

Successful accomplishment of the child protection objectives in a given context entails a variety of preconditions. Typical ones of which are:

- (a) Policy and legal frameworks that provide for and facilitate implementation of the child protection measures, thereby give foundation of a comprehensive child protection framework;
- (b) Institutional frameworks and arrangements through which the child protection measures are implemented;
- (c) Adequate amount of particularly dedicated resources including capable people needed to implement the child protection measures;
- (d) Mechanisms or arrangements to integrate, synchronize and synergize the efforts of varied actors that take part in the implementation of child protection measures

### 1.3.1 Policy and Legal frameworks

As per the CRC Committee recommendations, governments are demanded to develop a comprehensive, rights based national policy and strategy that is rooted in the convention and sets real, achievable and measurable targets. Policy and legal frameworks become primary and crucial in that they provide and legitimize the measures to be taken to ensure that children are protected and their rights are maintained. They also set the directives and duties towards implementing such measures. Laws not only reflect but also generate political will to act.<sup>17</sup> They can also help to lock in progressive policy despite changes of government. Furthermore, laws augment success in attaining intended results by facilitating effective and sustainable implementation. Researches have proved the existence of direct and clear relationship between legislation and demonstrated commitment at all levels.

Key elements and structure of the required policy and legal framework include national policies, acts, regulations, operational standards and other by-laws. National level policies represent the top while operational standards and guidelines represent the bottom level elements in the hierarchy of the required policy and legal framework. A national policy is supposed to draw general directions - principles, means/strategies and approaches - of addressing the issues of children at national level, which is, in principle, expected to embrace all rights of children as stipulated in the CRC and the measures as stipulated in the recommendations of the CRC Committee.

Ratification of the relevant international instruments is the starting point of creating conducive policy and legal environment for child protection. Full range of the required measures and processes involve, however, domestication of the ratified international instruments, formulation of derivative national policies and laws, and review of all relevant

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<sup>17</sup> Save the Children UK. "Why law matters for children's survival, policy brief." 2010. [http://www.savethechildren.org.uk/en/docs/Why\\_Law\\_Matters.pdf](http://www.savethechildren.org.uk/en/docs/Why_Law_Matters.pdf) (accessed May 25, 2011).

national polices and laws to ensure that they are in compliance with the international instruments.

The principal instrument to be ratified first is the CRC. The Committee on CRC also urges state parties to ratify the two Optional Protocols to the Convention on the Rights of the Child (on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography) and six other major international human rights instruments.<sup>18</sup>

Domestication is about incorporating the ratified international instruments into domestic laws – making them integral parts of the domestic laws having legal effect within the respective national legal systems. According to the CRC Committee, incorporation should mean that the provisions of the Convention can be directly invoked before the courts and applied by national authorities and that the Convention will prevail, where there is a conflict with domestic legislation or common practice.<sup>19</sup>

Different countries may follow different approaches to this effect. Examples include publishing official declaration of the ratification and domestication of the conventions in a national law gazette; inclusion of provisions guaranteeing the conventions of being part of the domestic laws in national constitutions; inclusion of sections on the rights of the child in national constitutions, reflecting key principles in the conventions and providing comprehensive foundation for derivative laws.

Such form of incorporation by itself will not ensure that all relevant domestic laws are brought into compliance with the Convention. It will not also be sufficient to ensure full implementation of the conventions. What is important actually is whether the applicable rights are truly realized for children and can be directly invoked before the courts, not just the incorporation. To this effect, other derivative laws need to be formulated and all other criminal and non-criminal laws need to be reviewed to ensure compliance to as well as integration of the provisions in the conventions and constitution. State parties are also encouraged to enact and implement legal provisions that are more conducive to the realization of the rights of the child than those contained in the CRC.<sup>20</sup> While welcoming the development of consolidated children's rights statutes, which can highlight and emphasize the convention's principles, the CRC Committee emphasizes that it is crucial in addition that all relevant sectoral laws (on education, health, justice and the like) reflect consistently with the principles and standards of the conventions.

Domestic laws need to set out children's entitlements in sufficient detail to enable remedies for non-compliance to the prescribed rights. Where rights are found to have been breached appropriate measures of reparation, compensation, physical and psychological recovery, rehabilitation, and reintegration should follow as needed. As their special and dependent

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<sup>18</sup> (Committee on the Rights of Child 2003): 6

<sup>19</sup> Ibid: 7

<sup>20</sup> Ibid

status creates difficulties in pursuing remedies for breaches of their rights, children need to be provided with child-sensitive procedures and services of information, legal advice and representation, trial, compliant, and the like. Laws that specify such details are essential components of domestic laws that need to be formulated, besides the incorporation and integration of the conventions.

The CRC Committee recommends undertaking a comprehensive review of all domestic legislation and related administrative guidance to ensure full compliance with the convention to be an obligation. It suggests that the review should consider the CRC not only article by article, but also holistically, recognizing the interdependence and indivisibility of human rights. The review needs to be continuous, not just one-off, and should cover proposed as well as existing legislations. The Committee emphasizes the importance that the review process should be built into the machinery of all relevant government departments. It also acknowledges the advantages of having independent review by, for example, parliamentary committees and hearings, national human rights institutions, NGOs, academics, affected children and young people.

### 1.3.2 Implementation Arrangements

These comprise three things as key requirements. First having the necessary structural frameworks through which the child protection measures will be implemented. This involves creating institutions and structures particularly dedicated to the issues of children, and integrating the issues of children into the mandates of existing institutions and agencies that may have associated roles.

Second, building the capabilities of all involved structures both in and outside of the government – enabling the implementation structures to perform the respective duties effectively, by providing them with the necessary legitimacy, mandates, resources, training, as well as operational standards and guidelines. It is also imperative to undertake necessary measures to ensure that sufficient and reliable data regarding children are collected, and mechanisms are developed by which they are analyzed and evaluated against nationally applicable indicators.

For effective accomplishment of child protection, the efforts of all involved actors – efforts at different central government departments, at different provinces and regions, at different levels of a given agency structure; efforts between governmental and non-governmental organization; efforts of different NGO/CSOs – need to be synchronized and integrated. Creating mechanisms of coordination and integration of efforts among varied actors, across varied sectors and levels, therefore, forms the third crucial precondition.

Establishing and operating specialized arrangements that particularly deal with child protection matters is a major requirement as per the CRC Committee recommendations. It is also one of the widely applied best practices, especially in the advanced counties. Such arrangements are the multi agency child protection systems (CPSs) that bring key agencies involved in safeguarding children together to work effectively. Setting up of an organized

structure within the government, close to the highest level of administration that would assume the task of coordinating the various branches and levels of government whose activities affect children is the right starting point.

The CPSs fall under the responsibilities of different government departments, and take varied structural forms and operational procedures in different countries. In the England and Wales, for instance, they fall under the Department of Children, Schools, and Families'; and comprise a national assembly, local boards of safeguarding children, and local authority child protection teams.<sup>21</sup> The local boards are inter-agency forums set up by the local authorities to agree how different services and professionals groups should co-operate to safeguard children, and to ensure arrangements are working to bring about good outcomes for children. Local authority child protection teams are the CPSs at grass-root level who actually implement and facilitate the implementation of the child protection functions and services in the respective communities.

Whatever the naming and structural affiliations might be the specialized systems exist to provide and facilitate specialized services of protection, law enforcement, justice, and welfare to children and families in the respective communities. They are generally referred, herein, to as child protection systems. Key roles of the CPSs include, among others, assessing the risk of violence against children (VAC); implementing and facilitating the implementation of preventive and protective strategies; providing and facilitating specialized services and treatment for families and children affected.

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<sup>21</sup> NSPCC. "The child protection system in the UK." NSPCC Inform: The Online Child Protection Resource. [http://www.nspcc.org.uk/inform/research/questions/child\\_protection\\_system\\_in\\_the\\_uk\\_wda48949.html](http://www.nspcc.org.uk/inform/research/questions/child_protection_system_in_the_uk_wda48949.html) (accessed May 7, 2011).

### Most common features of CPSs operate at different contexts

- Broadly, CPSs objective is to ensure better protection and services to children in a given community;
- CPS's purpose calls for a multidisciplinary approach and multi agency commitment;
- CPSs usually aim to achieve their purposes through establishment of collaborative structures and developments of networks of collaborating government and non-government bodies providing judicial and social services within the community;
- CPSs have service or help centres where needy children and families can come to find information, assistance or get referrals to other relevant services;
- All services of the CPSs are free and targeted to the most vulnerable children and families;
- Help and service centres under CPSs constitute a child friendly environment and process in the respective settings.

#### Box 1: Key features of a CPS

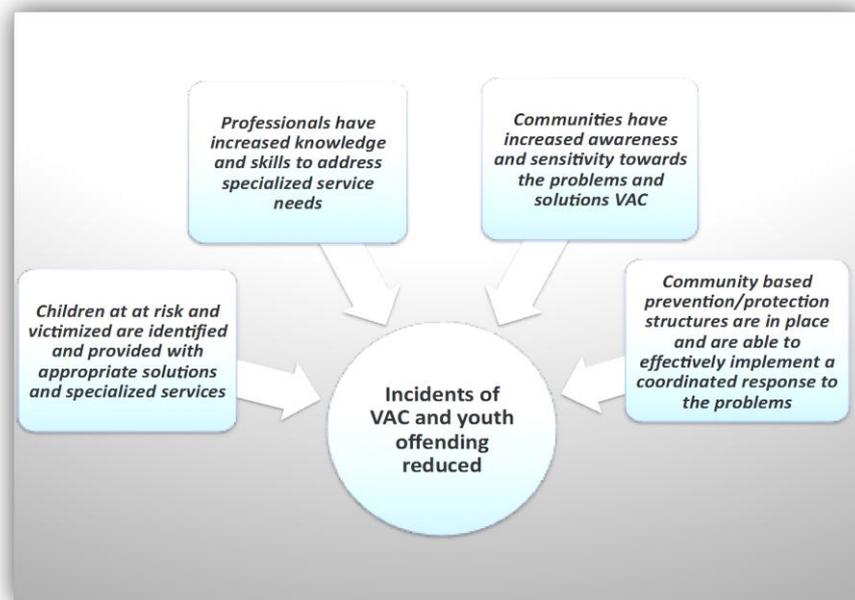


Figure 1: Impacts of effective child protection systems

Responsibilities to respect and ensure the rights of children extend in practice beyond the state and state-controlled services and institutions to include children, parents and wider families, other adults, and non-state services and organizations.<sup>22</sup> Whilst the governments take central responsibility, all members of society - individuals, including concerned professionals, families, local communities, intergovernmental and non-governmental organizations, civil society organizations, as well as the private business sector – also have responsibilities.

Allowing the active participation of other role-players and providing an environment which facilitates the discharge of their responsibilities is the duty of governments. Governments need to work closely with NGOs in the widest sense, while respecting their autonomy; these include, for example, human rights NGOs, child- and youth-led organizations and youth groups, parent and family groups, faith groups, academic institutions and professional associations.<sup>23</sup>

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<sup>22</sup> (Committee on the Rights of Child 2003):13/14

<sup>23</sup> Ibid

*Chapter II*

# **Overview of the Problem and Practice in Ethiopia**

**The Child Protection and CFJ Setting**

## 2.1 Country Profile – a summary of relevant trends

Ethiopia is a federal state – officially known as the Federal Democratic Republic of Ethiopia (FDRE) – made up of nine self-governing regional states.<sup>24</sup> They are formed, fundamentally, on the basis of ethno-linguistic/ethno-cultural structure,<sup>25</sup> and empowered on a number of economic, political and social issues with the exception of foreign relations and defense matters, which are the prerogative of the federal government.<sup>26</sup>

### 2.1.1 Demographic trends

Ethiopia, with a population of more than 80 million,<sup>27</sup> is the second-most populous country in Africa. The country is also characterized by very rapid population growth fuelled primarily by high rate of fertility. According to the 2007 national census report,<sup>28</sup> the population was 73.9 million. The report also indicated that the size of the population in the earlier national censuses was 39.9 million in 1984, and 53.5 million in 1994. Since then, the population has grown by an average annual rate of 2.8 percent during 1984-1994, and by 2.6 percent during 1994-2007. The growth rate will continue to be more than 2 percent until year 2036, if the trend remains the same.<sup>29</sup>

The national demographic and health survey, 2005,<sup>30</sup> indicated that the average fertility rate was 5.4 children per woman, and that the rate had declined by about a child per a woman over the previous fifteen years. The report suggested that the rate for different groups of communities varies greatly depending on many factors, the most important factor being the level of education of the women. It indicated that the rate was 2.0 for women with secondary and higher-level education while it was 6.1 for those with no education. According to the

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<sup>24</sup> The Government of the FDRE. The Federal Democratic Republic of Ethiopia Constitution, Proclamation No. 1. The Government of Federal Democratic Republic of Ethiopia, 1995.

<sup>25</sup> Maru, Mahari. "Federalism and conflicts in Ethiopia: Group Rights, Liberalism, and Federalism." *AFRICA INSIGHT (Africa Institute of South Africa)* 39, no. 4 (March 2010): 127-148.

<sup>26</sup> Government of Ethiopia. Report on Progress in Implementing the World Fit for Children, Plan of Action in Ethiopia. Addis Ababa: unpublished, 2007: 13

<sup>27</sup> A report from World Bank indicates that estimated size of the Ethiopian population in year 2009 was 82,824,732. World Bank world development indicators report 2010; <http://data.worldbank.org/data-catalog/world-development-indicators/wdi-2010>; [Accessed 26 March 2011]. Similarly, International Futures (IFs) model forecasts (using base case, version 6.32) the population to be 83.43 million in 2011. IFs is a comprehensive integrated assessment model used for world socioeconomic trend analysis and forecasting. IFs model is created and mainly used by the Fredrick S Pardee Centre for International Futures, at the School of International Studies, University of Denver, USA.

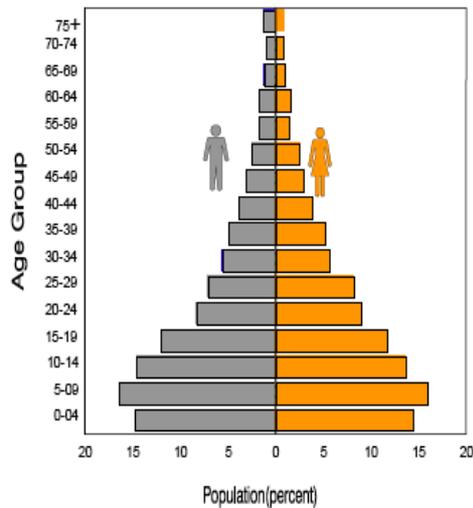
<sup>28</sup> Federal Democratic Republic of Ethiopia Population Census Commission. Summary and Statistical Report of the 2007: Population and Housing Census Results. 2008: United Nations Population Fund (UNFPA).

<sup>29</sup> IFs forecast using base case run, version 6.32.

<sup>30</sup> Central Statistical Agency, Ethiopia. Ethiopia Demographic and Health Survey 2005. Maryland, USA: ORC Macro, 2006.

International Futures' forecast, the high fertility rate is to remain the high but changing for a long to come. The fertility rate will remain above 5 until 2013, above 4 until 2027, above 3 until 2041, and above 2 until 2060, unless exceptional measures such as that of 'one child policy' of China that can alter this trend are taken. With this growth rate, the Ethiopia's population is expected to be 100 million by 2018 and 150 million by 2035.<sup>31</sup>

About 84% of the Ethiopian population resides in rural areas.<sup>32</sup> Gender wise, the distribution is balanced with 55.5:49.5 percent male female ratio.<sup>33</sup> Age wise, it is characterized by a



bulge of young of population. Children below age 15 constitute about 45 percent, while those between 15-19 constitute about 11.8percent.<sup>34</sup> According to the UNICEF's State of the World Children Report 2008, proportion of children below 18 is 55.2percent. As can be clearly revealed from the pyramid, the population distribution is largely skewed to the bottom; the younger the age group the larger the proportion. This shape of the population pyramid will remain the same in the future but extending in size /width/ as the population increases.

**Figure 2:** The population pyramid, Ethiopia, 2007

Source: Summary and statistical report of the 2007 population and housing census, page 14

Negative impacts of the population structure include high dependency ratio and perpetuates the population growth as the result of the very large proportion of people within the age of fertility. The proportion of women aged between 15 - 44 years inclusive is about 40 percent of the total women population. Female children aged below 15, yet to join mothers' category, constitute about 44 percent of the total female population. The proportion of female population to join child bearing category in the next ten years will be about 30 percent of the total women population while those who exit the group will constitute only about 15 percent.

*“The rapid population growth poses a major challenge to Ethiopia's ability to ensure that the rights of children are realized, particularly in relation to expanding education, health care and other basic services. It creates further stress on the economy, demanding higher economic growth rates and changes in areas of economic activity. Pressures of large family sizes and high child dependency rates*

<sup>31</sup>IFs forecast using base case scenario, version 6.32

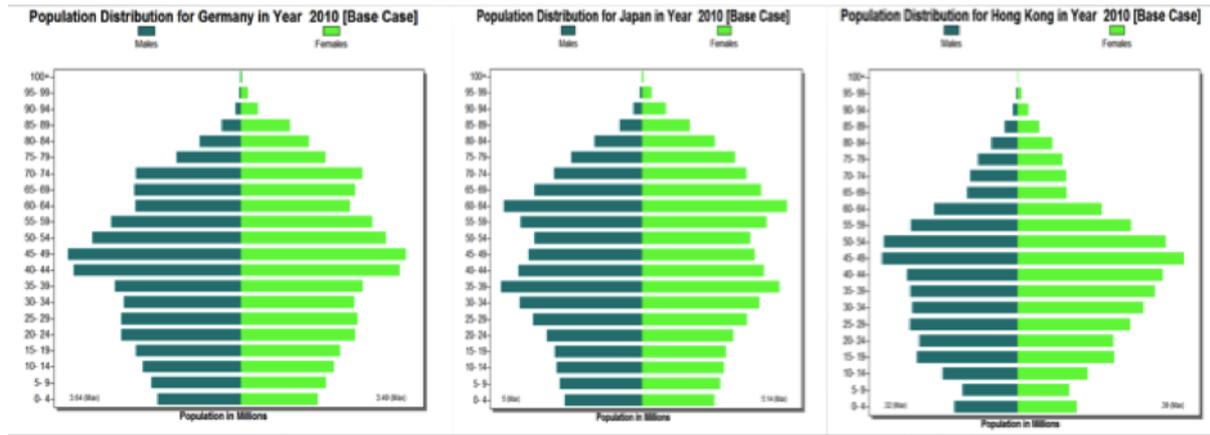
<sup>32</sup>(Federal Democratic Republic of Ethiopia Population Census Commission n.d.)

<sup>33</sup> Ibid

<sup>34</sup> Ibid

*strain limited family resources, contributing to environmental degradation and food insecurity*<sup>35</sup>

Population pyramids for three developed countries, Germany, Japan, and Hong Kong are provided for comparison.



**Figure 3:** Population pyramid in some developed nations

Source: IFs base case, version 6.32

## 2.1.2 Economic trends

The Ethiopian economy is based on agriculture, which contributes 42 percent to Gross Domestic Product (GDP) and more than 80 percent of exports, and employs 80 percent of the population.<sup>36</sup> In recent years, however, Ethiopia has been one of the fastest growing economies in Africa.<sup>37</sup> Ethiopia has recorded double-digit growth rates for six years in a row making it Africa's fastest growing non-oil producer. Ethiopia's new five-year plan, unveiled in August 2009, predicts a "base-case" scenario of 11 percent average annual growth and a "high-case scenario" of 14.9 percent growth for the period.<sup>38</sup> Ethiopia ranks 7<sup>th</sup> in Africa and 77<sup>th</sup> in the world (out of 227 countries/states on the list) with 84 billion USD annual GDP,

<sup>35</sup> Save the Children UK. (2004): 4, citing UNICEF (2001)

<sup>36</sup> US Department of State, Bureau of Public Affairs, <http://www.state.gov/r/pa/ei/bgn/2859.htm> [Accessed 7th April 2011]

<sup>37</sup> World Bank, Country Overview-Ethiopia, <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/ETHIOPIAEXTN/0,,menuPK:295939~pagePK:141132~piPK:141107~theSitePK:295930,00.html>, [Accessed 27 March 2011]

<sup>38</sup> Walta Information Center, PM Meles eyes Chinese, Indian investment boost, November 24 2010, [http://www.waltainfo.com/index.php?option=com\\_content&task=view&id=24335&Itemid=134](http://www.waltainfo.com/index.php?option=com_content&task=view&id=24335&Itemid=134) (Accessed 28 March 2011).

2010 estimations.<sup>39</sup> In 2007, Ethiopia ranked 11<sup>th</sup> from African countries and 82<sup>nd</sup> from the world with a GDP growth at Purchasing Power Parity (PPP) of 55.070 billion USD.<sup>40</sup>

According to the World Bank, Ethiopia is among the few countries in Africa that are likely to achieve the Millennium Development Goals, if not on schedule then soon after.<sup>41</sup> The Bank is, however, pessimistic about the future sustenance of the robust scale of growth seen over the years since 2003. 'While Ethiopia's economy is expected to continue to grow at a healthy pace, its macro situation will remain under stress in the foreseeable future'.<sup>42</sup> The economy is likely to slow down in the coming years, though the growth rate will remain respectable from a global perspective.

According to the IFs model forecast, if the current trend of development is maintained, Ethiopia will continue to be on a leading position in respect to relative rate of growth in GDP. Among the group of countries indicated in the graph below, that represent fast growing economies in the world and in Africa, Ethiopia will continue to be on top for the coming 40 years.

Nevertheless, Ethiopia's development challenges look rather formidable. Having started from the very low base, getting out of the poverty ring seems to be remaining at unforeseeable distance. Poverty is a pervasive and persistent phenomenon in Ethiopia, making it one of the world's poorest countries.<sup>43</sup> According to the World Bank,<sup>44</sup> at 350 US Dollars, Ethiopia's per capita income<sup>45</sup> is much lower than the Sub-Saharan African average of US\$1,077 in financial year 2009.

- National poverty rate,<sup>46</sup> poverty head count ratio at national poverty line, percentage of total population was 45.5 in 1996 and 44.2 in 2000<sup>47</sup>

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<sup>39</sup> Central Intelligence Agency (US). Country Comparison: GDP (purchasing power parity). <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2001rank.html> (accessed March 10, 2011).

<sup>40</sup> Webster's Online Dictionary; <http://www.websters-online-dictionary.org/definitions/List+of+African+countries+by+GDP+PPP?cx=partner-pub-0939450753529744%3Av0qd01-tdlq&cof=FORID%3A9&ie=UTF-8&q=List+of+African+countries+by+GDP+PPP&sa=Search#922>; [Accessed on 1<sup>st</sup> April 2011]

<sup>41</sup> World Bank, Africa's Future and the World Bank's Role in it, [http://siteresources.worldbank.org/INTAFRICA/Resources/Africa\\_s\\_Future\\_and\\_the\\_World\\_Bank\\_s\\_Role\\_in\\_it.pdf](http://siteresources.worldbank.org/INTAFRICA/Resources/Africa_s_Future_and_the_World_Bank_s_Role_in_it.pdf) (Accessed 28 March 2011)

<sup>42</sup> World Bank, Country Overview-Ethiopia, <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/ETHIOPIAEXTN/0,,menuPK:295939~pagePK:141132~piPK:141107~theSitePK:295930,00.html>, [Accessed 27 March 2011]

<sup>43</sup> Ibid

<sup>44</sup> Ibid

<sup>45</sup> *Per capita income is the amount of income each individual receives, in monetary terms, of the yearly income that is generated in the country through productive activities. That is what each citizen would receive if the yearly income generated by a country from its productive activities were divided equally among everyone.*

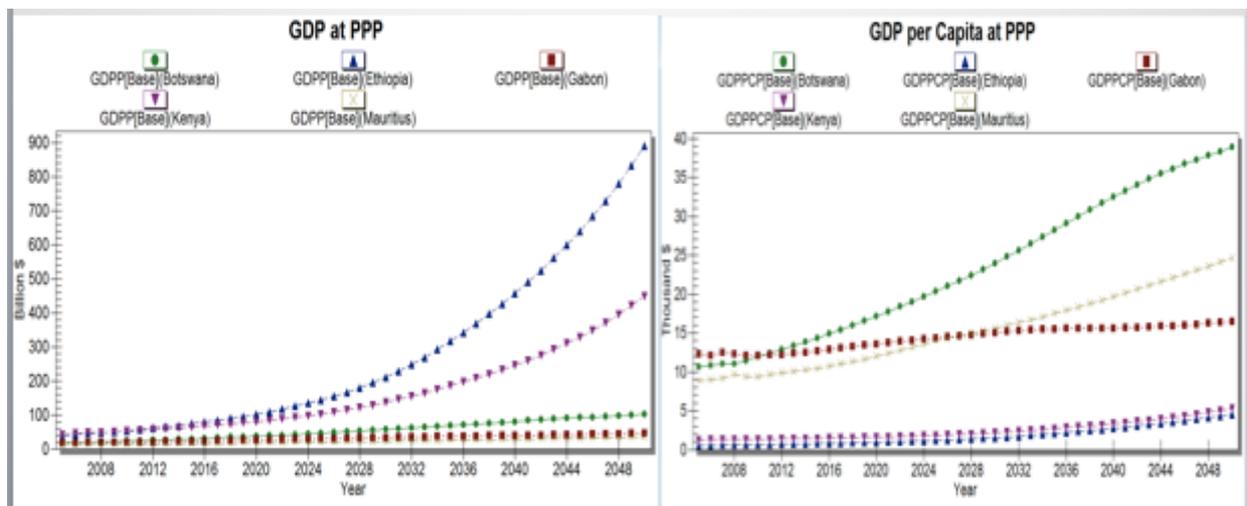
<sup>46</sup> *FN: National poverty rate is the percentage of the population living below the national poverty line. National estimates are based on population-weighted subgroup estimates from household surveys.*

<sup>47</sup> (World Bank 2011)

- People living on less than 2 US Dollars a day in 2005 estimated to be 77.6 percent of total population, which was 84.6 percent in 1996.<sup>48</sup> It will continue to remain above 50 percent until 2027.<sup>49</sup>

Next to the scale and depth of the poverty level, another serious factor which works against the substantive change of the impressive rate of economic growth is the size of the population. Due to high population growth, the absolute figures of the national GDP that is very high in rate of growth is very insignificant when converted into per capita income.

The sample cases of countries represented by the graphs below illustrate this point very well. As it can be seen from the first chart, Ethiopia and Kenya will have much higher GDP figures than the rest across the forecasting period. When the GDP figures are converted into per capita, then the result becomes vice versa (the second chart). For instance, the forecasted GDP for Ethiopia around 2050 is about eight times larger than that of the Botswana's. But, the per capita GDP of the Batswana will be eight times higher than that of the Ethiopians.



**Figure 4:** The negative impact of population size to alleviate poverty in Ethiopia

Source: IFs base case, version 6.32

### 2.1.3 Health and education

The diversity of socio-economic environments, climates, and terrains among regions in Ethiopia greatly impacts health conditions and outcomes.<sup>50</sup> Almost 80 percent morbidity in Ethiopia is due to preventable communicable and nutritional diseases. A report from a

<sup>48</sup>Ibid

<sup>49</sup>IFs forecast using the base case, version 6.32

<sup>50</sup>Chaya, Nada. Poor Access to Health Services: Ways Ethiopia is Overcoming It. March 28, 2011.

[http://www.populationaction.org/Publications/Working\\_Papers/Poor\\_Access\\_to\\_Health\\_Services\\_in\\_Ethiopia/Summary.shtml#2](http://www.populationaction.org/Publications/Working_Papers/Poor_Access_to_Health_Services_in_Ethiopia/Summary.shtml#2). [Accessed 28 May 2011]

coalition of NGOs that came out in 2006 indicated only 49 percent of the population has access to health services, and in some rural areas, the coverage falls to 25 percent.<sup>51</sup>

More than 90 percent of births in Ethiopia take place at home, and percentage of mothers who receive pre-natal care from a trained doctor, nurse or midwife is less than 30 percent.<sup>52</sup> According to World Health Report, the ratio of physicians to population is 2.6 per 100,000 (for 2003).<sup>53</sup> Child mortality rate, under the age of 1 per 1000 was 121.9 (for 2005), and 104.4 (for 2009).<sup>54</sup> Results from the 2005 national health and demographic survey indicate that 1.4 percent of Ethiopian adults age 15-49 are infected with HIV.<sup>55</sup> As of 2007/8 estimations, life expectancy at birth is 55 years.<sup>56</sup> The recent practice of health extension program extensively implemented in the country is, however, acknowledged to start to make meaningful and significant changes in the health coverage of the country

Education is where the strongest improvements have been observed in recent Ethiopia. Gross primary school enrolment ratio has been increased from 22.8 percent in 1993 to 55.1 percent in 2000, and to 97.8 percent in 2008.<sup>57</sup> In 1994/95 approximately 3 million pupils were in primary school, but in 2008/09, the number increased to be 15.5 million – an increase of over 500 percent.<sup>58</sup> Gender disparity in gross enrolment ratio, which was about 50 percent higher for boys than girls in 1994/95, has currently become insignificantly narrow. In 2008/09, general enrollment ratio for girls was 90.7 percent.

In the contrary, however, the ratio of students who succeed through higher-level education is still very low. In 2005/06, the net enrolment ratio for secondary level (9-10<sup>th</sup> grade) was 13.2 percent (15.5 for boys and 10.7 for girls). The ratio for preparatory level (11<sup>th</sup> -12<sup>th</sup> grade) was 2.3 percent (3.3 for boys and 1.3 for girls).

Moreover, the level of adult illiteracy is very high. Literacy rate, adult total (percentage of people ages 15 and above) was 27 percent in 1994, and 36 percent in 2008.<sup>59</sup> The 2005's demography and health survey result<sup>60</sup> showed that 52 percent of males and 67 percent of females have never attended school, and 32 percent of males and 25 percent of females have only some primary education. Only 8 percent of males and 5 percent of females have attended, but not completed secondary education. Only 3 percent of males and 2 or less percent of females have completed secondary school or higher.

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<sup>51</sup>(The Children and Youth Forum of the Christian Relief and Development Association n.d.): 3

<sup>52</sup>Chaya, N (2007)

<sup>53</sup>Wikipedia, the free encyclopedia, [http://en.wikipedia.org/wiki/Health\\_in\\_Ethiopia](http://en.wikipedia.org/wiki/Health_in_Ethiopia), [accessed 29 May 2011]

<sup>54</sup> (World Bank 2011b)

<sup>55</sup>(Central Statistical Agency 2006). 24

<sup>56</sup>(World Bank 2011a)

<sup>57</sup> (World Bank 2011b)

<sup>58</sup>(Engel 2010)

<sup>59</sup>(World Bank 2011b)

<sup>60</sup>(Central Statistical Agency 2006)

## 2.1.4 Governance and peace

Until the incumbent ruling party came to power in 1991, Ethiopia was ruled by highly centralized and undemocratic governments. The current ruling party (the Ethiopian People's Revolutionary Democratic Front (EPRDF) has led an ambitious reform effort to initiate a transition to a more democratic system of governance with substantive decentralized authority. This has involved devolving powers first to regional states, and then to districts/*Woredas*<sup>61</sup>, and village authorities */kebeles/*.<sup>62</sup> Ethiopia's national poverty reduction strategy includes strong emphasis on decentralization, civil service reform and capacity-building at the *Woreda /district/* level. This includes efforts to build the administrative capacity of local authorities and to improve transparency, accountability and civil society participation in local government structures. 'Although the formal Ethiopian state structure has been transformed from a highly centralized system to a federal and increasingly decentralized one, a number of challenges remain'.<sup>63</sup> The experiences of the 2005's national election, 2008's local elections, and 2010's parliamentary elections are considered as illustrations of the immaturity of the democratic transition, the dominance of the EPRDF in almost all political space, and the fragmentation of the political opposition.

In the Mo Ibrahim's Index of African Governance report 2010<sup>64</sup>, Ethiopia ranks 35<sup>th</sup> of the 53 countries in the continent with a score of 44 out of 100; the top score being 83 for Mauritius and the least being 29 for Chad, excluding Somalia which has a very different scenario. The score was 43 for the subsequent years from 2004 to 2008 inclusive and 44 in 2009. A related report on African governance from Harvard University and the World Peace Foundation that came out in 2009<sup>65</sup> indicates similar results. A collated summary of the scores and rankings for Ethiopia during the years between 200 and 2007 inclusive are provided in the table below.

**Table 1: Governance index, Ethiopia's score and rank**

Year	Safety and Security		Rule of law, transparency and corruption		Participation and human rights		Sustainable economic opportunity		Human development		Overall Score and Rank		Continental highest and least scores	
	Score	Rank	Score	Rank	Score	Rank	Score	Rank	Score	Rank	Score	Rank		
2000	81.1	33	43.3	39	24.3	46	32.1	27	41.8	37	44.8	44	81.3	20.9
2002	83.9	29	49.8	29	47.2	33	30.5	41	43.3	35	50.9	36	81.3	20.9
2005	83.6	30	49.1	31	44.9	32	35.6	21	50.2	31	52.7	34	84.6	22.0
2006	80.3	36	47.9	33	41.7	40	35.5	26	51.3	30	51.4	37	83.4	18.4
2007	80.3	34	49.2	33	38.1	42	36.2	28	51.8	29	51.1	37	85.7	16.3

*Source: This table was generated by collating relevant figures from the Index of African Governance Results and Ratings, Harvard University and the World Peace Foundation, 2009.*

<sup>61</sup>Hierarchy of public administration and service structure comprise regional, Zonal, Woreda, and Kebele administrations from top to down, Kebele being the closest formal government structure to the community at grassroots.

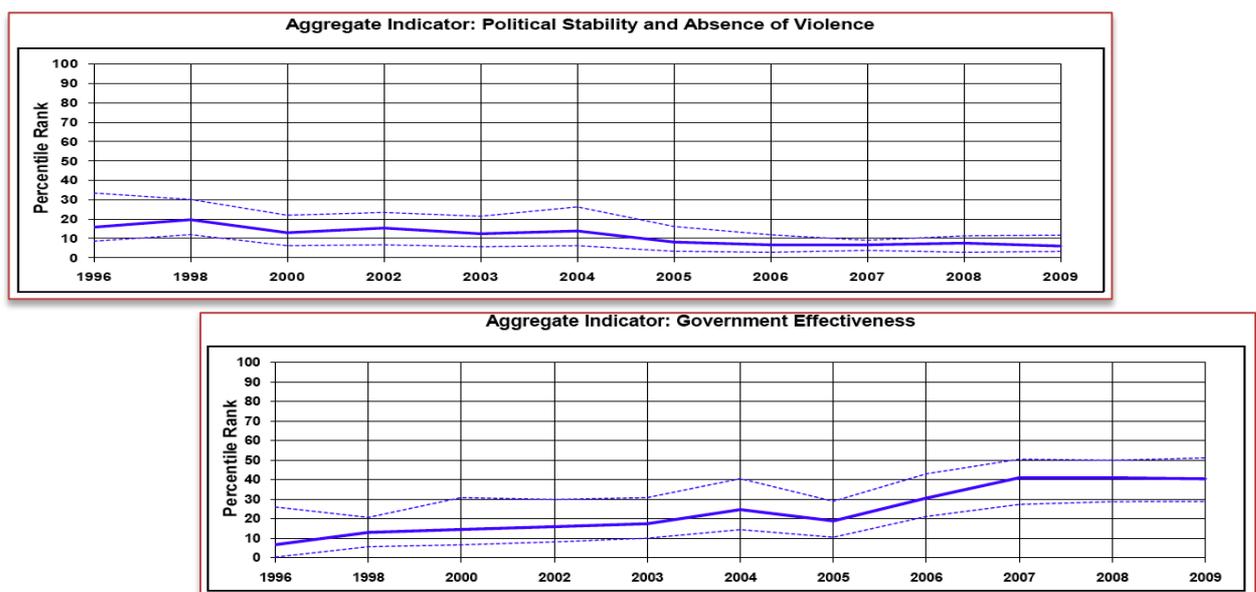
<sup>62</sup>(World Bank 2011b)

<sup>63</sup> Ibid

<sup>64</sup>The Ibrahim Index measures the delivery of public goods and services to citizens by government and non-state actors. It uses indicators across four main categories as proxies for the quality of the processes and outcomes of governance: safety and rule of law, participation and human rights, sustainable economic opportunity, and human development.

<sup>65</sup>Harvard University and The World Peace Foundation, Index of African Governance Results and Rankings, 2009.

In a similar report from the World Bank Institute,<sup>66</sup> Ethiopia stands behind 80 percent of the countries in the world in most of the indicators. The report covers the period from 1996 to 2009. As per the report, the country's performance has shown an increasing trend, in general terms, on four of the six indicators – i.e., government effectiveness, regulatory quality, rule of law, and control of corruption. It has shown a declining trend on the remaining two indicators – voices and accountability and political stability and absence of violence. This indicates the backsliding of the democratic process in some aspects from previous years. Where improvement has been observed, the scale of the change attained during the entire period was however very insignificant in most cases. Moreover, beyond being uneven across the successive years for almost all of the indicators, the recent trend of performance with regard to rule law and control of corruption is downward. The only exception to this is 'government effectiveness' which shows a marked improvement each year. This level of ranking has been achieved as of 2007. In 1996, the country was ranked to be better than just about 8 percent of the countries in the world with regard to this specific parameter. Now, it is more effective government than 40 percent of all countries. Graphical displays that show the country's ranking in two different indicators, where it has shown the best and the worst performance, are included herewith.<sup>67</sup>



**Figure 2: Governance effectiveness ranking, Ethiopia**

Source: World Bank Institute. *World Wide Governance Indicators. 2010: page 2 & 4*

<sup>66</sup>Development Research Group, the World Bank Institute 2010; “Worldwide Governance Indicators, Country Data Report for Ethiopia, 1996 – 2009”; <http://info.worldbank.org/governance/wgi/pdf/c72.pdf>; [Accessed 31 March 2011]. The Report displays the country's performance for all available years between 1996 and 2009 in six governance dimensions: (1) Voice & Accountability, (2) Political Stability and Lack of Violence/Terrorism, (3) Government Effectiveness, (4) Regulatory Quality, (5) Rule of Law, and (6) Control of Corruption. It shows the country's percentile rank on each of the six governance indicators.

<sup>67</sup>Percentile ranks indicate the percentage of countries worldwide that rate below the selected country. Higher values thus indicate better governance ratings. The dashed lines in the graph indicate the margins of error with a 90% confidence interval.

In the Global Peace Index 2010<sup>68</sup>, Ethiopia is among the 20 least at peace countries in the world. It stands 127<sup>th</sup> out of 146 countries included in the report, with a score of 2.444 on a scale of 1-5. The best ranking being 1.188 (for New Zealand – the most at peace nation in the world) and the worst being 3.406 (for Iraq – the least at peace nation in the world]. The GPI measures/indicators include very many factors including internal peace, crime, violence, political instabilities, and disrespect of human rights.<sup>69</sup> This, however, does not show the overall perceived peacefulness of the country by the public.

## 2.2 State of the Problem of Child Abuse and Maltreatment

### 2.2.1 Magnitude and trend of the problem

In Ethiopia, the problem of child maltreatment and abuse has been rampant, prevails in all communities and settings. It threatens almost all children and happens to most children in its varied forms. It has been aggravated by complex factors such as poverty, illiteracy, violent conflicts and war, harmful traditional practices, and absence of proper systems for birth and death registration and certification. Even though state of the aggravating factors has come to gradually improve, there is no clear evidence whether the general trend of the problem is declining.

Due to sever the poverty at family level and weak economic capacity of the country, most children are deprived of their necessities: food, shelter, health care and education. Much higher proportion of households in the country is incapable of providing proper and adequate care and upbringing to their children. To the contrary, they favor having as many as possible number of children. This is because of the fact that children are supporters of family in many forms: household labor, family income generation, and insurance for the parents in their late life. As a result, most children are exposed to different forms of abuse, exploitation and risk of offending, in addition to the maltreatments and denial of protection in family environment.

On the other hand, there is a high level of orphanage partly resulted from HIV. As the result, millions of children are deprived of the care of their biological parents; most of these children are placed in the care of extended families, already under stress due to the impact of the pandemic, over and above the challenges of poverty. In many cases, children take on adult roles as caregivers of ill parents; or of siblings in child-headed households. In 2005, it was estimated that there were 4.9 million orphans aged 0-17 years of which 15 percent were

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<sup>68</sup>Global Peace Index 2010

<sup>69</sup>*Twenty-three indicators of the existence or absence of peace were used, which are divided into three broad categories: (a) measures of ongoing domestic and international conflict; (b) measures of societal safety and security; (c) measures of militarization.*

AIDS orphans.<sup>70</sup> Quite a large number of children are living on streets, the most conservative estimation of which being 150,000.<sup>71</sup> The number has been increasing in major urban centers, particularly in the national capital, Addis Ababa, which is already carrying about 40 percent of the indicated number.

The extent of violations against children, in its current state, is extremely hard to measure. Actual number of cases of child abuse and neglect in the country for any specific period is not accurately known. There is limited or no empirical data to assess the situation, prevalence and magnitude of children involved in the worst forms of child labour in Ethiopia.<sup>72</sup> The few available data in this problem area suffer from a number of deficiencies. First, their coverage is limited. They are based on studies on only few localities and limited samples. Second, they are mostly directed at identifying the conditions of the victims than establishing empirical data on the magnitude of the problem. Third and most importantly, due to various reasons, most incidents of child abuse are neither reported to the police nor are most victims willing to tell that they have been abused.

Nevertheless, the scanty statistical information and studies available indicated that the problem of child abuse in Ethiopia is not only wide spread but also of increasing trend.

- A national crime statistics (unpublished) from the Federal Police indicated 3441 cases of death, 1164 cases of rape, 4119 cases of other sexual outrage, and 36295 cases of assault and willful injury against children between the age of 9 and 18 were recorded in four years during 1999/2000 to 2002/2003. These constitute about 12 percent, 40 percent 74 percent and 21 percent of total cases of death, rape, other sexual outrage and assault recorded during the same period respectively. The trend in the number of cases recorded during the consecutive years also indicated generally an increasing trend. The report also suggested to note that the actual number of incidents can be much higher than the indicated acknowledging the deficiencies in getting and maintaining the data.<sup>73</sup>
- A study that involved 1873 children – school children, street children, orphans, children in foster institutions and children with disabilities – from four major Regional States indicated that approximately 99 percent of them reported to had encountered one or another form of physical, psychological, and sexual violence.<sup>74</sup>
- A total of 37,543 cases involving children (26,047 cases of child abuse and 11,496 cases of children in conflict with the law) reported to have been dealt with by the CPUs supported by the FSCE over the last decade.<sup>75</sup>

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<sup>70</sup> Government of Ethiopia. Report on Progress in Implementing the World Fit for Children, Plan of Action in Ethiopia. Addis Ababa, 2007: 53

<sup>71</sup> (Government of Ethiopia 2007):55; (FSCE 2008): 5

<sup>72</sup> (Government of Ethiopia 2007): 52

<sup>73</sup> (The Federal Ministry of Labor and Social Affairs 2005): 42/43

<sup>74</sup> African Child Policy Forum and Save the Children Sweden. Violence Against Children in Ethiopia: In Their Words. African Child Policy Forum, 2006.

<sup>75</sup> Forum for Street Children - Ethiopia. *Annul Report 2008*. Addis Ababa: FSCE, 2009: 10

## 2.2.2 Most prevalent forms of child abuse

### *Corporal punishment:*

The socio-cultural practices encourage physical punishment as a disciplining measure on children particularly by parents, teachers and adults who are close to the child's family. The practice of physical punishment in schools is, however, significantly decreasing as the result of improved government policy and intervention. Different studies indicated that beyond 80 percent of children approached reported to have experienced various forms of punishment mostly inflicted by parents. Pinching, slashing or beating with a piece of stick or leather cord as well as burning is the major traditional forms of corporal punishment. Some parents and guardians also reported to have burnt the backs, hands and other body parts of children often for trivial faults. On top of the wide spread practices of excessive disciplining measures, the tradition is that what the parents tell about an injury or death of their child is accepted at face value. There is no established system to ascertain the cause of injury or death to a child, against what is reported by the parents.

### *Neglect and abandonment:*

There are two categories of child abandonment: infant (new born child) abandonment and children forced out of their homes for various reasons. Various studies indicate that infants are abandoned in the cities by parents who give birth out of wedlock, teenage girls who started sex before adolescence, prostitutes, female street children and female domestic workers. The causes of child abandonment include poverty, backward child rearing practices like ignorance and apathy, having too many off-spring, divorce, unwanted pregnancy, pre-marital sex resulting in child-birth, and lack of family support. Animosity of parents and the community towards girls giving pre-marital birth can also be an aggravating

### *Emotional Abuse:*

It is a wide spread norm through out the country that children are taught and required to respect adults starting from early childhood. However, very little consideration is given to the needs of children for being respected as human beings. On the contrary, it is normal for children to be disgraced, insulted and humiliated in the name of discipline or just because they are unaware and defenseless. Most traditions do not allow children to eat on the same table with adults let alone express their views and feelings. Children's' opinions are rarely given weight. Children are considered inferior in most families and are treated as second-class family members; only parents and elders get good treatment and respect for their honor and feelings.

### *Child labour and exploitation:*

Child labour and exploitation is widely prevalent both in rural and urban areas, and in family as well as business settings. Children are forced to work beyond their capacity by being engaged in farming, fetching water, farming, fetching wood and other household chores. Many children are also engaged in petty trades and other street based menial work to gain income for supporting their families. According to the 2001 Child Labor Survey Report working children between the ages of 5-17 years were 18.2 million accounting for 32 percent of the total population.<sup>76</sup> Aggravating factors include:

- Perceptions and traditions that consider child labour as a good character building and skill development mechanism and children as “gift of god” to help and care for parents;
- Limited educational access; backward and labour intensive agricultural practices of the rural population;
- Excessive migration to urban areas;
- Employers seeking cheap and easy to manage (hire and fire, flexible) labour; and
- Lack of awareness about the consequences of hazardous labour on children.

### *Sexual abuse and exploitation:*

Sexual abuse appears in different forms including premature marriage, rape and related indecent assault, and child prostitution. Although victims of child sexual abuse are mostly female, the number of male child victims is also increasing from time to time. Prostitution is one of the most prevalent antisocial and immoral phenomena in the contemporary Ethiopia, and it is exposing many young girls for sexual abuses and exploitation. Child prostitution is widespread in major towns the national capital being on top of the list, and indicated to have high growing trend by many studies. Most of the victims come from rural areas running away from early marriages they have been forced into or attracted by city life. At their arrival, individuals who gain income by bringing such girls to brothel keepers or bars tempt them to work in bars or join sexual exploitation. Female children in the urban areas often become exposed to sexual abuse and exploitation after experiencing serious physical and emotional abuse like being raped or beaten by caretakers or employers.

### *Child abductions and trafficking:*

Abduction and trafficking of children is another major problem which is closely related with child labour, sexual exploitation, and some times use of the child for begging. A national study on in-country traffic in women and children showed that 26.8 percent of children included in the study were victims of trafficking.<sup>77</sup> Abduction, particularly in rural areas, is also associated with the practice of unlawful marriage - contracting marriage by force, intimidation, trickery or deceit. Abduction is one form of such practice where a girl is

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<sup>76</sup> (The Federal Ministry of Labor and Social Affairs 2005)

<sup>77</sup> (Government of Ethiopia 2007): 58

kidnapped and forced into marriage. This form of abduction is a traditionally accepted practice in different parts of country. Male chauvinism, inability to bear formal marriage expenses, and the like are the factors contributing to the problem.

### *Body cutting and infliction:*

The National Committee on Harmful Traditional Practices in Ethiopia (NCTPE) documented about 100 traditional practices that are harmful mainly to children and women.<sup>78</sup> Among the harmful practices, that affect the health and well-being of children are circumcision and early marriage of girls, cutting of the uvula, extraction of the milk teeth, incision of the eyelid or other parts of the body, excision of nails, cauterization, using traditional medicine, and feeding butter to new born babies.

## 2.3 The Child Protection and CFJ Setting

### 2.3.1 Legal frameworks

The Ethiopian government has ratified the UN Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child (ACRWC), the ILO Convention on the Worst Forms of Labor (CWFL), and adopted them to the constitution and other derived laws of the country. Following the acceptance of international and regional standards, there have been ongoing efforts by the government to ensure national laws; policies and practices conform to the international standards. In the national setting, the issue of violence against children is addressed by various laws including the constitution.

### The FDRE Constitution

The federal constitution<sup>79</sup> adopted in 1995 provides a sound framework for the protection and promotion of the rights of children. The constitution made the CRC part of the domestic law that can be invoked and applied before the courts as any other piece of national law. In addition to domesticating the CRC and other related international instruments which Ethiopia has ratified, the constitution contains key articles for the pursuit of the rights of the child.

*Article 9(4): - All international agreements ratified by Ethiopia are an integral part of the law of the land.*

*Article 13(2): - The fundamental rights and freedoms specified in this chapter<sup>80</sup> shall be interpreted in a manner conforming to the principles of the Universal Declaration of*

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<sup>78</sup> (The Children and Youth Forum of the Christian Relief and Development Association n.d.): 8

<sup>79</sup> The Federal Democratic Republic of Ethiopia (FDRE) Constitution, Proclamation No. 1

<sup>80</sup> Refers to 'Chapter Three' of the Constitution that declares human and democratic rights. Being the largest, the chapter comprises 31 of the 106 Articles of the Constitution – Article 13-44

*Human Rights, International Covenants on Human Rights and International instruments adopted by Ethiopia.*

*Article 36: Rights of Children*

*(1) Every child has the right:*

*(a) To life; (b) To a name and nationality; (c) To know and be cared for by his or her parents or legal guardians; (d) Not to be subject to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to his or her education, health or well-being; (e) To be free of corporal punishment or cruel and inhumane treatment in schools and other institutions responsible for the care of children.*

*(2) In all actions concerning children undertaken by public and private welfare institutions, courts of law, administrative authorities or legislative bodies, the primary consideration shall be the best interest of the child.*

*(3) Juvenile offenders admitted to corrective or rehabilitative institutions, and juveniles who become wards of the State or who are placed in public or private orphanages, shall be kept separately from adults.*

*(4) Children born out of wedlock shall have the same rights as children born of wedlock.*

*(5) The State shall accord special protection to orphans and shall encourage the establishment of institutions which ensure and promote their adoption and advance their welfare, and education.*

Other laws that deal with different aspects of violence against children include the family law, the penal law, the criminal procedure law, and the labor law. All of these laws have gone through some revision recently, with a view of making them consonant with progressive standards and constitutional principles.

## The Revised Penal Code

The revised penal code (2004) gives ample recognition to the special situation of the juvenile accused. A special section of the penal law provides for rules of both substance and procedure that are exclusively designed to deal with juvenile offender. A number of other provisions that concern children are found scattered in the different sections of the penal law. Many acts of violence against children are specifically criminalized in the penal law. There are specific provisions on infanticide, sexual violence, abduction, maltreatment, neglect and negligent treatment, sexual exploitation of children, as well as trafficking. Revised Penal Code has also criminalized some deep-rooted harmful traditional practices, which had not been criminalized before, such as female genital mutilation, placing stitches into the female genitals and transmission of diseases through harmful traditional practices.<sup>81</sup>

On the other hand, the code sets minimum age of criminal responsibility as 9, and rules that, for purposes of administering penalty, children aged between fifteen and eighteen are considered as adults, unless otherwise is proved by the court adjudicating the case. With

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<sup>81</sup> [(Yohannes undated): 4

regard to the later case, the law provides that mitigation of the penalty is always permitted, the death penalty may never be imposed and, under certain conditions, the measure or penalty scheme for young offenders may be applied in too.

## The Criminal Procedure Code

The criminal procedure code also presents specific sections that have to be applied in cases concerning young persons. In a specific chapter, the code attempts to provide a comprehensive and self-contained guide covering criminal procedure involving children from the first to the last stage in the process: complaint and accusation, arrest, investigation, charge and plea, trial judgment, sentence, and appeal.

## The Family Law

The revised family law proclaimed in 2000 has a number of articles that relate to the rights of children. This law contains many provisions which attempt to ensure that a child is not left without a guardian and a tutor as well as laying a duty on guardians and tutors to ensure the safety and welfare of the child's physical and intellectual development. The law compels the guardian to watch over the health of the minor, to supervise the social contacts and education of the minor and to fix the residence of the minor. Related to this, detailed guidelines on institutional childcare, community based childcare, reunification, foster family care and adoption are provided through Ministry of Labour and Social Affairs (MoLSA).<sup>82</sup>

## The Labour Proclamation

Children are protected from economic exploitation by the labor law that was proclaimed in 2003. This proclamation sets the minimum age for work as 14 and categorizes workers of ages 14-18 as young workers. Accordingly, young workers are entitled to special protective measures. This minimum age corresponds with the absolute minimum age under international standards which is allowed as an exception taking into account the economic development of the country. The Proclamation further regulates the working conditions of such young persons. It prohibits employment in a work that may endanger their life or health and specifies permissible working hours. The Minister of Labor and Social affairs is entrusted with the power to prescribe the list of hazardous activities.

## Gaps and challenges apropos to the legal frameworks

From the overt observations, one can conclude that there is no meaningful gap as such in Ethiopia with regard to substantial laws and their provisions. A huge gap exists, however, between what is in the law and the practice on the ground, which is basically attributed to the general socioeconomic state of the nation: inadequate resources as well as human and

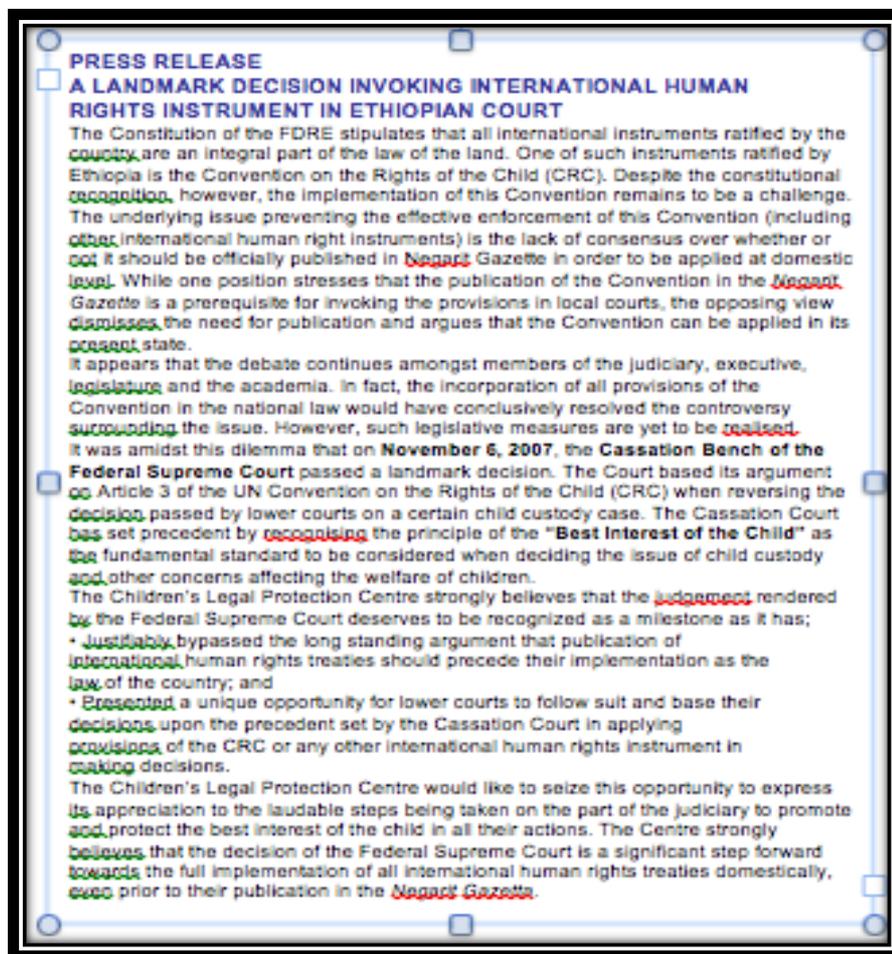
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<sup>82</sup> Ibid

structural capabilities. This is particularly true with regard to the social, economic, and civil rights of children.

As per the constitution, all rights of children in the CRC and ACRWC are accepted without reservation and deduction, and such laws are “not only part and parcel of the domestic laws of Ethiopia with a place high up in the hierarchy, but also authoritative guidelines for the interpretation of the rights of children guaranteed by the constitution”.<sup>83</sup> Accordingly, in principle, law enforcement and judiciary agencies are expected to directly refer to these instruments – directly invoke and apply the CRC and ACRWC while dealing with cases that involve children and violation of their rights. In practice, however, it is not so – that is rarely the case. The story in the box below can illustrate the truth of this assertion.

**Box 2: 'Surprise! The CRC is invoked in a court'**



Source: African Child Policy Forum<sup>84</sup>

<sup>83</sup> Ibid. 6.

<sup>84</sup> African Child Policy Forum,

[http://www.africanchildinfo.net/site/index.php?option=com\\_sobi2&sobi2Task=sobi2Details&catid=5&sobi2Id=460&Itemid=15](http://www.africanchildinfo.net/site/index.php?option=com_sobi2&sobi2Task=sobi2Details&catid=5&sobi2Id=460&Itemid=15); [accessed 30th December 2010].

Factors known to have been contributing to this include: lack of clarity, awareness and/or confidence about the fact that such international instruments can be and have to be directly referred to as any other equivalent domestic laws; absence of enabling legislation that rewrites the instruments or attaches them with related domestic laws; accessibility and understandability of the relevant international instruments.

According to the legal professionals who did a review of the Ethiopian laws against the CRC and ACRWC, enforcing conventions in general and human rights conventions in particular raises, aside from other practical and institutional problems, two problems: confusion regarding the method of incorporation of international agreements into domestic laws, and the absence of meaningful implementing legislations.<sup>85</sup> Courts in Ethiopia are required by law to take as law only those that appear in the official law gazettes. The two conventions have not been published in the *Negarit Gazetta*, the official legal gazette of the country. It was only the statement of ratification published. This leads to doubt the legal force of the conventions and to hesitate to apply them.

More over, some rights in the conventions such as economic and social rights are not formulated in a way that they can be invoked in courts of law. Implementation of such rights is not also expected to be prompt, particularly in the countries with complex socioeconomic challenges like Ethiopia. This also adds on the significance of enacting implanting legislations that ensure progressive implementation of such rights by aligning them with realities of the nation, and there by make provisions of the conventions enforceable in courts of law. More importantly, laws that unpack the provisions in the constitution, that establish necessary structural frameworks, stipulate mandates of varied role players, and guides their operations and relationships are needed for effective implementation.

In addition to the immense gap in implementing the laws as they are, many also agree on the existence of some specific discrepancies between the clear provisions and essences of the conventions and the Ethiopian laws.<sup>86</sup> These include absence of a one-off definition of a ‘child’ – age limit of a ‘child’ varies in different laws; the minimum age limit for criminal responsibility being nine; child offenders aged between 16-18 being treated as adults in criminal courts; families or legal guardians being allowed to take disciplinary measures including light corporal punishment. All of these provisions are considered not conforming to the spirits of the CRC as well as the recommendation of the CRC Committee.<sup>87</sup> However, one could counter-argue by referring to other relevant principles that are some how also

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<sup>85</sup> (Yohannes undated): 6

<sup>86</sup> Ibid

<sup>87</sup> Ibid

supported by the conventions, such as the principle of “self-execution”, realizability, justifiability, and progressiveness.

### 2.3.2 Polices and Programs

Following the ratification of the CRC and ACRWC, the government has formulated and been implementing different national level policies and programs that directly address the issues of children.<sup>88</sup> These include national action plans (NPAs) for children developed in compliance to the requirements that follow signing of the CRC, and other related polices, strategies and programs. The first NPA was issued in 1995 for the years 1996 to 2000. Based on the results and lessons from the first NPA, the second national plan – ‘National Action Plan for Children: 2004 – 2010 and Beyond’ – was issued in 2003.

In additions to these subsequent NAPs for children, there have been many other national polices, programs and plans that also address the issues of children. Some of which were particularly focused on one or another aspect of the issues of children while others address the issues of children as major component. Examples in the first category include: ‘National Plan of Action against Commercial Sexual Abuse and Exploitation of Children (CSAE) in Ethiopia’ (2005) and ‘National Plan of Action on Orphans and Vulnerable Children’ /OVC/ (2004-2006). Examples from the second category include: ‘National Plan of Action for the Establishment and Development of Civil Registration and Vital Statistics Systems (CRVS) in Ethiopia’; the ‘Developmental and Social Welfare Policy (DSWP), 1996; 'National Youth Policy' (NYP), 2004; 'Education Act and Directives'; and Cultural policy.<sup>89</sup>

Although its objective was to create a social condition conducive to a healthy life and sustainable development that will benefit all members of the society, the Development and Social Welfare Policy was claimed to give a special attention to vulnerable groups of the society identified as children, women, the youth, the elderly, and the disabled. The National Youth Policy aims to enhance the participation of the youth in bringing about democracy and good governance as well as sustainable development by working in the spirits of tolerance and partnership. The policy focal areas include democracy and good governance, economic development, education and training, health, HIV/AIDS, culture and environment.

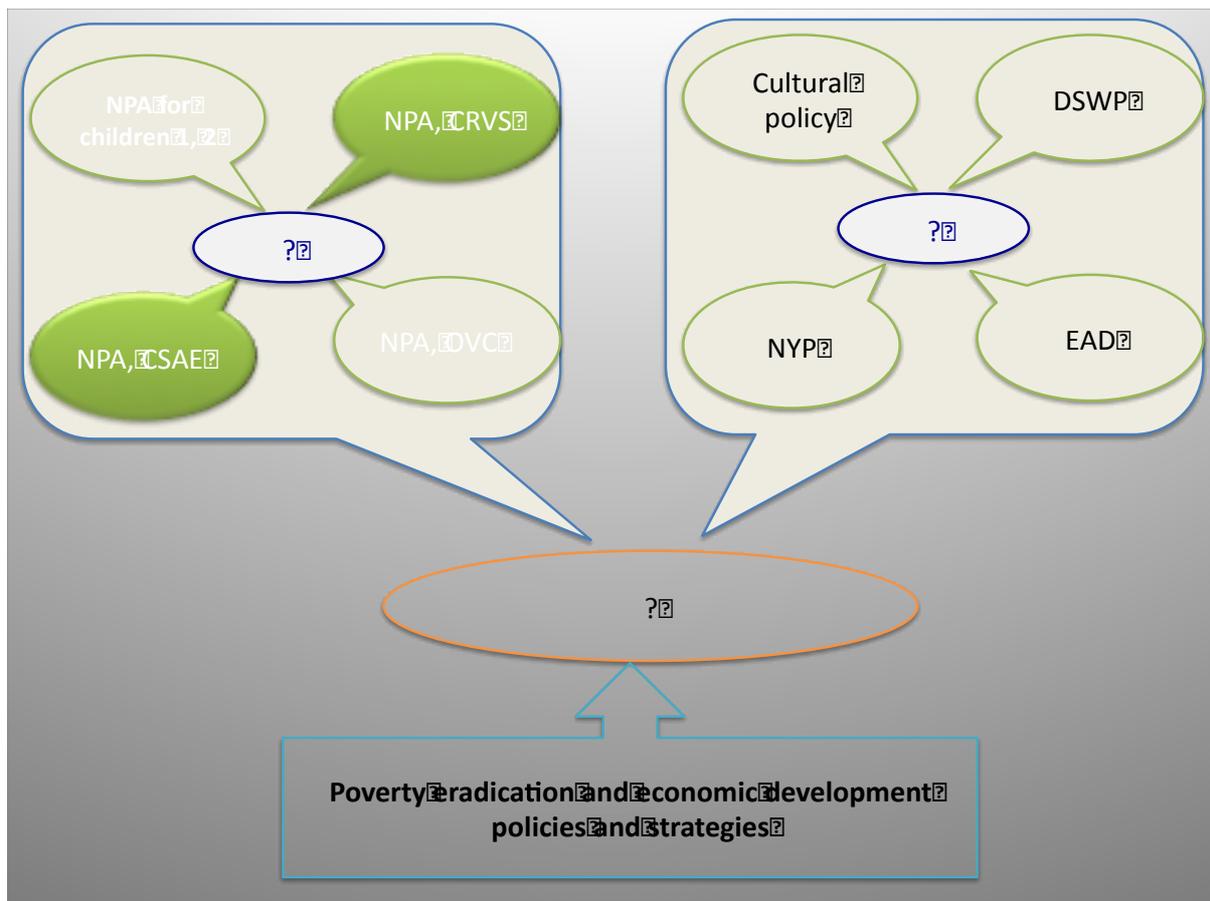
The Education Act aims to set quality educational standards, learning environments, curriculums, and to ensure proper handling of children and young people in school towards building a morally sensible, responsible, and productive citizens. The Cultural Policy includes abolishing harmful traditional practices as one of the policy key objectives, which has been greatly contributing to many forms of child abuse and maltreatment.

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<sup>88</sup> Different government reports including (The Federal Ministry of Labor and Social Affairs 2005) and (Government of Ethiopia 2007)

<sup>89</sup> (The Federal Ministry of Labor and Social Affairs 2005): 36

Above all, the national policies and plans regarding poverty eradication and economic development matter most towards reaching the ultimate solutions for the problems of children in Ethiopia. In this regard, since 2002, Ethiopia has formulated three major consecutive plans: ‘Sustainable Development and Poverty Reduction Program (SDPRP)’ (2002/3 – 2004/5); ‘A Plan for Accelerated and Sustained Development to End Poverty (PASDEP)’ (2005/06-2009/10); and ‘Growth and Transformation Plan (GTP)’ (2010/11-2014/15). The country has successfully accomplished both of the two plans finalized so far.



**Figure 6:** The child protection policy framework

The practice shows that there were three different categories of policies and strategies that have been simultaneously implemented: poverty eradication and national development policies and programs; comprehensive NPAs for children in general; and special NPAs concerning particular forms of violence against children and/or particular categories of vulnerable children. The approach is commendable in that it attempts to give prioritized attention as well as possible immediate solutions to prioritized problems whilst implementing long-ranged ultimate solutions for the entire problem.

The major shortfalls with regard to the NPAs, however, were in their implementation, same as in the case of the laws. Again, this is mainly attributed to lack of resources. For some, the

action plans were also based on ambitious goals.<sup>90</sup> Conflicting priorities among the different NPAs and confusions among the organs accountable for the development and implementation of the NPAs as well as for the oversight of progress on children issues have also been indicated as part of the challenges.<sup>91</sup>

More drawbacks identified include absence of grassroots participation in the preparation of the NAPs and the resulting grave awareness problem, and the absence of effective coordination, monitoring and evaluation mechanisms almost at all levels of the society.<sup>92</sup> Lack of seriousness was also implicated, particularly in reference to the second NPA for Children for it seems to be a perfunctory exercise as one cannot possibly set measurable goals when the time period is open-ended.<sup>93</sup>

What matters most and truly is, not just the fact of having policies and programs, making sure that they are realized. It shouldn't be just about being seen to be responsive to what is externally expected – fulfilling the requirements that follow the ratification of the conventions. It should also be about being realistic as regards the appropriateness, primacy, and effectiveness of the strategies in the given context. Plans if not possible to be materialized with the level of resources the country has would not reflect seriousness, and in fact are not valid.

The experience gives a lesson that such an approach – fragmented national action plans and programs – would not help in circumstances represented by the case.

- If there is no clear difference between what has to be done with regard to different policies and programs
- Where casual factors are complex and inseparable, or separate solution is either not achievable or not of meaningful effect compared to its counter effect towards achieving the holistic solution
- In absence of a comprehensive child policy and a state organ, at the heart of government, vested with sufficient legal authority and specified mandates to particularly deal with the matters of children and centrally coordinate and monitor the efforts of all others involved.

The approach was found to be confusing and leading to pointless competition in face of so constrained resources and capacities. It tends to be more focused on the effects, also singled out ones, rather than the causes common to many forms of the problems. Of course, incidents need to be properly dealt with. Immediate efforts should concentrate on responding to

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<sup>90</sup> (Yohannes undated)

<sup>91</sup> Save the Children UK; [www.africanchildinfo.net/National Plan of Action for Orphans/ a..](http://www.africanchildinfo.net/National_Plan_of_Action_for_Orphans/a..) (accessed 4 April 2011)

<sup>92</sup> (Yohannes undated)

<sup>93</sup> Ibid

incidents while strategic efforts remain focused towards the lasting solution – fighting all forms of the problem all together with combined efforts and resources towards synergized effects.

### 2.3.3 Structural frameworks

Besides the regular law enforcement and justice institutions, the government of Ethiopia has established many other structural frameworks and arrangements to help translation of the laws, policies, and programs into tangible results. Initially, a department – ‘Department of Children, Youth, and Family Affairs’ – under the Ministry of Labor and Social Affairs (MOLSA) was the centrally mandated state organ for children’s matter. Since 2005 the central mandate at the federal level has been transferred to the ‘Mothers and Children’s Affairs Department’ under the Ministry of Women’s Affairs (MWA) – a newly emerged Ministry.

Other key structures include a national inter-ministerial committee for the implementation of the CRC – composed of relevant sector ministries at the federal level – in existence since 1996; regional inter-bureau committees – replica of the inter-ministerial committee at the regional states’ level; and child right committees that are established and operational at *Woreda* and *Kebele* levels. The pertinent sectors in all of these committees are the education, labour and social affairs, health, justice, water resources, and economic planning sectors<sup>94</sup> In addition to these structures concerned with the general issues of children, special implantation arrangements that had been created include a national steering committee against sexual abuse and exploitation,<sup>95</sup> a national task force on OVC<sup>96</sup>; and a juvenile justice project – operating under the Federal Supreme Court towards establishing and advancing CFJ system.<sup>97</sup>

Reports indicate, however, that such organs were not performing as they are expected to.<sup>98</sup> The government agencies have been acutely lacking not only the resources necessary to perform the entrusted tasks but also legitimate authority and accountability that commensurate with their supposedly roles. The committee structures lacked institutional base. There were no clear legislations, through which the structures have been established as well as their authorities, duties, accountabilities, and working arrangements are specified. Officials heading the institutions represented in the committee structures – ministers, head of

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<sup>94</sup> (Yohannes undated): 16

<sup>95</sup> The national steering committee against sexual abuse and exploitation, established in 1996 was chaired by MOLSA, and comprised of representatives from UNICEF, Save the children Norway, Save the Children Sweden, FSCE, ANPPCAN, Police, CHADET and MOE.

<sup>96</sup> The OVC Task Force at Federal level comprised of members drawn from HAPCO, MoLSA, UNICEF, SCF-USA, SCS, UNAIDS, USAID, WFP and Hope for Children

<sup>97</sup> (The Federal Ministry of Labor and Social Affairs 2005):

<sup>98</sup> [(Yohannes undated): 16/17

bureaus and departments – had little or no attention to their tasks in the committee; members of the committees regularly fail to attend meetings; the heads of the committees have no clear means to enforce attendance.<sup>99</sup> Some of the said committees have indeed ceased to exist long ago.

The Ministry of Women Affairs at federal level and the respective Bureaus at Regional levels, which the mothers and children affairs department or section is affiliated to, are supposed to guide and coordinate the multiagency committee structures and efforts. As the Ministry and Bureaus are not particularly established to deal with the matters of children, they address the children's issue only as part of many other duties they are up to. Normally, they would undertake this through the respective sections or units for children matters. It would not be easy, if possible at all, for a small work unit far down the structure to have a controlling say over the activities of hierarchically higher government organs. They have also not been vested with sufficient level of authority to make the matters of children visible in the government and to centrally guide, coordinate and monitor the efforts and effects of all other concerned agencies and organizations. There is no specific regulation that specifies and backs up its mandates – authorities and responsibilities.

The experience shows that pushing the case of children down to non-autonomous and non-integrated organs, and mere committees prove to be ineffective. The central agency need to be directly accountable to the top most state authority and particularly existed for child matters – should not be dealing with child matters as part of other responsibilities – and of course vested with sufficient authorities. Multiagency/multisectoral structures are must. But, they need to be established by and operated under a legislation that stipulates clear mandates, accountabilities, and modalities of working together. All members of multiagency structures should officially represent roles and responsibilities particularly expected of the institutions they belong to. What they should do as member of multiagency team must relate and derive from the mandates and plans of the institutions they represent. This would be possible where the issue of children are integrated to and institutionalized by all concerned state and non-state agencies.

### 2.3.4 NGO/CSO involvement

In Ethiopia, the number of civil society organizations (CSOs) working on child right issues and child protection services has been increasing over time since the country has ratified the CRC. A government report came out in 2005<sup>100</sup> indicated that there were around 70 organizations working on child right issues in the country, out of which 48 were indigenous. A document from the African Child Policy Forum<sup>101</sup> provided a list of 132 non-governmental

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<sup>99</sup> (Yohannes undated)

<sup>100</sup> (The Federal Ministry of Labor and Social Affairs 2005): 29

<sup>101</sup> (African Child Policy Forum and Plan 2008)

organizations delivering support and services for children. The list of NGOs working on child matters in the country is also provided on the Child Rights Information Network (CRIN) website together with a description of their areas of engagement and capacities.<sup>102</sup>

Types of the non-governmental organization taking part in child matters include UNICEF, other UN affiliated bodies, save the children organizations, as well as many other concerned humanitarian organizations and associations. There are also mass based associations that can mobilize large number of people such as religious organizations, youth and women's associations, community based organizations, self-help groups, and traditional associations.

Majorities of these organizations were focused and engaged on delivery of varied forms of care and support services to children, while some are more focused on policy level issues: advocacy, research, awareness raising, and sensitization. A few of them also combine both policy and operational interventions. Quite a large proportion of NGOs are engaged in delivery or facilitation of varied forms of proactive and reactive supports and services to children identified to be at high risk as well as those who are victimized.

Very many of them are direct implementers while a few ones, particularly those with larger financial sources and foreign NGOs such as the 'Save the Children' orgs, do provide financial and technical support to the implementing NGOs and government agencies. Different NGOs and CSOs are interested and specialized in different aspects of children and different forms of child protection endeavors.

- (a) Proactive child and family support to children and families at risk
- (b) Reactive services of care and protection to victimized children
- (c) Child friendly handling/treatment and rehabilitative assistance to children in conflict with the law
- (d) Foster care and orphanage services to abandoned and orphan children

Most of them are interested on sexual abuses and exploitation; many are interested on child trafficking; and a few ones on corporal punishment, and physical infliction, and female genital mutilation. They also have differing preferences with regard to government agencies to collaborate with. Some collaborate with law enforcement and justice agencies; support them in establishing and implementing child protection and child friendly systems and processes, while others choose to work with agencies outside the law enforcement and criminal justice system such ministry and bureaus responsible for children affairs, health institutions, etc.

A government report<sup>103</sup> came out in 2005 indicated that extent of the engagement of civil society organizations on activities such as advocacy, awareness raising, and research has increased, and acknowledged that they have had clear impact on sensitizing policy makers

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<sup>102</sup> CRIN, Child Rights Information Network, <http://www.crin.org/organisations/vieworg.asp?id=3207>, (accessed 16 March 2011)

<sup>103</sup> (The Federal Ministry of Labor and Social Affairs 2005)

and executors about the necessity of putting in place and enforcing the appropriate laws and policies.<sup>104</sup> The report indicated though, much of the activities of these organizations were not systematically organized, lacked coordination, and thus duplication of efforts has prevailed.<sup>105</sup>

A report that came from the NGO side, during the same period, also implicated that the overall operating climate for NGOs was improving, and thus civil society had become increasingly vibrant and relevant to the nation's political and economical revitalization.<sup>106</sup> 'By any measurement, the progress realized since 1991 is impressive' although 'the increase in communication and collaboration between government and NGO officials has not been unproblematic'.<sup>107</sup> According to the report, several factors had contributed to the increased relevance and acceptance of CSOs by the government:

- An NGO initiated code of conduct for NGOs
- Improved press coverage of the NGOs and their work
- Expanded institutional capacity within the NGO sector
- Shift of emphasis from relief to long-term development on part of the NGOs
- Support to the NGOs from the diplomatic community

The positive aspects mentioned are only in relative terms against how it was earlier. Compared to what it is supposed to be in principle, the state of the government and CSO relationship has been generally poor and problematic, full of prejudice and negative perceptions. The government has not been so happy with NGOs/CSOs: be suspicious of their objectivity, independence, and genuine commitment to purpose; consider them as faultfinders and accusers; and thus often tend to be unreceptive and reluctant to cooperate with them.

*'Public and government attitude to NGO's remains quite negative. Many local NGO's are accused of being the vehicle of a single person, or a form of consultancy organization, a "MONGO" (My Own NGO)'.*<sup>108</sup>

Parallel to this, the NGOs/CSOs have also been of perception that the government is repulsive towards them, and is not so serious about the issues of human rights including child protection and CFJ.

The state of the relation became worst, however, after the incident of 2005 national election – that was disputed and had resulted in varied forms of damage including loss of lives. 'In the context of political party debates and rights-based CSO activities during the May 2005 election, the government grew more inimical toward CSOs'.<sup>109</sup> In relation to the conflicts and

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<sup>104</sup> Ibid: 29

<sup>105</sup> Ibid

<sup>106</sup> (Save the Children UK 2004): 13

<sup>107</sup> Ibid

<sup>108</sup> Ibid. 14

<sup>109</sup> Hailegebriel, Debebe. "Restrictions on Foreign Funding of Civil Society: Ethiopia." International Journal of Not-for-Profit Law 12, no. 3 (May 2010): 18-27.

the subsequent damages that came after the election, the government accused some of the human rights CSOs and their leaders of abandoning their impartiality and aligning themselves with the opposition parties.

## The CSO Regulation

Eventually, the uncomfortable relationship between the government and the SCOs ended up in a new government regulation, 'Charities and Societies Proclamation (CSP)' that came out in 2010. This law prohibits foreign NGOs, and local NGOs<sup>110</sup> that receive more than 10 percent of their funding from abroad, from involving in the advocacy of human rights and governance issues; puts a restriction on the ratio of administrative cost of SCOs not to exceed 30 percent of the total budget; sets out required standards of the CSO governance and fiscal administration; and establishes a government agency, 'Charities and Societies Agency' that oversees the operations and management of the CSOs.

The new law has been a subject of fierce debate and contention between the government, on one hand, and the Ethiopian civil society and other interested parties, on the other hand.<sup>111</sup> The controversies surrounding the legislation are multi-dimensional and relate to various aspects of the Proclamation. The focal point, however, of much of the controversy has been the restrictions on foreign funding.<sup>112</sup>

The government claimed that the new law addresses the inadequacies in the existing legal regime, promotes financial transparency and accountability, and provides proper administration and regulation of civil society. In justifying the need for the law, the government officials argued that the leaders of externally funded NGOs are not accountable to the staff of the organizations and the beneficiaries, and therefore, it is an obligation of the Government to ensure such accountability.

From the perspective of the government and other supporters of the law, without such regulations on the externally funded CSO/NGO activities concerning national politics, governance, and security, it would be difficult for them to balance 'their loyalty between their

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<sup>110</sup> The law classifies the NGOs into three major categories: Ethiopian Charities, Ethiopian Resident Charities, and Foreign Charities.

Article 2(2): Ethiopian Charities or Ethiopian Societies shall mean those charities or societies that are formed under the laws of Ethiopia; all of whose members are Ethiopians; generate income from Ethiopia; and are wholly controlled by Ethiopians.

2. Article 2(3): Ethiopian Resident Charities or Ethiopian Resident Societies shall mean those charities or societies that are formed under the laws of Ethiopia, and that consist of members who reside in Ethiopia, and that receive more than 10 percent of their funding from foreign sources.

3. Article 2(4): Foreign Charities shall mean those charities that are formed under the laws of foreign countries or which consist of members who are foreign nationals or are controlled by foreign nationals or receive funds from foreign country source.

111 (Hailegebriel 2010): 18

112 Ibid: 1

two clients: the international funders as agenda- setters and the interest of the people and country they serve'.<sup>113</sup> At the extreme end, some also tend to take the issue up as an important element of the implicit rivalry between the west, particularly the US and the China on Africa.<sup>114</sup>

On the contrary, the CSOs generally haven't considered the new legislation as a positive move. They contested its cause and provisions. According to the CSOs, the most revealing indicator underlying the enactment of the CSP is the generally sceptical attitude adopted by the State regarding the role and participation of CSOs in the national political space. The government displays a hostile attitude towards rights watchdogs and human rights organizations, which it brands as funnels for civil and political discontent and mouthpieces of the opposition.<sup>115</sup>

Amnesty International cited the law as a repressive one designed to strictly control and monitor civil society in an atmosphere of increasing intolerance of the work of human rights defenders and civil society organizations.<sup>116</sup> Others argued that it is contradictory to not only the international human rights laws but also the constitution of the country.<sup>117</sup> The World Bank also considered the law as 'quite restrictive in demarcating areas of operations for different types of CSOs (for example by excluding those receiving more than 10 percent of funding from external sources from many areas of activity)'.<sup>118</sup>

The restrictions on access to foreign funding and operational areas believed to will likely have an unprecedented effect not only on the development of CSOs but also on the democratization processes in the country.<sup>119</sup> The CSOs responded to this legislation in a coordinated manner by establishing a special taskforce that pursued continuous dialogue with the Government.<sup>120</sup>

The taskforce prepared commentaries on the different draft versions of the law,<sup>121</sup> produced and proposing an alternative regulation,<sup>122</sup> organized forums wherein government officials and experts as well as CSO representatives came together and discussed the draft legislation.

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<sup>113</sup> Ethiopian People Revolutionary Democratic Front Support Forum (EPRDF-SF) Inc. "The Changing Role of NGOs and US-China Rivalry for Africa." WWW.EPRDF-SF.ORG. [http://eprdf-sf.org/uploads/changing\\_NGO\\_US\\_China.pdf](http://eprdf-sf.org/uploads/changing_NGO_US_China.pdf) (accessed March 13, 2011).

<sup>114</sup> (Hailegebriel 2010)

<sup>115</sup> Ibid

<sup>116</sup> Amnesty International (2009), Ethiopia: Government passes repressive new legislation, <http://www.amnesty.org/en/for-media/press-releases/ethiopia-government-passes-repressive-new-legislation-20090106> [accessed 13 March 2011]

<sup>117</sup> (Hailegebriel 2010)

<sup>118</sup> (World Bank 2011(b))

<sup>119</sup> (Hailegebriel 2010)

<sup>120</sup> (Hailegebriel 2010): 24

<sup>121</sup> Ibid: 25

<sup>122</sup> (CSO Legal Framework Consultative Taskforce n.d.)

It also served as means of communication between the international community and CSOs. The international community also attempted exerting influence on the Ethiopian Government to reconsider the controversial provisions of the law.

After the adoption of the Proclamation, the taskforce has continued its activities with a revised mandate, towards assisting smooth transition of the SCOs into the new system and standards that the law requires. There are also prospects that there will be possibilities of reconsidering the most disputed aspects of the law through the implementation processes. A World Bank report indicated that 'the government and the Development Assistance Group (DAG), comprising bilateral and multilateral donors, have agreed that the implementation of the CSO law will be reviewed regularly through their joint High-Level Forum structure'.<sup>123</sup>

The case story tells that the government has gone to 'impose' such a disputed law despite the very strong contests, persuasions, and pressures from the NGOs and donors behind them. This demonstrates a very problematic, indeed, an abnormal state of government - CSO relationship. Politicization of the advocacy focused CSO activities on one hand, and prejudice and erroneous perceptions on the other are attributed to be the deriving forces behind the case.

Many also agree that, beyond the alleged prejudices and misconceptions from the government, the realities of the NGO sector itself contributed to the enactment of such a disputed and believed to be 'draconian' law.<sup>124</sup> These include: weak accountability and transparency of CSOs to their constituencies and the public; weak or no self regulation system; weak institutional development; absence of internal democratic administration; programs and projects being mostly fund-driven; lack of focus and commitment on organizational objectives; and poor networking and collaboration culture. A country situation assessment report from the Save Children UK, in 2004, warned that, 'the weak and incipient nature of the NGO sector can be used as an excuse to avoid strengthening the enabling environment for NGO's'.<sup>125</sup>

The key lesson from the case is that NGOS need to work hard to build the trust of recipient governments that they are truly up to the overtly proclaimed purpose, that they are genuinely independent of the political interests of both and internal and external entities. This could be convincingly demonstrated only in actions.

An swift lesson and recommendation out of the case is to be watchful in the times of election and political party debates: being not directly involved in the partisan politics; avoiding the slip away from the circle of impartiality towards contesting political parties; being cautious not to give out signs/signals that may trigger mistaken perceptions that the organisation as an institution or its leaders are becoming politicians – getting themselves involved in the countries internal politics - or sending a signal of becoming a route to a security threat. In

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<sup>123</sup> (World Bank 2011(b))

<sup>124</sup> (Hailegebriel 2010): 27

<sup>125</sup> (Save the Children UK 2004): 14

cases where such perceptions are created mistakenly, quickly resolving through direct and open discussion with concerned state bodies. The Asian Development Bank's staff guidelines, tips on addressing government sensitivities concerning CSOs, suggest, “steer clear of CSOs that take an overtly partisan stance or that play an active role in politics”.<sup>126</sup>

In the meantime, governments also need to understand, accept, and appreciate that qualities of good NGOs include enabling good governance – ‘promoting effective, honest, legitimate, and responsive government through public scrutiny and advocacy-based activities’.<sup>127</sup> By ratifying and domesticating the CRC, the Ethiopian government is committed to the recommendations of the CRC Committee too. The Committee recommends that state parties need to respect autonomy of the NGOs. The Committee also approves of the development of NGO coalitions and alliances committed to promoting, protecting and monitoring children’s human rights and urges governments to give them non-directive support and to develop positive formal as well as informal relationships with them.<sup>128</sup>

The issue of CSO regulation and tendency of strict government control over NGOs is not exceptional to the case of Ethiopia. Specially, strict control over the foreign financial sources of CSOs has become a new trend in many countries. ‘The International Journal of Not-for-Profit Law’<sup>129</sup> provides a snap shot of such trends in many other countries: Azerbaijan, China, Egypt, Israeli, Yemen, Venezuela, Sri Lanka, and Russia. It indicated that, while each country report describes the legal constraints at issue, the focus of the reports is more squarely on the political context within which the legal constraints have arisen. Prior to the drafting and enactment of laws or regulations imposing such barriers, there are often warning signs, in the form of ominous statements by government officials or politicians or the enactment of restrictive law in other areas, such as the media. The proffered government justifications for the barriers are as diverse as the constraints themselves and can include calls for increased accountability and transparency of CSOs; preventing foreign interference with domestic political processes; protecting national security; combating terrorism and extremism; and the coordination and harmonization of foreign aid and CSOs implementing foreign aid programs. And the civil society responses vary with each country context. But what is coming obvious is that ‘business as usual’ doesn’t seem to work for the future of NGO-government relationship.

In the course of the debate, the Ethiopian government officials were heard to raising critical questions concerning the entire concept of CSO role and legitimacy. They expressed outright that the government would prefer to lose the money if CSOs tend to refuse to follow direction allowed by the government for them to go. Insisted that the government wants to

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<sup>126</sup> (Asian Development Bank 2008): 61

<sup>127</sup> Ibid. 7

<sup>128</sup> (Committee on the Rights of Child 2003): 13/14

<sup>129</sup> Bates, Stephen. "Restrictions on Foreign Funding of Civil Society." Edited by Stephen Bates and Douglas Rutzen. *The International Journal of Not-for-Profit Law* (International Center for Not-for-Profit Law) 12, no. 3 (May 2010): 6-41.

know where the CSOs get the money from, how much they have, how much they should spent on what. They also evinced that the government suspects the SCOs are not after the interest of the local people and to help the government, rather they are after the interest of those who give them money if at all not after the own sake of their leaders, and they are here to influence the government towards such interest of the others.

*Chapter III*

**Child Protection and  
Child Friendly Service  
Systems**

The deeds of child protection and child friendly justice entail varied forms of specialised services. To be successful, thus, it needs to have specialised systems and personnel adequate and capable enough to provide the necessary kinds of specialised services. Though limited in scope and coverage relative to the magnitude of the problem, in Ethiopia, a number of government and non-government organizations have been involved in providing specialized forms of protective and rehabilitative services for children in need of, particularly those who come into contact to the law enforcement and justice systems. This chapter introduces the extant systems, presents the processes of establishing and operating the systems, and identifies related challenges and lessons from the practice.

## 3.1 Specialized Police Units

### 3.1.1 Purpose and Roles of Specialized Police Units

Establishing and operating specialized police units that particularly deal with cases involving children matters of children in law enforcement & judiciary processes has been one of the widespread best practices of addressing the problem of child abuse and youth offending. The specialized units are named differently at different countries, like for instance, ‘Child Protection Unit’, ‘Juvenile Police Unit’ or ‘Family and Child Service Unit’.<sup>130</sup>

Generally, these units are specialized police systems particularly mandated to deal with cases that involve children. They are centers with particular specialization and responsibilities related to children in the law enforcement and criminal justice processes. Usually, they are established under municipal police departments. Scope of the general roles and responsibilities expected of the units involve: prevention of the risks and incidents of child abuse and juvenile delinquency; protection of children from abuse and delinquency; treatment and support to needy children; and management of criminal cases that involve children. In some cases, however, the units may be concerned only with the aspect of child abuse, excluding the issues of juvenile delinquency while in other cases they are mandated to deal with both aspects. In some cases, they are established to work towards the prevention and protection of children at risk, but having no role in the investigation of cases of offences against children while in other cases, they are concerned with both proactive and reactive measures.

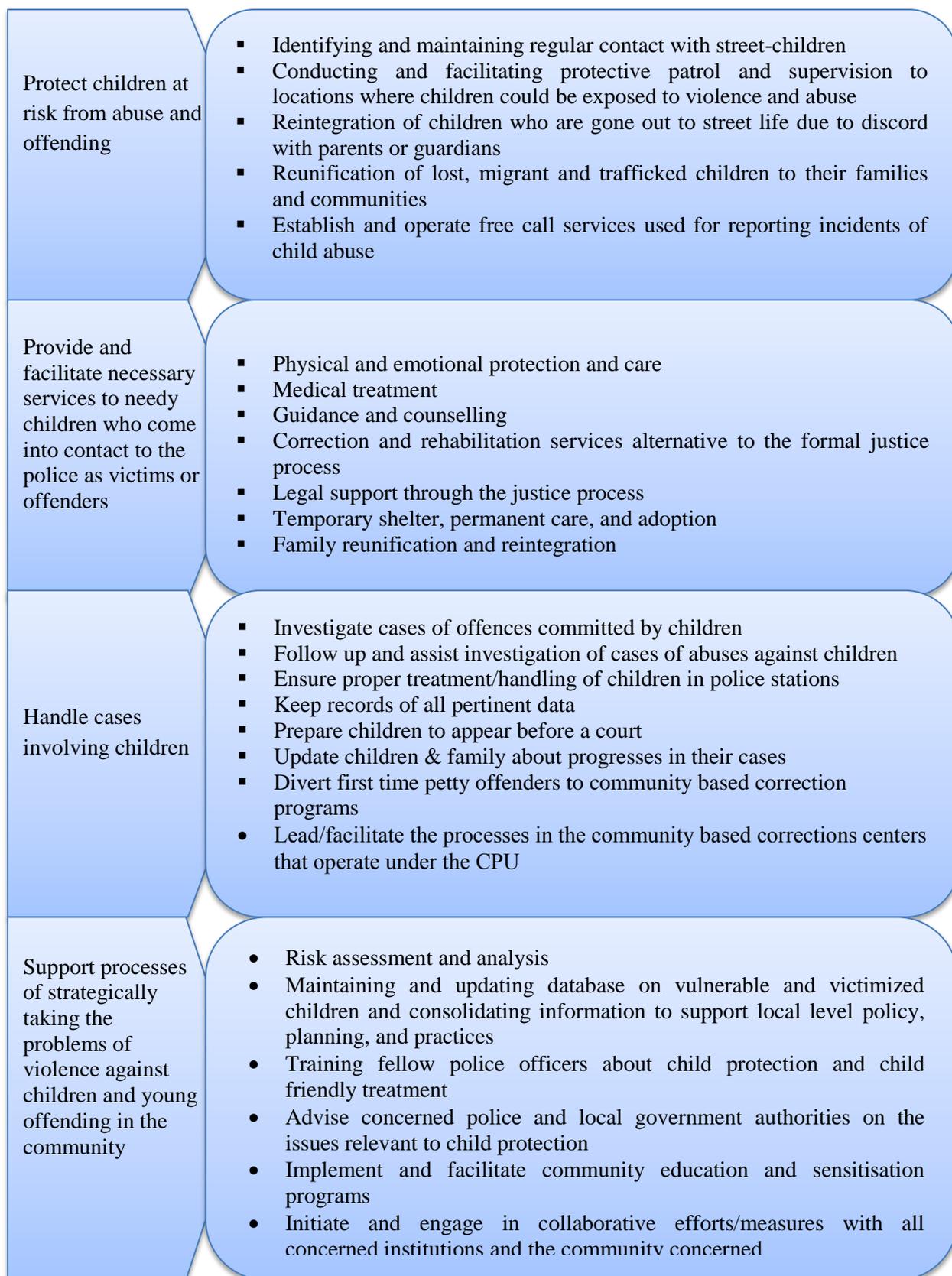
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<sup>130</sup> They are called Special Juvenile Brigades in Senegal, Child Welfare Unit in the Gambia (Nielsen 2008: 71); Child Protection Unit in South Africa – before the transformation into Family Violence, Child Protection and Sexual Offence Units (SAPS, 2003/4, Family Violence, Child Protection and Sexual Offence Units, [http://www.saps.gov.za/org\\_profiles/core\\_function\\_components/fcs/establish.htm](http://www.saps.gov.za/org_profiles/core_function_components/fcs/establish.htm), (accessed 14 March 2011));

In Ethiopia, the specialized police units are called Child Protection Units (CPUs). They are established under municipal police structures and concerned with the aspects of violence against children as well as youth offending, and the corresponding measures of proactive as well as reactive nature. They exist to provide and facilitate specialized services of protection and treatment for particularly vulnerable children in the respective communities – children under a high risk of abuse and offending as well as those who are abused, and those in conflict with the law. Key functions of the CPUs include, among others:

- (a) Conducting assessment of the risk of child abuse and youth offending in the community and proposing corresponding strategies of preventing the risk as well as protecting the children;
- (b) Implementing and facilitating the implementation of preventive and protective measures for children identified to be at risk;
- (c) Providing and facilitating the provision of specialized services and treatment necessary for children who go through law enforcement and justice processes.

The role of the CPU's involves ensuring child friendly treatment within the police and entire justice process as well as arranging other associated external services like medical and psychosocial services. In this regard, the CPUs are to serve as the hub among the many role players within and outside the law enforcement and justice system. More elaborated roles and responsibilities of the CPUs are outlined in the box overleaf.



**Box 3: Police CPU roles and responsibilities**

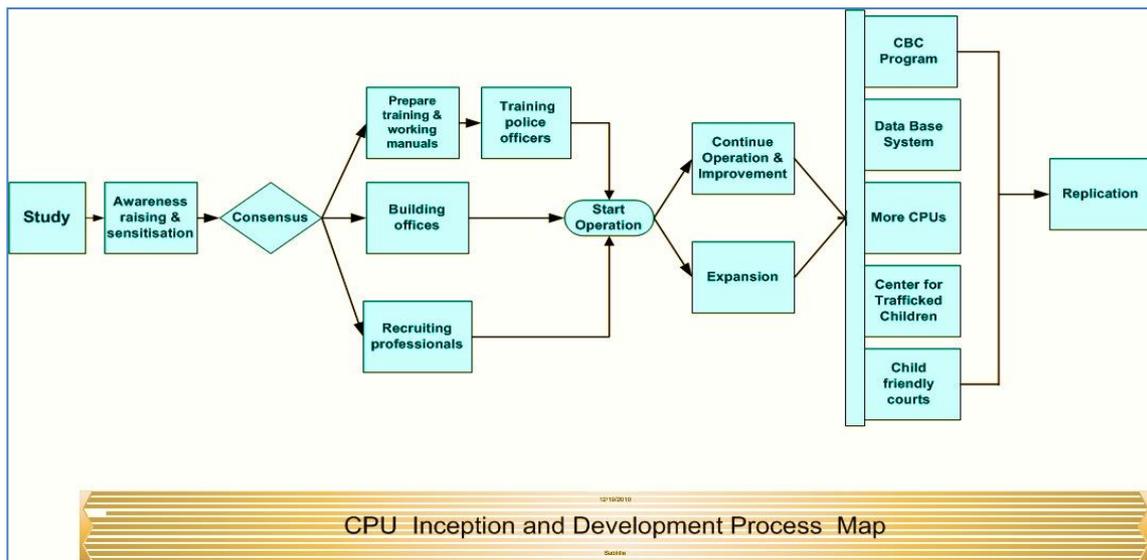
### 3.1.2 Emergence and development of the CPUs

The CPU practice was first introduced by FSCE in collaboration with the Addis Ababa City Police Commission with funding support from the Save the Children Sweden (SCS). The practice commenced during the second half of 1990s at five selected police stations as a pilot project. Based on the lessons from the pilot project, later on, the CPU model has been replicated to other police stations in the City of Addis Ababa and to major regional towns through collaboration between the respective regional police commissions and the FSCE as well as many other interested NGOs. Now it has become a national practice institutionalized into the police systems almost in all of the regional states. Moreover, it was the driver for the establishment of other related specialized service systems such as Centre for Trafficked Children (CTC), Community Based Correction Programs (CBCPs), Child Friendly Benches (CFBs) in courts, and many other associated service centers.

Conditions that prompted the commencement of the pilot CPU project in the Addis Ababa were two-fold: the magnitude of the problem of street children in the city on one hand and the extent of the gap the city police had to address the problem on the other hand. At the time, the number of children on the streets of Addis Ababa was not only very high but also increasing with a very high rate. Magnitude of violence and abuse against the children on the streets was huge; almost everyone, police being the first, was violating against them. The police was in a state of complete ignorance about the issue of child rights and child protection – complete lack of awareness and understanding of the problem; complete incognizance of the police duty to care and protect vulnerable children; and complete absence of the systems necessary to deal with child related matters. That was proved through a study conducted towards the introduction of the CPUs. In the study, officers in command of the police stations in the city indicated that what was of concern to them had been the crimes the street children were committing and contributing to. The overriding view was ‘they are potential criminals and thus need to be chased off’.

Consequently, the project emerged with the aim, primarily, to reverse such state of the police, by first creating the required awareness and bringing attitudinal shift where the view/understanding towards street children as victims and at a very high risk of further victimization who need much care and protection from police would override the contrary perceptions. Thereafter, to support the city police commission to properly perform what is expected of accordingly.

The project first started its operation with advocacy and awareness raising and sensitizing the senior police leaders. As it went further on the processes, the scope and intensity of its objectives, operations & services were continued to evolve from time to time. The following diagram and subsequent descriptions give a summary account of the processes of the emergence and development of the CPU practices.



**Figure 7: Key stages in the development of CPUs**

**Phase 1: Background works**

This was the phase of conceptualizing the idea and clearly conceiving the expected activities, processes, and benefits of the project. Key undertakings of this phase were focused on sensitizing leaders of the city’s police, collecting and organizing experiences and practices from other countries, studying the police state of understanding, attitudes and practices and clarifying the corresponding gaps and needs, etc. Accordingly, FSCE organized various awareness raising workshops and training programs to police leaders; convened discussions in group and in person with the then top level leaders of the city’s police commission; sent a team of high-ranked police officers to South Africa for a three weeks specialized training on child rights and child protection; reached an agreement with the Commission towards establishing the CPUs. Creating sufficient knowledge base about the features and operations of the CPUs intended to be established and the processes of their establishment, as well as reaching consensus with the concerned police officials on the establishment and operations of the CPUs were the key outcomes achieved through the processes at this pre-inception phase.

**Phase 2: Preparations**

The period during which the critical preconditions needed to establish the Units had been accomplished. That involved preparing the facilities and people that would enable to put the idea into practice. As the outcome of this phase processes, five CPUs were built in five different police stations of the city besides their coordination office built within the city police head quarter; police officers assigned to the CPUs were given with about six weeks training on legal, operational as well as psychological aspects of their job; qualified civil professionals who work with the police officers in the CPUs - social workers, psychologists and legal experts – were hired; and eventually, the pilot CPUs started the intended operations and service of child protection.

### ***Phase 3: Operation and expansion***

After the pilot CPUs became fully operational, developments had been taking place in varied forms based on the lessons from the practices. One form of the major developments was extension of the systems and services. Achievements in this regard include: expansion of the practices in other parts of the city by establishing more CPUs; establishment of a CPU data base system; introduction of a community based correction program; establishment of a centre particularly dealing with the cases of trafficked children at the national bus terminal; and establishment of a child friendly bench in the Federal First Instance Court (FFIC).

Besides such horizontal expansions, many developments were made with regard to the contents and processes of the services. Intensification of service levels and qualities; strengthening of networking and collaboration with other NGOs; shifting from centre based institutionalized operations and services to community based services were part of the developments made. As a result, the project had come to serve as a source of experiences and best practices at national level, beyond the city of Addis Ababa.

### ***Phase 4: Replication***

The phase of wider expansion that involved replicating the practices – all of the indicated systems and services – to other regions and towns in the country. That is indeed still ongoing. So far, CPUs are fully operational in all of the Sub-city police stations in Addis Ababa, and in major towns of the regional states including Nazareth, Bahirdar, Dessie, Diredawa, Shashemane, Awassa, Wolayta Sodo, etc. It was also reported that CPUs are integrated to all police stations in the regional state of Amhara<sup>131</sup> and the Southern Nations, Nationalities and Peoples.<sup>132</sup>

## **3.1.3 Governance and resourcing of the CPUs**

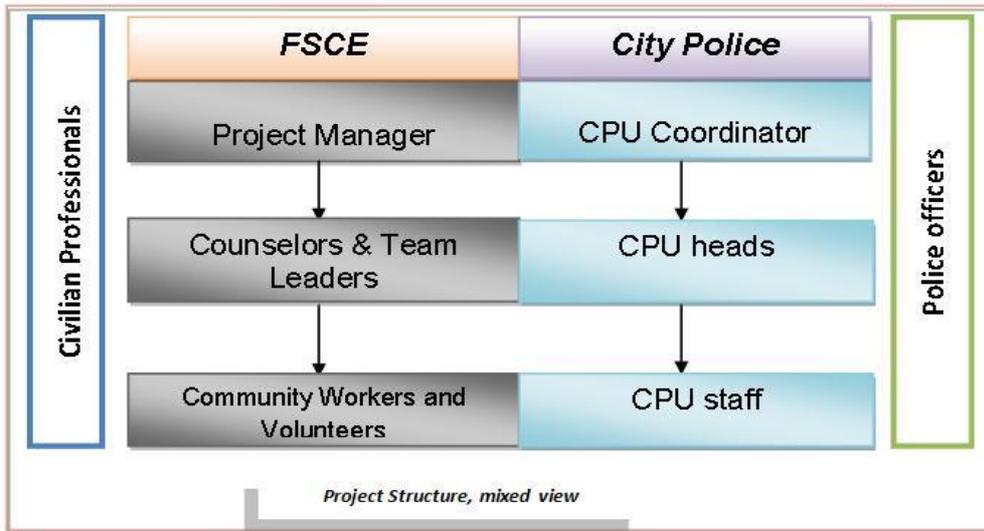
CPUs are organized and operated under police structures. They had been, however, collaborative efforts between government and NGOs. Until very recently, when the NGO/CSO regulation (CSP) came into practice, the CPUs' operations in Addis Ababa and other major towns run jointly by the respective municipal police departments and NGOs, majorly the FSCE. But, this may not be the case in the future, for 'direct involvement in child protection programs is labeled by the new proclamation as a prohibited area for CSOs raising more than 10 percent of their budget from the overseas'.<sup>133</sup>

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<sup>131</sup> Interview with the concerned police officials at the regional police head quarter including the CPU Coordination Office Head.

<sup>132</sup> FSCE. Child Internet. Addis Ababa: FSCE, December 2009. 11

<sup>133</sup> (217 Forum for Sustainable Child Empowerment 2009)



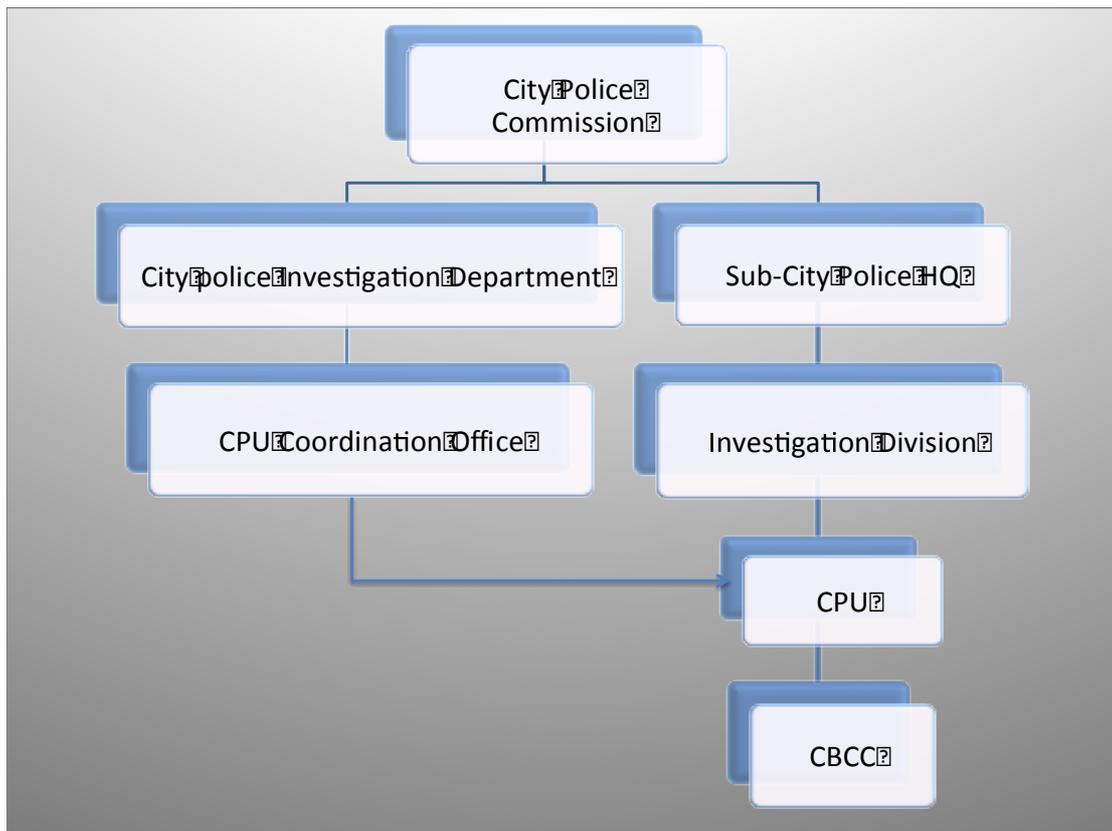
**Figure 8:** Collaborative structure of the CPUs, Addis Ababa city, 1997-2009

The processes and services of the CPUs in Addis Ababa had long been co-led and implemented through police officers assigned and administered/supervised by the police commission and non-police staff (counselors, social workers, community workers and volunteers) employed and supervised by the FSCE. In that arrangement, the city police commission assigns, pays for, and administers the police officers and does overall monitoring of the CPU activities through the CPU coordinator. FSCE hires, pays for and administers the non-police staff, and primarily covers the costs of implementing the CPU activities and services. FSCE did cover the costs of building the CPU offices and procuring equipment being used for the activities. FSCE implements its part of the CPU activities through the civil professionals it employs and administers, and does supervision of the operations through the project manager. Police officers and team leaders (senior social workers) jointly decide concerning the children who come to the attention of the CPUs and CBCCs. The civilian staff, i.e., counselors and social/community workers take primary responsibility for the provision of supports and services of psychological, social and material forms, while the police officers assume primary responsibility for the law enforcement aspect of dealing with the cases.

Police child protection programs have been structured differently at different regions. In most cases, they are under the crime prevention or crime investigation branches of the respective police structures. In few places, the program comprises matters related to domestic and gender based violence, besides child protection, and named to indicate so like for instance ‘Women and Child Affairs Section/Unit’. Most recently, however, a move is seen to organize it under community-policing branch – where such branches are established – following the developments made through the “Business Process Re-engineering Program” that all government institutions had gone through.

The police child protection program structure in Addis Ababa and other major towns comprise CPU Coordination Office (located at the respective police head quarters), CPUs

located in different police stations in the city or town, as well as CBCCs and CFCs annexed to the CPUs.



*Figure 9: CPU structure, Addis Ababa city police, 2003-2010*

CPU coordination offices are located at the respective city or regional police head quarters. They assume responsibility of managing and coordinating the entire child protection activities and services in the city, town or region. Fundamental role of this central office is to co-ordinate and assist functions of the CPUs, CBCCs and CTCs in the city, town or region. In collaborative settings, the coordination office does also liaise between the respective police departments and the NGOs involved. In most cases, there is a database center within the coordination office, where statistical reports of child related cases from the CPUs are centrally recoded and organized for analysis.

CPUs are usually located within the compounds of police stations. They are often separate blocks posted close to outside gate of the compound. Each CPU has a block with at least one room used as a workstation as well as container of related files. The rooms are usually furnished with basic office equipment such as tables, desks, file cabinets, shelves and a desktop computer. A CPU is normally staffed with three police officers (one of them being the head) and one community worker. In most cases, two of the three police officers are female. At the outset of the CPU practice as a pilot project in Addis Ababa city, all police officers assigned to the job were given with a two months specialized training, based on a CPU working and training manual prepared at the time. However, as that training was not

sustained, officers assigned to the units later on were not gone through such a specialized pre-assignment course other than attending other ad hoc training sessions provided on the job.

### 3.1.4 Challenges, gaps, lessons ...

The collaborative experience of the NGOs and police in the CPU operations and services, particularly, that of the FSCE and Addis Ababa city police was greatly acknowledged as a success story. Many considered the practice as an exemplary model of working together successfully between state and non-state institutions. Whereby, the FSCE, the pioneer in initiating and operating CPUs in the country, set a standard of effectively working with the police. Nevertheless, it was not free from challenges and shortcomings.

The shared ownership and accountabilities of the CPU operations and its staff was challenged by the absence of officially established standards of co-administering and co-executing the activities. It has also contributed for the tendency of externalizing the CPU roles and responsibilities by the police. Such kind of collaboration and joint deployment needs to be facilitated with officially signed memorandum of understanding (MOU) that specifies the roles, relationships, and procedures of working together.

Although they were structured under the police, CPUs had not been actually internalized by the police for a long time. The police had a dominant view that it is primarily the duty of NGOs, and what is expected of the police is thus to collaborate with them. In Addis Ababa, it had taken more than a decade for the police to fully takeover the CPU roles. Even now, why the NGOs are withdrawing from direct involvement in the CPU engagements is just because the new government regulation doesn't allow them to do so. Therefore, sustainability of the CPU systems and services in the future yet to be seen.

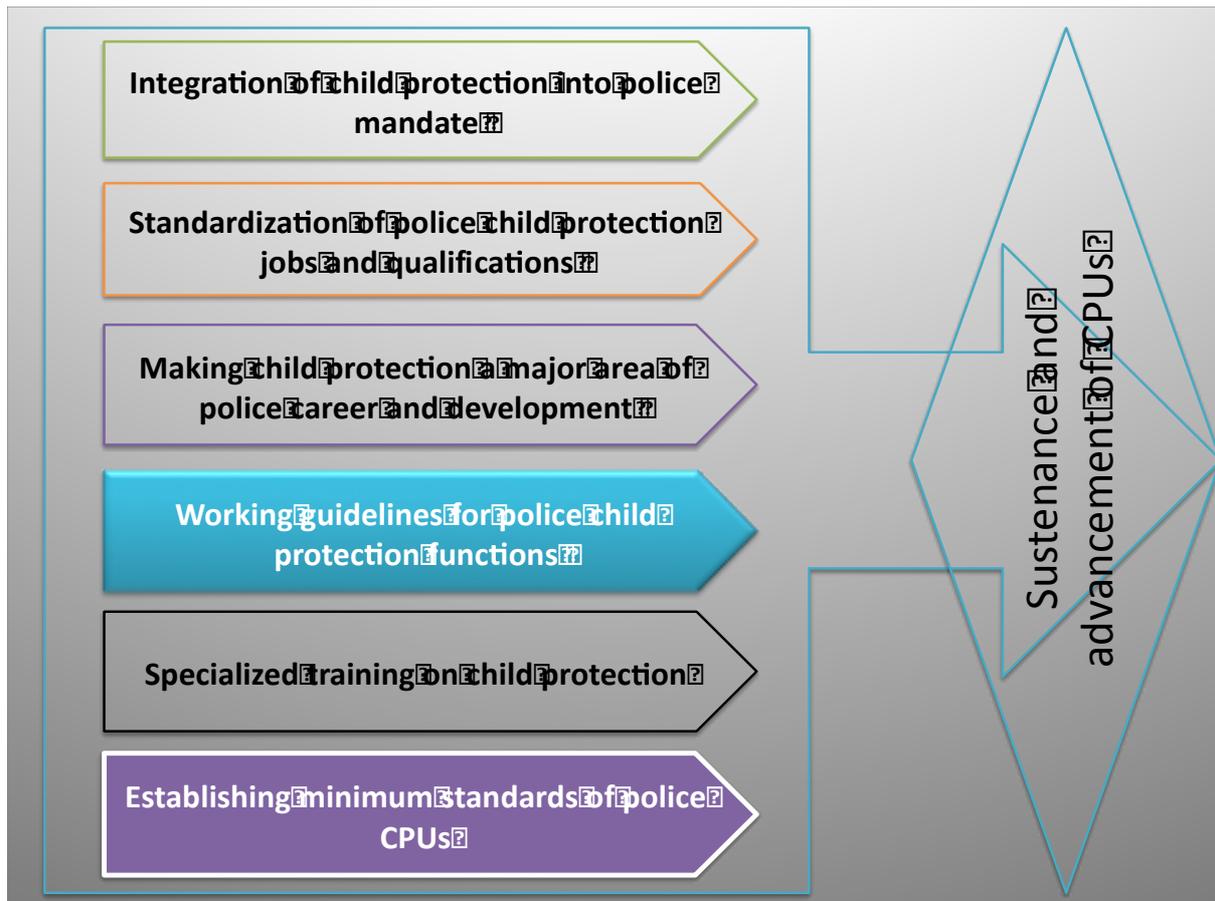
In order to ensure police ownership and sustainability of the CPU functions and services, it needs integration of the duties into the police mandates. This involves incorporation of the issues of policing child matters into the police proclamations, service and disciplinary codes, strategic directives and plans, performance standards, operations and service guidelines, etc. To this effect, a legislation that stipulates police duties with respect to child matters as well as the manner of implementing the duties may be required.

On the other hand, structuring the CPUs under crime investigation branch of police could undermine the preventive roles and duties of the units. The roles of the CPUs are in fact more of preventive objectives and measures than that of the investigation. Still, putting them under crime prevention branches is not also the best. CPUs need to be structured whereby both preventive and investigative aspects of their roles are given equal consideration.

The way the CPU project started by preparing working guidelines, choosing staff accordingly, and training the police officers before assignment was superb, up to standard approach. Such practices should have been maintained and advanced as a regular way of doing. There needs to have also mechanisms to retain the police officers, that are trained and experienced in child protection functions, in the CPUs. Most of the police officers who had taken the specialized training on the CPU services and operations have been moved out of the CPUs over time, and much greater proportion of the officers currently on post have not taken an equivalent training. On top of that, because of the prevalence of frequent turnover in the assignment of police officers, the chance of keeping officers who have developed the necessary attitudes and skills through experience have been very slim.

In addition to the institutionalization of CPU functions into the police system, as described above, measures would help in this regard include standardization of the police child protection jobs and required qualifications as well as making this one of the key areas of specialization and development in the police career structure. Obviously, designing and regular delivery of basic and upgrading training to officers specializing on the subject is imperative. Developing detailed working guidelines for the functions of child protection would also help much.

The fact that there are separate blocks/rooms specifically dedicated to CPU operations is commendable. On the other hand, the implementers and stakeholders of the CPUs operations and services unanimously indicated that the existing state of the CPUs doesn't qualify a proper setting to keep and to work with children. Accordingly, more indoor and outdoor facilities that enhance child friendliness of the canter as well as better treatment of the children who come to the centers are required. To this end, establishing minimum standards of the CPU facilities is important.



*Figure 10:* Strategies to sustain and advance the police CPUs

## 3.2 Centre for Trafficked Children (CTC)

### 3.2.1 CTC services and operations

CTCs are annexes of CPUs particularly concerned with trafficked and migrated children. Trafficked children are those who are transported from rural areas and small towns to major cities for the purpose of economic and sexual exploitation. Migrated children are those who went away from their homes and parents/guardians to street life mostly in search of livelihood.

Through CTCs, children victims of trafficking are provided with the services of family reunification in addition to other common services and treatments of the CPUs. In due course of the family unification, the children are provided with temporary shelter, food, basic sanitation, health, and guidance and counseling services. Moreover, traffickers might be red handed and the child may be physically and/or sexually abused. In such case, the traffickers and abusers are taken to court and their prosecution is facilitated by the center while the child is referred for medical treatment. In addition to the services to affected children, the CTCs extensively involve in counter-trafficking awareness raising and sensitization programs.

CTC are located in the premises of national and regional bus stations in major cities/towns known to be major destinations to trafficked children including the national capital (Addis Ababa), Bahirdar (regional capital – Amhara), Diredawa (regional state capital and one of the major routes to Djibouti), Adama (the second largest city in the country), Shashemane, and Dessie.

The centers are co-operated by the police and FSCE. They are staffed with police officers, and community workers employed by the FSCE. In places where there are temporary shelter and feeding services annexed to the CTCs the staffing includes ‘house mothers’ who cater for the children food and cleaning. CTCs work in conjunction with management and staff of the bus stations, transport companies, bus drivers, CPUs or other concerned local police units at destinations as well as origins, and in collaboration with other governmental and non-governmental organizations who provide associated services such as temporary shelter and feeding.

The staff in the centers with assistance from the CPUs, take measures that raise awareness of bus drivers and bus terminal workers, and motivate them to collaborate with the centers. Thematic issues of the awareness raising sessions including identification/tracing of trafficked children, reporting suspected cases, dealing with and assisting children suspected to be trafficked or migrated, etc. besides fundamental issues of child rights and child protection. They also do lobby transport companies to collaborate in the process, particularly by providing free of charge transport to children who are being sent by the centers back to their origins or families.

Other targets of the awareness raising and sensitization efforts include local bar owners (where young girls are usually used to sex work and exploitation), and brokers who do arrange for the employment of young children as house servants and more. The focus of discussion in this case include meaning and problems of child trafficking; its criminality and possible legal liability that follow on to those involved; the need and procedures to report when one suspects a case of trafficked child. As a follow-up to this, the centers do surveillance and supervision of the bars and brokers through overt and covert mechanisms that include periodic visits and use of vigilantes from the members of local communities.

### How a child comes to the attention of CTCs?

The units receive trafficked children from police stations, courts, different NGOs and community based organizations (CBOs). A case of trafficked child may also come to the attention of the CTCs through children (self-reporting), bus drivers, passengers, workers in the bus terminal, and community members – vigilantes already in contact or other sensible persons. In some areas, check points in entry to and exit from big cities [satellite towns], are established to trace and protect children before they reach big towns and exposed to further challenges, abuses and exploitation.<sup>134</sup> Similarly, in some places, communities of transit

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<sup>134</sup> (Forum for Sustainable Child Empowerment 2009)

towns where trafficked children pass through are made to involve by organizing them into “checkpoint committees”.

### Key processes in the reunification of a trafficked child

- Ensuring the willingness and possibility of returning the child – discuss with and consult the child trafficked.
- Providing or facilitating temporary services of feeding and shelter as well as necessary counseling and guidance to the child until he/she is sent back. Some CTCs have their own temporary shelter and/or feeding facilities while others assisted by NGOs, *Kebeles*, churches, hotels, schools, universities, etc.<sup>135</sup>
- Tracing the addresses of the parents or guardians and arranging for the return of the child in communication with them. This is done through direct communication between the CTC staff and parents/guardians if the later are accessible by phone, or through police stations/units at closest location to the origin.
- Transporting the child back home. Number one option is to make sure that the parents come and fetch the child from the CTC. If they are not economical capable to cover their transport expense, the center covers it or arranges for their free transportation by liaising with transport companies. In cases this option is not possible, the child is sent to the police station/unit at the closest distance to the family.
- Keeping and maintaining record of the relevant information about the child, family/guardian as well as the case and processes.

### 3.2.2 Good practice and the gaps

Beyond the very fact of having a particularly specialized system and services to trafficked children, working with all who may have role in one or another way – contributors to the problem such as bar owners, brokers who facilitate for domestic workers, etc. as well as those who may have a hand in dealing with the children affected, such as drivers, associated service providers, police units at destinations, etc. – is what one can take as an example of a best practice.

Apart from the challenges and gaps described for the CPUs, which are equally applicable to CTCs as well, the practices of CTCs show a major shortfall with regard to ensuring proper reintegration of a trafficked child returned back to destination. That in fact involves far more than what is being practiced by the CTCs. Particularly, as regards the scope and depth of the key stage processes: identification and understanding of a trafficked child; family tracking,

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<sup>135</sup> Police officers and FSCE staff in Bahirdar indicated that Bahirdar University collaborates with them by providing feeding services to children.

assessment, and consultation; and the actual reintegration process facilitation, follow up and support.<sup>136</sup>

## 3.3 Community Based Correction Program (CBCP)

### 3.3.1 Purposes and scope of the CBCPs

As per the criminal code, in Ethiopia, minimum age of criminal responsibility is nine years. Those aged 9–15 years are considered as children, while those aged 16–17 years are treated as adults, although there are provisions for mitigation by the judge; these children cannot receive life imprisonment or the death penalty. The criminal code emphasizes that cases involving children should be processed ‘immediately’, although no specific time is stated. After arrest by the police, all stages in the administration of justice including investigation and prosecution are carried out by the judiciary.

Although there is no law that specifically authorizes and provides guidance to do so, diversion of children in conflict with the law to a community based correction program is widely practiced. The CBCP are arrangements where petty and first time young offenders get alternative correction services instead of going through the formal criminal justice system. Through the programs, children in conflict with the law are corrected while attending their schools and living with their parents. The activities and services of the CBCPs specifically target on pre-delinquents children identified for being highly vulnerable to become potential offenders, for instance, high-risk street children, and petty first time young offenders aged between 9-15 years.

Services and operations under the CBCPs are founded on the objectives to:

- Prevent potentially vulnerable children from being involved in criminal and anti-social activities;
- Correct young offenders without removing them from their families and confining them to reformatory institutions;
- Help young people avoid the trauma and stigma associated with the regular justice process;
- Reduce chance for future criminal involvement by allowing the youth to choose alternatives than criminal activity, by improving their social adjustment, enhancing self esteem, and improving decisions making skills;
- Increase collaboration of police stations and the local communities in the prevention

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<sup>136</sup> Complete information on the workable approaches and processes (in the Ethiopian context) of such key stage processes are provided in the TIP Handbook. Tsegish carefully check for its relevance.

of young offenders from getting into problems.

The CPCPs are implemented through Community Based Correction Centers (CBCCs). The centers operate under the police as part of the CPU engagements. The operations, however, bring together NGOs, police, families, elders (locally known as ‘*Mekari Shimagles*’), teachers and volunteers. The practice was introduced by FSCE in conjunction with Addis Ababa City Police Commission (AACPC) as an extension of the CPU services in the city around 2004. It started with one center at a most affected area in the city as a pilot project. Later on replicated to ten more centers at different location in the city of Addis Ababa, as well as in many other cities where CPUs that are supported by FSCE has been operational.<sup>137</sup>

Mainly the police refers children to the CBCPs. Children might also be referred to the program by courts and by their parents as being unruly or truanting. When children are brought to the CPUs having been accused of committing an offence, their parents are contacted, their case is investigated and a report is compiled. Police officers and community workers together do the assessment of the child’s case and make decision. Possible decision options include: release the child under the responsibility of parents/guardians; refer the child to the community-based correction programme; or present the child to a juvenile court.

After a child is referred to the CBCP or admitted by the CBCCs, various measures will take place to rehabilitate the child, which include activities and services listed in the box below and described further on. In the CBCCs, contract is made with parents/guardians to make the child to report to the center on specified schedule, to be committed to respect/apply the orders and expectations of the concerned authorities, and to cooperate with the program staff.

### **CBCP Operations**

- Child assessment, setting standards and development of treatment plan
- Liaising and arrangements with parents and schools
- Engagement in organized daily activity schedules
- Continuous monitoring and follow-up as well as periodic assessment
- Rewarding good behaviour and innovative actions
- Guidance and counselling to children as well as their parents/guardians
- Schooling support such as tuitions, uniforms, materials, tutorial, library, etc.
- Training, such as life skill, computer skill, music and theatre training
- Play and recreation: sport, music, drama, games, arts, etc.
- Linkage with other bodies/institutions who provide further services such as tutorial and apprenticeship
- Discharge and follow-up

#### **Box 4: Community based correction processes**

<sup>137</sup> Includes Adama, Akakai Kaliti, Bahirdar, Dessie, and Diredawa.

### 3.3.2 CBCP operations and processes

#### *Assessment and decision:*

When cases of child in conflict with the law reported to CPUs a community worker, para-social worker, and police officers at the CPUs take the case and discuss on it. The police officer investigate the case – how serious the offence is and how frequent offender is the child – and the community worker assess the socio economic condition of the child as well as the pushing and pulling factors that lead the child to the offence.

If the case is a petty and first time offence, the child is simply diverted the child to the CBCP. In this case, the concerned police officer and the social worker will decides the specific types of rehabilitative measures and processes needed to the child, after taking the family back ground, school schedule and distance of the child's home to the CBCC in to consideration.

If the child has committed repeated offenses or a serious offence, the police officer opens a file and takes the child to the child friendly court. If the multispectral groups including the judge in the court believed that the child would come up with some behavioral change through alternative correction mechanisms they would refer him/her to CBCP rather than sending the child to remand home.

#### *Planning:*

After admission to a CBCP, the concerned police officers and community worker meet with the child and his/her parents to check that they all will consent to come to the CBCC and to implement the rehabilitation programs. A treatment plan is made and its content, the times the child will attend, and the parents' monthly attendance to talk about the child's progress is agreed by the child, parent and community worker. This document is signed by all, and is kept at the CBCC. The community worker on a case-by-case basis determines the length of time that the child spends in the programme. On average, children are enrolled for about three hours a day on weekdays. They stay at the center is mostly from six to nine months. In cases of children who fail to improve, however, a decision is made to extend the duration.

#### *Rehabilitation:*

The personalized development is implemented to each child in the program. A typical day of a child involves studying, tutorial classes, watching recreational films, playing indoor games and learning skills, playing musical instruments. There are also periodic meetings of the child with community workers, teachers and police. These people discuss with the child the causes of his/her offending behavior and the expectations of his/her family and community. Children also discuss with volunteers the reasons for their offending. Specialized services of counseling and guidance are provided as necessary. Regular parent meeting and discussion, family contact, and school visit programs are conducted as scheduled. In addition, there is an

inter-CBCC educational competition whereby outstanding children are awarded. That is intended to motivate the children to improve their educational performance. To entertain the children, they sometimes are taken to public entertainments, in addition to different events like games, music, and drama shows that are conducted in the centers.

### *Follow up and review:*

Periodic assessments are conducted on the situation of the children by collecting information from parents, teachers and volunteers. The assessment is based on such factors as the child's school attendance; educational performance; relationship with people in his/her immediate environment; attendance and participation at the center, and personal care and attitude. Children who are of good behavior and who attend regularly are rewarded by various means like visits to a theatre, football match, etc.

### *Discharging:*

The decision to discharge a child depends on the assessments. If behavioral change is noticeable within this period, the child will be discharged. If there is insufficient progress, another correction period will be given to the child. The process of discharge takes place in a formal meeting in the presence of parents, community representatives, police and social workers. Before the process of discharge, a simple discharge form is filled in, with the purpose of handing over the care of the child to the parents. This also enables the staff to compile contact information on discharged children.

## **3.3.3 Partakers in the CBCPs**

CBCPs are lead by a police officer that is accountable to the CPU structure with in the police. However, as indicated before, the operations and services of program pool inputs (resources, expertise and efforts) from varied parties: NGOs, families, schools and community. FSCE, in cases of the CBCPs in Addis Ababa and many other major regional towns – covers the budget needed for material provisions made to children through the program and for running the operations, besides hiring and administering counselors and social workers. The respective city police departments provide police staff, cover costs associated with them, and through the CPU's refer children to centers and manages the operations in centers. Local communities provide halls and other facilities including open grounds for the program activities, and participate in the program through the elders.

### *Police and social workers:*

Under the leadership of police officers, there are team leaders who are often qualified counselors and social workers; community workers who are trained para-social workers, and volunteers. The social and community workers help parents to understand the causes for their child's offending and identify the support needed from the parents.

### *Volunteers:*

Volunteers are the ones who run the daily routines in the CBCCs under the supervision of community workers and team leaders. Their tasks include ensuring that children come to the scheduled programmes, attend school, and work to improve their relationship with their family and community. They are also responsible for keeping records and reporting on the progress of the children to counselors, community workers and team leaders.

The volunteers are mainly young people who have at least completed their high school education. They are paid with an honorarium by FSCE to cover transportation expenses. High unemployment and the opportunity this work opens up for future jobs make these posts popular. Criteria for recruitment of volunteers focus on the ability of the volunteer to communicate with children, especially adolescents, and the personal characteristics of the volunteer. The latter is important in that the volunteers are expected to be good role models for the children in the centers.

They are given with on job training regarding child rights and the tasks they perform. Major topics of the training included; UN Convention on the Rights of the Child; Child protection principles and measures; CPU working guidelines; guidance and counseling; effective communication skill with children; child participation techniques; and record keeping.

### *Committee of elders – ‘Mekari Shimagles:’*

The elders give advices to children, communicate and mediate with parents, and share their wisdom on proper handling of children to the family. The *‘Mekari Shimagles’* are composed of individuals who are not only elders in age wise but also are socially respected and reputable among the local communities – the ones whom many would like to listen and influenced by. They can be just ordinary members of the community, representatives or heads community based institutions such as churches/mosques, and traditional associations like *‘Idir’* (a self-help association that is present in all communities and of significant influence over its members). In a wider level, the role of the community elders include liaising between the CPUs & the community; undertaking community sensitization activities; facilitating and leading community based solution measures; mobilizing of community members and public resources.

### *Schools:*

Schools take part in assisting the program efforts particularly with regard to the child’s performance and behavior school – facilitating conducive environment in school that support the child’s development plan as drawn by the program, following up and reporting the child’s performance and behavioral developments in school, etc.

### *Parents:*

Parents contribute to the rehabilitation of the child by encouraging the child to go to school and to the center regularly, by keeping a closer eye on the child when at home, giving more

love and attention, especially by setting aside time to talk and listen to the child, and guiding him/her appropriately. They are involved in drawing up their child's treatment plan, the child's attendance, and reporting on the behavioral and educational progress of their children.

### 3.3.4 Benefits of the CBCPs

Compared to the formal justice and institutional correction practices, the CBCPs described here are much cheaper economically and more beneficial socially. The program reduced much burden from the justice and correctional systems. It also facilitated for better relationship and collaboration between the police, CSOs, and communities. Most importantly, the practice avoids labeling children and reinforcing their criminal experiences—stigmatization, humiliation, and rupturing of social relations is avoided; and self-confidence of the child is not endangered – and thereby supports not only safeguarding the rights of the children involved but also better security of the society.

#### *Advantages of the CBCP to the children involved*

- Better treatment and longer process of reforming within the community
- Personalized care and treatment for each child
- Participation in education, social life, and recreation
- Protection from potential abuse and trauma in the formal justice process
- Avoidance of criminal record
- Families received parenting skill training
- Better options for reintegration and future development

#### **Box 5: Merits of the CBCPs**

From the children who had gone through the CBCPs those approached by a study evaluating the practices in Addis Ababa confirmed that the treatments they received had brought positive effects in their behavior and futurity. Examples of the positive effects they cited include improvement of educational performance, dropping of bad behaviors and bad friends, and maintenance of good family relationship. It was also found, although accurate numbers couldn't be identified, there are many children who were able to join a university, to assume a socially worthy employment, and to start to run their own business as the result of the changes in their behavior. Sample cases are provided in the box overleaf.

### ***One time street truant is now a businessman***

Belay (*names are changed to protect the identify*) was a 17 years old school dropout when he joined the CBCP. A street vendor single mom was unable to afford his schooling. Himself had to support his family, and he was a shoe shiner. After times, he became un-ruled to his family and violent on streets – he gambles and fights with the street boys. Consequently, he was arrested by police joined the CBCP. After spending three years attending the program, Belay became a well-mannered decent person. First, he trained himself on hair cutting and got hired as a barber. Next, he started his own business by opening a barberry shop. By the time this information was obtained, he owns a mini-bus taxi.

### ***Engineers and Lawyers used to be group fighters***

16-and 17-year-old friends, Adam and Lule, used to live in slums at the heart of Addis, place known as ‘Gojam Berenda’. They joined the CBCP because of their frequent involvement in group fighting. After going through the program, behavior and school performance of both Adam and Lule improved drastically. They were able to score excellent grades in the national examination and to continue university education. By the time of collecting this information, Adam and Lule were at Hawassa and Mekele University doing Engineering and Law degrees respectively, left with a year to graduate. During the school breaks, when they come to Addis Ababa, both Adam and Lule volunteer to the CBCP activities by giving tutorial and guidance services to children attending the program.

### ***Support beyond correction takes further***

Matusala is a brother of five coming from a very poor family in Addis Ababa, Arada Sub-city. He used to still money from his parents, and he was admitted to the CBCP program upon an application made to police by his father. By then he was 14. Through the treatments he received in the program, Matusala showed serious commitment to drop his bad behaviours and a strong interest to improve his school performance. After some time of his discharge from the program, Matusala’s parents came back to the CBCC with a request for a letter of support from the centre so that their son could be considered for a scholarship opportunity in one of the private high schools. In addition to writing the recommendation, the centre did liaise with the school and provided continuous follow up and support while the child was in the school. After 2 years, Matusala sat for the national examination and scored ‘A’s in all subjects he took; eventually he was a prospective graduate in civil engineering – from the Addis Ababa University – at the time of compiling this information.

#### ***Box 6: Sample cases demonstrating the CBCP impacts***

### 3.3.5 Challenges and shortfalls

On the other hand, the program features some serious shortfalls and challenges: lack of legal backing, inadequacy of human and material capacity, structural and operational gaps, etc. Needless to explain the prevalence of personnel inadequacy and incompetency, as well as the resource constraint.

#### *Legal backing:*

The Ethiopian penal law has no clear provisions for the diversion of young offenders to an informal system of rehabilitation and correction. There is no other regulation that supports and specifies the practice too. The rehabilitative measures and process under the program as well as the governance structure of the program are not based on a clear legal guidance. Those who took part in the process of the CBCPs have no legally binding obligation. There is no clearly specified legal obligation to parents to send their children to the program. Eventually, there is no legally endorsed means of enforcing children not to withdraw from the program before completion of prescribed processes and attainment of required behavioral improvements. Indeed, such a practice without any legal backing is by itself a great success.

#### *Collaboration and Involvement:*

The collaborated approach of working between the police, NGOs and communities is a very commendable practice. Integration and balancing the psychosocial and law enforcement aspects of the work involved in dealing with a child and his/her case can be a remarkable advantage of the approach. Similarly, the practice of involving volunteers is a direction that needs to be further built-up on. That is one best way of managing the challenges related to lack of adequate number of staff. Of course, the advantage of volunteering is far more than just filling such gap. The extent of involving volunteers should to be broadened to embrace qualified professionals. Networking and collaborating with institutions that may comprise the required kinds of professionals as staff or trainees/students is one major option. Hospitals, universities, social and labour affairs department/bureaus, etc., could be best examples. Looking for the required kinds of professionals among the local residents, and persuading and motivating them to get involved is also another possible option. Moreover, to optimize the collaborative efforts, it needs standardizing and formalizing the roles of each part taker, and the relationship among them.

#### *Facility:*

CBCCs are usually located in local government or public holdings such as *Kebele* and *Idir*<sup>138</sup> halls with a small room annexed to the hall serving as an office for volunteers and a place to store books, teaching aids and recreational materials. The offices are also used to hold discussions with parents and to conduct counseling sessions. Such exercise of mobilizing communities as well as public resources is a very commended practice. It is a visible sign of

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<sup>138</sup> A grass-root level self-help association, to which usually every resident is a member.

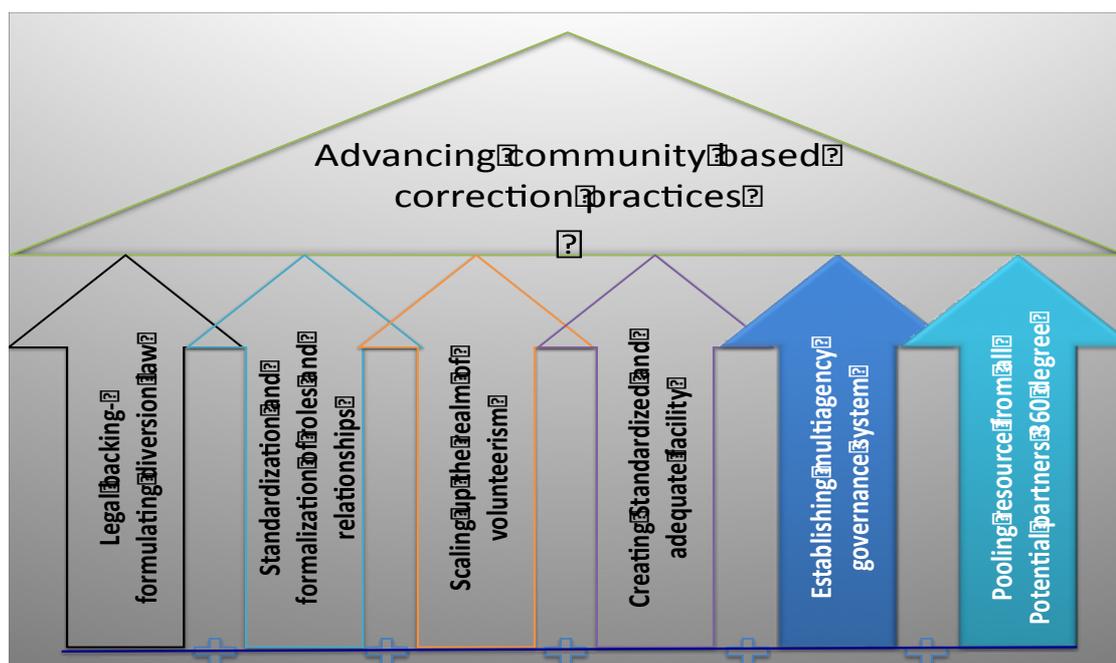
being able to win the public recognition and confidence. However, since the infrastructures used for the CBCP activities are not built for the specific purpose under discussion, they, obviously, would not satisfy the needs and expected standards. Inadequacy of the facilities and resources was on the top of the list of dissatisfying factors indicated by children approached during an evaluative study. Inadequacy of skill gap is apparent.

### *Structural/governance:*

Although efforts and resources are pooled from different bodies, – government, NGO/CSOs, and communities – governance of the CBCP processes mainly fall under the police. In principle, that sounds not good despite the fact that it has been practiced so far smoothly. The best option is to make the CBCPs operate under the governance of a multiagency structure/body. Local government administrations or respective state agencies under them responsible/mandated for social and welfare affairs are still preferable options than the police. Such an adjustment of the governance would enhance financial, human, and material capacities of the program, besides letting it to fall under the mandate of the most appropriate authorities.

### *Operational shortfalls:*

Besides the flawed quality and proficiency of the services and processes, failure to follow-up children after discharge has been the major operational shortfall in the practice. Reasons for this include inadequate staff and resources as well as the inherent difficulty to trace whereabouts of the children, especially incases of street children. Measures that would help in this regard include developing specified techniques and standard procedures of tracing and follow up, designing tools – formats and checklists, for instance – that support proper execution of the follow up processes and maintaining record of the relevant information.



**Figure 11:** Strategies to boost the community based correction practices

## 3.4 Child Friendly Courts (CFCs)

Regular court settings and procedures are not child friendly; they can instill fear and intimidation. For this reason, the international conventions and related laws provide for children with the right to be treated in a different court setting following different in-court processes or trial procedures. Following the expansion of the practices of CPUs and CBCPs, child friendly courts are being introduced, in Ethiopia, over the last few years.

### 3.3.1 Emergence and development of the CFCs

In 1999, the Federal Supreme Court of the FDRE, in collaboration with various NGOs, established an office called “Juvenile Justice Project Office (JJPO).<sup>139</sup> Purpose of the project office was to support reforming the juvenile justice system of the country. It was supposed to rectify problems in the justice system and ensure that children are provided with fair and child-friendly legal treatment.<sup>140</sup> The office had been working closely with the Ministry of Labour and Social Affairs (MoLSA), UNICEF, Save the Children Sweden, Italian Cooperation and two indigenous NGOs: FSCE and ANNPCAN-Ethiopia.<sup>141</sup>

As one major outcome of this and other related initiatives, a child friendly bench (CFB) was established in 2004, for the first time, in Addis Ababa city, within the Federal First Instance Court (FFIC).<sup>142</sup> Afterwards, the practice has been replicated to the regional states. Until the finalization of this document, separate CFBs are being instituted in the capitals of four larger regional states – Oromya, Amhara, Southern Nations and Nationalities, and Tigray – in addition to two benches in Addis Ababa and one in Diredawa city.

### 3.4.2 Key features of the CFCs

The CFBs constitute one major aspect of a child friendly court system where a child need not personally appear before the formal setting of a courtroom. They are



*A child friendly courtroom*  
*Source: (EveryChild 2010), page 21*

<sup>139</sup> (216 Government of Ethiopia 2007): 57

<sup>140</sup> (IRIN: A Service of the UN Office for the Coordination of Humanitarian Affairs n.d.)

<sup>141</sup> (Government of Ethiopia 2007): 57

<sup>142</sup> Ibid: 57

meant to address child victims, mainly those who are sexually abused.<sup>143</sup> A CFB is, in this context, a separate courtroom that is connected to a special room through a ‘Close Circuit Television’ (CCTV) system. The CCTV system is instrumental in that it gives the victim child the freedom of being alone with an intermediary whilst the judges and the entire audience can follow the proceedings in a separate court room through a TV that is installed in the room. The picture aside partly shows the room where the child sits – adjacent to the courtroom where the judges and others sit.<sup>144</sup>

The system shields and ensures that children do not have to be put through the ordeal of a normal court case, and eventually it avoids secondary traumatization on victims of abuse while they give their testimony to the court. The child victim sitting in the special room is assisted by an intermediary to answer all the questions forwarded from the courtroom. He/she will be able to testify freely, without coming face-to-face with the perpetrator, and without being further traumatized

Critical preconditions for operationalization of a child friendly court system comprise, at least, two separate rooms with specialized settings and equipment as well as trained people capable of running the processes not only in child friendly manner but also effectively. The required kinds of skilled role players in the CFC processes include judges, social workers, prosecutors, and others who might need to be involved for one or another reason. That proved to be a challenge in the case under discussion.

As they are just emerging, there has not been so organized information about the practices and lessons of the CFCs. Establishment of the CFBs yet to be continued to local level courts down from the regional capitals. An appropriate suggestion at this level is to do a review of the practices of the CFCs operational so far, and making use of the lessons out of this in the establishment and operationalization of the new ones.

## 3.5 Associated Service Arrangements

### 3.5.1 Forms of the services, the service providers, and the beneficiaries

This refers to specialized systems that provide and facilitate varied forms of services for needy children alongside the law enforcement and justice processes. They can be institutions or multi-agency arrangements that take part in the processes of dealing with children who are identified to be particularly at high risk of abuse or offending as well as those who are abused or are in conflict with the law.

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<sup>143</sup> (IRIN: A Service of the UN Office for the Coordination of Humanitarian Affairs n.d.)

<sup>144</sup> EveryChild. Protect for the future: Placing children’s protection and care at the heart of achieving the MDGs. London: EveryChild, 2010: 21

Services of a reactive form such as medical, counseling, rehabilitation, feeding, shelter, family reintegration, adoption, orphanage, and the like to victims constitute the major aspect of the associated services. The wider range of the services however extend to include proactive supports, such as educational and economic or livelihood supports to particularly vulnerable children and families, such as street children, children at fragile or abusive family environment, and children of very poor parents/families.

Some of such services are provided through particularly established service centers and specialized professionals while others are not. Child Abuse and Neglect Units (CANUs) are typical examples of the services provided through specialized service centers. They are usually established inside hospitals to provide and facilitate health and psychosocial services. Mainly, they are to provide and facilitate medical treatment and counseling for victims of sexual offences. They also do keep abandoned children until family will be found or adoption or other alternative service is arranged.

Such services and supports are predominantly provided by non-governmental organizations. Out of 133 organizations listed in the directory of organizations providing support and services for children, produced by the African Child Policy Form (ACPF), only one is a government organization.<sup>145</sup> The rest are NGOs and faith-based organizations, few being community-based organizations. A government report also mentioned of a community-based government/UNICEF programme for prevention and rehabilitation of street children in some major towns, which comprise support for street children to access health services by issuing identity cards, community-based childcare project, and saving and credit scheme for mothers of street children.<sup>146</sup>

As a means of screening, most of the associated service providing institutions use referrals from stakeholders living in the same area as the child in need, such as health institutions, *kebeles*, community- and faith-based organizations and NGOs, and police.<sup>147</sup> Selection often gives priority to orphans and vulnerable children with severe problems, including health complications and disabilities.

**Table 2: Range of child support services, summary**

Beneficiary children	Forms of Services
Children at risk	Proactive child and family support/services such as family counseling, child-family reintegration, education fee and material support, skill training, credit services, etc.
Victimized children: victims of physical, and sexual abuse	Services of care, protection, medical treatment, psychological counseling, legal support, justice process facilitation, temporary feeding and shelter or safe homes, day care, drop in, etc.
Orphans	Services of foster care, adoption, shelter, feeding, education,

<sup>145</sup> (African Child Policy Forum and Plan 2008)

<sup>146</sup> (Government of Ethiopia 2007: 55)

<sup>147</sup> (African Child Policy Forum and Plan 2008)

Children in conflict with the law

Rehabilitative counseling, training, legal support such as legal counseling, preparing letters and pleadings, judicial representation in a court of law, etc.

### 3.5.2 Gaps and challenges

As mentioned before, the services are almost entirely implemented by non-governmental organizations; they are not primarily owned and materialized by the government. Again, they are often disintegrated, not based on a holistic approach – fragmented focuses, engagements, and help that wouldn't bring a comprehensive and lasting solution to the ones being helped. In scope, the services are limited to bigger towns, and reach out to insignificant proportion of children in need.

Unless applied with due care and based on a robust screening, follow up and monitoring mechanisms, some forms of the support such as adoption and institutionalized care can be of serious repercussion. Beyond eroding the traditional coping mechanisms such as extended family support traditions as well as the resilience of the affected families and children, it may lead to increased vulnerability to abuse and exploitation.

*Chapter IV*

**Child Protection Training  
and Awareness Raising**

Training and awareness raising (TAR) is one of the imperative preconditions, emphasized by the Committee on the CRC, towards safeguarding the rights of children. Particularly, in circumstances as in the Ethiopian case, TAR will have a pivotal role. The Ethiopian case embodies a huge scale of adverse traditional practices and widespread societal apathy towards children, as well as too many competing priorities against the efforts of child protection and CFJ. Illiteracy and lack of awareness is the prime factor behind the scenario, which could be effectively reverted only if hard-hitting efforts of TAR are implemented. The unfairly compromised level of emphasis towards child protection could also be rectified only if the magnitude and consequences of the problem are correctly understood. This chapter portrays the practices and impacts of child protection TAR in Ethiopia, emphasizing more on the training of police.

## 4.1 Aspects and Scope of the TAR

### 4.1.2 Public education and sensitization

Public education and sensitization is an essential component of an ideal strategy to tackle violence against children, which is critical to close the gap between legal provision and practice.<sup>148</sup> Public awareness plays an exceptional role in reducing the prevalence of unfavorable or discriminatory attitudes, beliefs, and harmful practices towards children.<sup>149</sup> It is a means to bring social change that encourages the abandonment of harmful or unprotective social practices and norms.

In Ethiopia, efforts of public education and sensitization have been undertaken, mainly, by NGOs and CSOs. It is practiced somehow by majorly concerned state agencies such as the police and judiciary, in collaboration with NGOs and CSOs. The efforts consist of two major aspects: advocacy on policy issues and legislations, and awareness raising on the rights of children and child protection.

Objectives often sought to be attained include:

- (1) Creating awareness among members of community on the issue of child rights and encourage their participation in the protection of children;
- (2) Developing constituencies of support groups on child rights and child protection issues;
- (3) Empowering children to demand their rights, and to understand what they could do

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<sup>148</sup> (343, Commonwealth Secretariate 1999): 9

<sup>149</sup> (UNICEF 2008)

- to protect themselves from abuse and violence;
- (4) Insisting the government to review child related policies and laws;
  - (5) Encouraging pertinent organizations to implement policies and legislations on child rights.

Most common contents of the awareness raising and sensitization messages include rights of children, state of the problem of child abuse and maltreatment, gaps in the extant practices of dealing with the problem, measures need to be taken accordingly by different role players. The messages are either geared towards a particularly targeted recipient group (such as children, parents or guardians, specified institutions like police, schools, etc.) or meant to everyone without being so particularly focused on one or the other.

## Methods and means

Public education and sensitization messages are conveyed mainly through mass media: radio, TV, and newspapers. The police at federal and regional levels have separate media channel and coverage slot, and which is extensively used. Local FM radio and TV channels that broadcast using local languages are also used. In addition to regular media programs and dispatches key messages are communicated using venues of public events such as religious celebrations, community gatherings (*iddir*, *Iquib*, *kebele*, etc. meetings), and celebrations to mark some special dates or issues related to children (e.g. African Children Day), women, and HIV. Specially arranged traditional coffee ceremonies are used for discussion in the matters related to children at family and village levels.

School mini-medias and extracurricular activities are the major means of informing children at school. Child rights clubs that involve children and facilitate the process are existent in most schools, among other clubs for other extracurricular engagements of the children. In some areas, children parliaments are established and used to promote the rights and the awareness of children in the respective communities.<sup>150</sup>

Lobbying, in-person and in group, is applied mostly to solicit for integration or amendment of policies and legislations as well as for proper enforcement of the existing ones, targeting on capable officials of particularly mandated government institutions. These include parliamentarians, centered ministers, police commissioners, presidents of concerned courts, etc. Informative discussion sessions are also held with specifically targeted public groups such as high risk families, community and religious leaders, school communities, employers of child labour, bar owners, cross country bus drivers and terminal workers, etc.

Public education and sensitisation messages are transmitted in the forms of:

- News: case narratives or reports of issue, scenarios, incidents, court decisions, etc.
- Expert discussions and recommendations,
- Messages delivered by public figures,

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<sup>150</sup> (The Children and Youth Forum of the Christian Relief and Development Association n.d.): 7

- Special publications: fliers, newsletters, brochures, reports, etc. printed and disseminated,
- Banners and billboards displayed at chosen public sites,
- Dramas and shows, etc.

## Impacts, challenges, and unused opportunities

Evaluative studies done at different times and places confirmed that there have been clearly observable positive changes in the awareness and attitudes of the public, which the efforts of public education and sensitization must have been contributed to. Some of the observed indicators of this include increased rate of cases reported to the police in general and by the public members in particular, and increased community participations. Number of individual persons contributing in variety of ways, for instance, reporting cases of abuse, expressing opinion through media, volunteering in community based prevention and correction measures, etc. has been increasing overtime. As observed in the media appearances, discussion sessions, seminars, workshops, etc. as well as in giving witnesses on the offences against children, not only the level of awareness but also the level of openness has also increased.

But this reflects only part of the reality; it is true only for the communities at a close reach. Around percent of the population in the country resides in rural areas, and has very limited access to mass media especially to the electronic ones.<sup>151</sup> On the other hand, the high level of illiteracy in the country bars print media from being a major means of information dissemination. Direct access to all grass-root level communities through approaches like the traditional coffee ceremonies is not also attainable given the size of the country and the population. Because of this, there are instances where radios were distributed to villages to be used in common. In fact, that is a direction good enough to be taken up further.

Making use of community development corps would serve the best in reaching everyone on the ground. Options that are more plausible may include using those who are already there for other purposes such as agricultural or health extension workers, primary school teachers, volunteering members of the community, etc. These, however, need to be trained and sensitised very well themselves as well as continuously assisted in the process.

School curricula in the country include civic education as a common and mainstreamed subject. It aims to build the characters of good citizenship: moral, law abiding, and productive generation. This provides not only a good opportunity but also a suitable framework to integrate and mainstream the issues of child rights and child protection in the curricula. The lessons under the civic education, in its current structure, mainly focus on the obligations of children. Integration of the issues of child rights and child protection would therefore create a proper balance.

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<sup>151</sup> (214 The Federal Ministry of Labor and Social Affairs 2005): 31

## 4.1.2 Specialized training

This refers to systematically designed training courses or learning events, which usually go beyond informing, to building the necessary competencies (knowledge, skills and corresponding attitudes); particularly designed training programs to particularly chosen targets – mainly for those that have particular tasks to do, measures to take about child protection and CFJ. These include police, prosecutors, judges, medical professionals, community and religious leaders, parents, teachers, social workers and other professionals, including those working with children in institutions such as associated service centers and places of detention, those working in the media and many others.

### Approaches and options

A mix of institutionalized and non-institutionalized approaches is followed in implementing the specialized training. Institutionalized approach denotes well-structured training packages and courses running regularly through a formally mandated institution. Structured approach involves designing and delivery of separate courses just on the issues of child protection and child friendly services, as well as integration of the relevant lessons about child rights, child protection and child friendly services into all other related training curricula and course. The practice of police training, addressed next, is a good example of this.

In Ethiopia, there are separate training institutions for legal professionals serving in the government, in addition to the law schools and faculties at different universities. They provide entry level as well as in-service development courses for judges and prosecutors, which comprise the issues of child protection and CFJ too. Some years before, the Addis Ababa University (AAU) reopened the school of social works after three decades, and it has begun post graduate degree programs on social works. That is targeted and structured mainly towards producing capable social workers.

Non-institutionalized approach refers to ad hoc, irregular, non-integrated learning training sessions and learning events. Such forms of training have been widely applied by many NGOs and CSOs, either by themselves or in collaboration with government agencies. The learning processes are usually implemented in a form of workshops, seminars, discussion forums, or exposure visits. Exposure visit and exchange programs are applied at local level, from one to another community and institution, as well as to foreign destinations.

Several senior government officials from varied agencies were participated in a number of foreign exposure and learning visit programs to different countries in Africa, Europe, and America. Most of the programs are facilitated and sponsored by different NGOs/donors.

In 2005, FSCE facilitated a two weeks program to the UK, for a group of seven senior officials from police, courts, and ministries and bureaus of labour and social affairs. In 2006, it also facilitated a month long exchange program to a group of about fifteen officials including police commissioners, presidents of courts, mayors, heads of departments from

directly concerned government ministries and bureaus. This is just to mention examples. Otherwise, the number of events, people involved, and NGOs sponsored them are many.

Relatively, better progresses were seen where the trained officials had lasted in their position. That was however a rare case, as the officials usually do not stay in a position for long. This, obviously, suggests the need to continually train each and every official in position.

## Achievements and gaps

Because of the training, exposures, and practical experiences, understanding and attitudes of the involved professionals and officials have been improving over time. Much of the success in working with the police and judiciary came from the integration of child rights in police training and the exposure of government officials to study tours to learn from other countries' experiences.<sup>152</sup> Expansion of the CPUs and CFCs; commencement of the processes of integrating the issues of child rights and child protection into the training systems and curricula of the police and legal professionals; growing level of involvement of the concerned public institutions, such as the police, schools, courts, as well as other civic and community based institutions are the manifestations of the positive impacts. Studies also indicated a reducing trend in police mishandling and maltreatment of children and their cases; an improving trend in the level of attention from the police and judiciary to crimes committed against children; and a declining trend in the number of children detained in the police stations.

Relative to what is expected, however, still far more remains to go. Training is not yet fully institutionalized – internalized and integrated – by the concerned state agencies. Many kinds of necessary training are not available. Sufficient capacities are not created, to design and deliver the required training programs. Great majority of the involved personnel are not trained. What needs to be taken accordingly include:

- (a) Fast tracking internalization and integration of the child rights, child protection training into the responsibilities and training programs/curricula of concerned agencies, particularly the police and judiciary;
- (b) Designing specialized courses in varied aspects of child protection and child friendly services to varied role players in varied agencies;
- (c) Running massive training to currently engaged, but not trained, personnel and officials at different agencies.

Of all the concerned institutions, families take a prime role for the protection of their children. This demands them to acquire certain competencies. The reality in the case is however an opposite to this. Family ignorance and incompetence is actually the major factor for the widespread problem of violence against children in the country. Thus, designing and

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<sup>152</sup> Martin, Florence and Williams, John. *The Right Not to Lose Hope: Children in conflict with the law – a policy analysis and examples of good practice*. London: Save the Children Fund, 2005

implementing extensive training programs for parents and caretakers is highly recommended. Such programmes should include:<sup>153</sup>

- (a) Increasing the understanding by parents and caregivers of the physical, psychological, sexual and cognitive development of infants, children and young people in the context of social and cultural factors;
- (b) Promoting non-violent relationships and non-violent forms of discipline and problem-solving skills;
- (c) Addressing gender stereotypes.

## 4.2 Police Training on Child Protection

### 4.2.1 Significance of training the police

#### *Police plays a critical role:*

Police has a crucial role to play in controlling violence against children and ensuring justice is done. This role is a result of state mandated responsibilities, and the organizational setting of the police facilitates it.<sup>154</sup> The police are often the only 24-hour, seven days a week emergency service available to abused children other than emergency medical care. Police assumes the duty to protect the public including children and to enforce the law – vested with the necessary authority to apply coercive power of the state in the course of preventing crimes and enforcing laws – more than any other organization.

Range of the police roles with regard to child protection:

- Intelligence and information - Identify all potential risks of child abuse and juvenile delinquency;
- Prevention - take preventive measures to protect children from abuses and offending;
- Protection and care - provide care and protection to children whenever necessary;
- Handling children who come into contact: ensure maintenance of the legal rights of children who came into the justice system;
- Case management - investigate the cases of child abuses and juvenile offences;
- Collaboration - assist the efforts of other organizations engaged in the implementation of child rights and child protection services.

As it is the frontline service in the criminal justice system, justice to victimized children starts with the police. What the children experience in that first instance of contact determines, for good or bad, not only the perception and confidence they will construct about the entire justice system and processes, but also the level of success in the subsequent justice

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<sup>153</sup> (UNICEF 2008): 9

<sup>154</sup> (Commonwealth Secretariate 1999): 7/8].

endeavors. Police is also placed at the center of child protection and victim support services network – agencies that provide associated services to children that go through the justice processes, such as, medical, social, psychological, and legal services. The police role includes, hence, inter-agency liaison and coordination in the delivery of social and welfare services to victims of violence and abuse.<sup>155</sup>

Unless the police are capable of doing their job well, raising the awareness and sensitivity of the others could be of adverse consequences. Enhanced awareness and sensitivity will lead to increased demand, for instance, increased number of reports and increased level of expectations. If police fails to satisfy the increased demand, public dissatisfaction increases and negative image towards the police and state builds up. That is why unprepared and incapable governments often tend to be unwelcoming towards extensive advocacy initiatives.

In order to perform the duties satisfactorily, police agencies need to, first be well cognizant of the roles and then be fully capable of and committed to executing them. This in turn requires possessing the corresponding capacities – human competencies as well as material resources. Among critical preconditions are:

- Having proper understanding of the role,
- Possessing appropriate behavior and attitude,
- Knowing what to do and how to do,
- Creating the necessary systems and arrangements,
- Committing adequate resources.

Children are the major recipients of the policing service who even need to be given with a priority emphasis. Having proper understanding of this fact is the number-one precondition expected of police officers. Besides acquiring the proper understanding of their role, police officers need to hold the values required in accordance to the specific nature of the work of child protection and children service. It is also imperative to have institutional capabilities that allow putting the personal competencies into practice – specialized systems, operational/procedural guidelines, as well as facilities and resources.

### *Child protection is a difficult job:*

Child protection is a challenging job. ‘Police work of child protection can be unpleasant, difficult, sometimes, dangerous and always stressful for officers’.<sup>156</sup> Child protection work involves dealing with human pain; no one can remain untouched while dealing with a child suffering emotionally or physically. It also involves operating at a point where society’s strongly held beliefs meet and clash.<sup>157</sup> For instance, the belief that ‘children should be protected against harm’, and the belief that ‘an outsider or stranger should not intrude into

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<sup>155</sup> (Commonwealth Secretariate 1999): 7

<sup>156</sup> Ibid: 8

<sup>157</sup> (Beckett 2007): 46

parental intimate relationship'. Police officers are often in a position where to avoid one they may have no choice but to be implicated in the other

In Ethiopia, most of the violence against children is committed by people who are within the child's close relationship circle. The most frequent offenders are people whom the children should have their most trusting relationships - blood parents, step mothers, step fathers, grandparents, guardians, other members of family and relatives, cohabitants, and other known adults, such as family friends and contacts such as traditional healers. Investigation and prosecution of parents, who are, in most cases, unaware and poor, seems to be not socially acceptable and morally good. Failing to do is also not good as it accounts to be failing to protect the child from harm and cruelty.

The culture in the country offers an inferior position to women and children. This also creates ambiguity and conflicting setting for policing. To make thing harder, the conflicting values described do not just exist out there. They exist also within each of the officers as members of the society. Because of their role, however, the officers experience the difficulties that arise from conflicts between the application of the rule of law and culturally supported practices, more than others. These conflicts combine to under-estimate and trivialize the abuses, to remove them from the preview of the criminal justice system, and to relegate them to a ragbag of social problems.<sup>158</sup>

This ambiguities and difficulties will fully be removed only when the societies culture changes. Whilst this might be of a long-range effect, improved policing is an important element of the immediate solutions. Police responses will not be adequate in the absence of proper training.<sup>159</sup> Training could be a solution to dilemmas expressed at various levels within the wider system: the individual personal, the individual professional, the intra-organizational, the inter-organizational, and the supra organizational.<sup>160</sup> Every officer thus needs to be trained in the relevant laws and their application, in the knowledge of the work that is expected from the police as well as other agencies offering support to the vulnerable and victims. The training also needs to include general information on violence against children, and to provide an opportunity for officers to air and review their values and beliefs.

#### 4.2.2 How the police training practice begun in Ethiopia

Establishment of the CPUs was the starting point of formally recognized practices of training police officers about child protection in Ethiopia. Following the establishment of the pilot CPUs, in 1997, 30 members of the Addis Ababa City Police who were assigned to the CPUs

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<sup>158</sup> (Nosworthy 2009): 8

<sup>159</sup> Ibid

<sup>160</sup> Smith, Gerrilyn. Systematic Approaches to Training in Child Protection. London: H. Karnac (Books) Ltd, 1993: 3

were given with one-month training on child protection and investigation of child abuse. Being part of the collaborative arrangement between the Addis Ababa City Police Commission (AACPC) and the FSCE towards establishing and operating the CPUs, preparation and implementation of the training program was fully sponsored and facilitated by the FSCE.

The training was intended to provide the newly assigned CPU officers with the understanding and skills needed for executing key child protection functions of the police: protecting children from abuse and offending, treatment/handling of children that come into contact with the police, and managing the cases of child abuse and alleged offences by children. It was given based on a material produced to serve as a working as well as a training manual for the CPU officers. The manual and training comprised two separate components: one on psychological aspects and the other on policing aspects of child protection, each developed by professionals in the respective fields.<sup>161</sup>

The first aspect covered psychological issues important to understand and work with children, while the second aspect covered laws, techniques and procedures applicable to policing child matters. The features and magnitude of the problem of child abuse in the contemporary context of the country was also included with a view to enhance the officers' understanding about the state of the problem and thereby to boost their motivation towards dealing with the issue.

### 4.2.3 Police training impacts and needs assessment (TINA)

Design of an effective training makes a start with systematic identification and clear understanding of the needs for the training. After years of introducing a structured police course on child protection, a 'Training Impact and Needs Assessment' (TINA) study was conducted in 2006. Primary purposes of the study was to evaluate the impacts of the training that far, to specify the needs for and directions of the training thereafter, and to revise the training manual accordingly.

The approach of the TINA was focused on appraising the police attitudes, understanding, and performances with regard to child protection and child friendly services. Tools and methodologies applied include officers' attitude and understanding test questionnaire and response analysis; stakeholders' feedback and opinion survey questionnaire; review of records and reports that indicate the level of police preventive and investigative performance regarding child abuse; and review of the contents, methodology, depth, and coverage of the training that had been carried out.

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<sup>161</sup> Psychological aspect of the training developed and delivered by a professor of psychology from/at Addis Ababa University, the legal and policing aspects of the training were developed and provided by experienced police trainers from the Ethiopian Police College.

The attitude and understanding test included both trained and non-trained officers – officers who had taken any form training regarding child rights and child protection as well as ones who never had such a training or exposure, for the purpose of comparative analysis. Two different sets of questionnaire – one for general attitude test and another for testing the level of understanding and knowledge on key elements of policing child matters – were applied.

To test the attitudinal state, the officers were asked to answer some quick questions such as whether they believe that:

- Children and young people should have different and special rights than adults
- Police in all aspects of its services should give greater attention to children and youth than adults
- Police need to follow procedures different from that of the regular processes of dealing with cases of adult offenders while investigating cases that involve children and young offenders
- The issue of child protection is of more concern than that of the juvenile offence

Results of the test indicated that about 92 percent of the responses from officers who represent the trained group, and 87 percent of the responses from officers who represent the non-trained group were holding proper attitude. Though the difference is not as such significant, the ones who had attended training scored better than those who had not. The close gap between the results of the trained and non-trained groups, however, implied that there should be other factors contributed more other than the training.

General state of the police attitude as measured based on the specific questions seemed to be appropriate enough. Showed much improvement compared to the attitudinal state of the police a decade before. The results obtained through similar assessment, in 1996, on the study done in Addis Ababa towards the establishment of the CPUs and preparation of the CPU staff training was completely opposite. The then police station commanders approached by the study expressed that street children are criminals, causing much trouble for maintaining security in the city. They showed complete ignorance about the rights of children to be protected, and inconsiderateness about the vulnerability of street children and the need to protect them. Of concern to them was only the criminal aspect of the children on streets.

To measure the level of technical understanding and knowhow regarding major police roles and functions of child protection, officers were asked to do the following and answer other related questions.

- List the special rights of children,
- Give justifications for the need to prioritize matters of children in policing,
- Identify the measures should be taken by police to tackle child abuse and young offending,
- Describe the kinds and manner of police treatment to abused children and children in conflict with the law,

- Identify potential collaborators in the child protection endeavors and specify the roles each should play,

Responses of the officers were marked, graded, and analyzed based on a ‘0–4’ scale, where ‘0’ represented a very poor level and ‘4’ represented a very high level of understanding and knowledge.<sup>162</sup> Results of the test indicated the police officers that had attended training possess better knowledge and understanding than those who had not. Proportion of the officers who scored above average grade in the test was 57 percent for the trained group and 19 percent for the non-trained group. This quite high level of difference in the results of the two groups apparently reaffirmed the significance of training towards building technical understanding and knowhow of the police officers. On the other hand, the result also proved, the training taken was not good enough to create the adequate level of competencies. The fact that only 57 percent of the trained officers were able to demonstrate above average level of understanding and knowledge, based on just such few questions concerning only fundamental issues, implied prevalence of a serious gap in the practices of training in general.

Feedbacks of the stakeholders who are supposed to have the capability to judge the competencies of the police with regard to child protection functions and services was taken as one major source of valuable information in the TINA process. With this view prosecutors, judges, staff of NGOs working with the police, senior police officials and fellow police officers were asked to rate the police competencies. That was done by preparing a format containing the list of key competency indicators such as legal knowhow, technical skill, procedural appropriateness, service quality, etc., and making the rating processes easier, quicker, and standardized.

Result of the survey indicated that almost half of the key stakeholders approached were not satisfied with the police competencies. Only 54 percent of the respondents rated the level of the police competencies as satisfactory, while the remaining judged as below satisfactory. However, a larger proportion (60 percent) of the feedbacks indicated that the trend of improvement in the competencies seen over time was satisfactory. In relation to this, recommendations of the stakeholders regarding the future directions of the police training were also obtained.

In total, the TINA study revealed many gaps in the practices of training, related to content, processes, and coverage. Length and depth of most training was too short and narrow to acquaint the attendants with the necessary level of knowledge, skill and behavior. They were more of a kind of brief workshops initiated and sponsored by NGO. Contents of the training

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<sup>162</sup> ‘0’ represented less than 25 percent of correct/satisfactory answers, and interpreted as a very poor level of understanding and knowledge about child rights and child protection. ‘1’ represented 25 – 39 percent of correct/satisfactory answers and interpreted as a poor level of understanding and knowledge. ‘2’ represented 40 – 59 percent of correct/satisfactory answers and interpreted as an average level of understanding and knowledge. ‘3’ represented 60 - 79 percent of correct/satisfactory answers and interpreted as a good level of understanding and knowledge. ‘4’ represented 80 percent above correct/satisfactory answers and interpreted as a very good level of understanding and knowledge.

were not standardized and properly designed, based on particularly identified needs and methodologies. Training roles were not owned by and programs not integrated into police training systems.<sup>163</sup> Police training schools also lacked the capability to design and deliver specialized courses. Coverage was also very limited to few geographic locations and small proportion of police officers. More than 90 percent of the police officers had not taken any training on child rights and child protection.

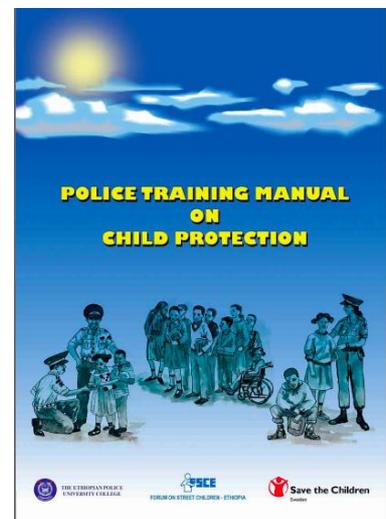
The major recommendations that came out from the study were:

- Revising the training manual
- Integrating the subject in all regular and specialized police training curricula
- Designing specialized training courses in various aspects of child protection functions and CFSs, and to different categories of police officers
- Developing expert trainers
- Designing and delivering a basic awareness creation course to at least a major proportion of the in-serve officers.

### 4.2.3 Police training manual development

#### Why a training manual?

A well-prepared training manual is compulsory to be effective in child protection training endeavors. It serves multitude of purposes. Besides serving the immediate purpose of training the CPU officers, the CPU working and training manual mentioned before was meant to serve as a working guideline for the CPU operations and services, and to prompt the Ethiopian Police College and regional police training centers to integrate child protection issues in their training curricula. And, of course, to be a major source of information and reference in the events of discussions, workshops, and training which may incorporate police child protection. Although, that, the very first, manual had served its purpose for a decade, the TINA report suggested that it needs to be revised for it was incomprehensive and not up to date. The immediate step taken, next to the TINA, was thus to develop a comprehensive and up-to-date training manual that goes in line with the recommended directions and strategies of police training.



The contents of the revised manual as well as the processes of its development were founded on the results and implications of the TINA. The manual primarily aimed to help filling the

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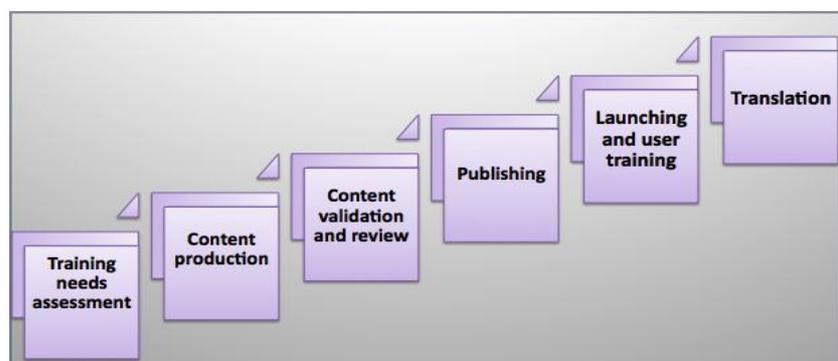
<sup>163</sup> Except the case of the Ethiopian Police University College and Amhara Regional State Police College, where some attempts of the integration were made.

gaps in the police training as identified through the TINA and to support effective implementation of the recommendations that came out from the assessment. Production of the training manual was taken as a one of the key phases in the continuum of the processes of institutionalizing and mainstreaming the child protection training in the police training systems and programs. The revised manual intended to serve as a principal, generic hands-on resource for all types of police training – regular, specialized, foundation, development, technical, and managerial training programs and courses – covering all relevant issues of policing child matters. It provides a complete package of the contents in which police officers need to be trained; brings together all the thematic issues that may become relevant to train police officers posted at varied hierarchical levels and deployed on different kinds of job assignments. Even though, it is primarily designed to serve for the purpose of training, the manual is also meant help those with operational as well as managerial duties relating to children, being a handy source of relevant information and guidance.

### Training manual’s development process

To serve the purpose as required, a police-training manual needs to be understood, accepted, owned, and authorized by the concerned police trainers and officials. This requires following a set of robustly participatory processes in developing the manual. The Ethiopian police-training manual was developed in collaboration between the Ethiopian Police University College and Save the Children Sweden with technical assistance from the FSCE. It was primarily produced by an experienced police trainer who has also been directly involved in the processes of introducing the child protection systems and practices in the country, with support from other experts in legal and psychological aspects. The manual’s development had taken about three years and passed through various key stages processes: TINA, content production, validation and review of the content, publication, launching and user introduction training, and translation.<sup>164</sup>

**Figure 12:** Training manual development process



<sup>164</sup> SCS, EPUC and FSCE. Development of the Police Training Manual on Child Protection: A process report. Save the Children Sweden, 2009 (unpublished).

Content of the manual amalgamates inputs from varied sources: stakeholders, relevant literature, laws (all applicable international and national legal instruments), best practices at local level and elsewhere, other similar training manuals and working guidelines, and of course the personal experiences and knowledge of the producers. The draft content was reviewed and validated through a workshop that involved representatives of all police training institutions in the country.<sup>165</sup>

The original version of the manual was produced in English, and it was translated into three different local languages including Amharic.<sup>166</sup> The translation was made to be done by selected police trainers with a view that they would learn in the course. The English and Amharic versions were published through a professional printing enterprise in sufficient numbers for national distribution.

After publication, a launching and handover ceremony was held, which was attended by the Deputy Director General of the Federal Police, heads of police training institutions in the country, and chief officers in charge of human resource (training and development) departments at

federal and regional police headquarters. The Deputy Director General had also written a forward in the manual, from which the statements in the box aside were extracted.

**Statements of the Deputy Director General of the Police**

“----- Top leadership of the Federal Police, however, believes that the performance of the Ethiopian police service towards child protection is far below the expectations. Thus, it strongly wishes and commits itself to see such state of the police performance reversed. Some of the major strategies it plans to follow so as to achieve this include encouraging and supporting (a) institutionalization and prioritization of the child protection functions and services as integral part of the regular policing processes at all police departments; (b) establishment of specialized police systems/units that specifically deals with child related matters; (c) integration of the subject of child rights and child protection in all police training curricula; (d) designing and delivery of specialized training programs on the functions and process of child protection; (e) development and implementation of various operational standards and guidelines relating to child protection processes.

Training and development of the police officers is a decisive entry point of greater priority to bring the intended scale of change and development in the attitude and performance of the police. The training should cover all relevant issues of child related police roles and functions as well as all police officers whose assignments involve child related matters in one or another way. *Accordingly, all police training institutions in the country are expected to integrate child protection and child services to all regular and specialized police training programs they run (emphasis added)*

This manual is developed to support the police training and development processes. As the manual covers all relevant issues of police child protection functions and services, it can serve as a major source material to all police training programs in child related matters. It is also believed to be a helpful reference for all who are involved in managing and executing child related functions. Accordingly, not only the training intuitions and trainers, but also all managers and executors of child protection functions are advised to make use of the manual. ---”

**Box 7: Message that top leaders send out matters!**

**Source:** *Police Training Manual on Child Protection, Forward.*



*Police D/Director General handing over the training manual to the chiefs of police training institutions*

**Source:** CSC, EPUC and FSCE 2009, page 15

Apart from the Ethiopian Police University College, there are 11 regional police training schools (some of them are colleges) – one under each of the nine Regional States and two City Administrations, Addis Ababa and Diredawa. The Ethiopian Police University College is a federal institute mandated to higher-level police training and research, which operates under the Federal Police

<sup>166</sup> Amharic – the official language at the federal government level; ‘Oromigna’ – national language of the largest regional state, Oromya; and Tigrigna – national language of the Tigray Regional State.

Back-to-back to the launching and handover session, a three-days long user introduction training was given to more than 30 police trainers from different police training institutions across the country. The training familiarized the officers with the contents and usage of the manual. In addition, deliberations were made regarding the way forward processes of the manual's implementation.



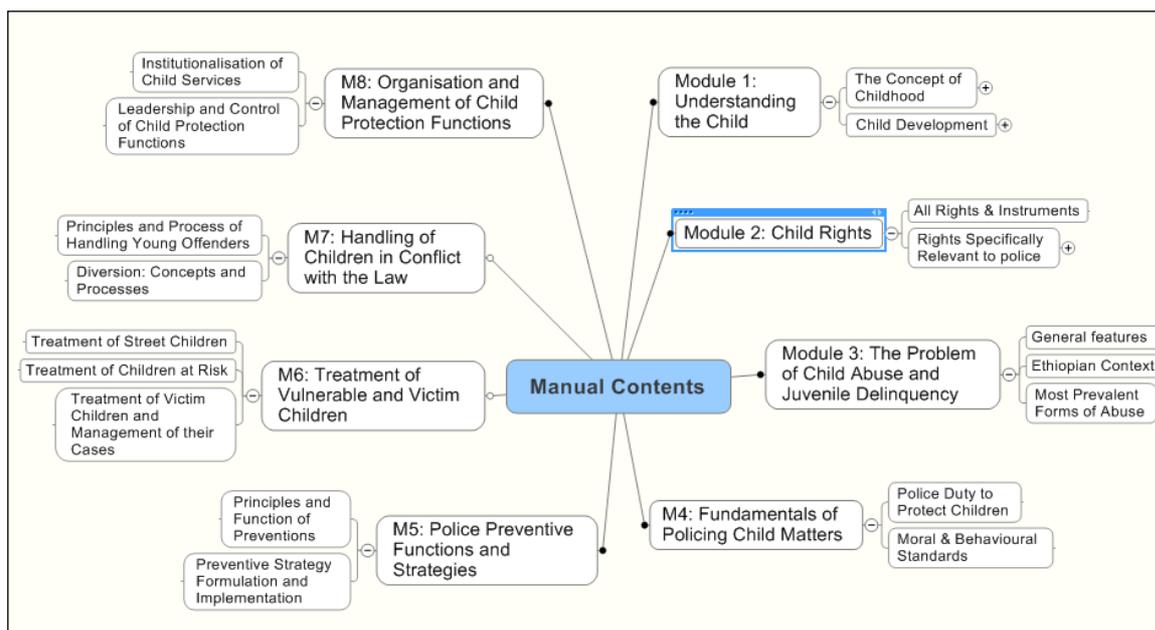
*User introduction training session*

**Source:** SCS, EPUC, and FSCE 2009, page 17

## Content and structure of the manual

With the intention to make it a complete hands-on guide, the training manual was made to address all relevant issues and aspects of child related functions and services of the police: operational and managerial issues; principles, techniques and processes of executing the functions; and elements of knowledge, skills, and

behaviors. Lessons are generally organized in a 'job-process oriented' manner keeping the natural flow of actual operations, where activities are sequentially organized towards specified outcomes. Each learning topic begins with the understanding of the issue, proceeds to the understanding of the duty/responsibility, and then to the understanding of the relevant principles and techniques, finally to the execution of the required functions. The training manual comprises of eight separate modules, each of which deals with one major separate subject of study.



**Figure 13: Police training manual content structure**

The first three modules aim on enhancing the knowledge and understanding about children, their rights and problems (the foundation issues), while the remaining five modules deal with various aspects of the police roles and functions. The first module focuses on the lessons that help to enhancing the officer's understanding of the distinguishing characteristics of a child as well as corresponding implications of such to the police. The second module specifically deals with the rights of a child, aiming on enabling the attendants to identify and understand the relevant international and local legal instruments of child rights as well as the rights of a child with specific relevance to the police. The third module is particularly dedicated to help the learners to understand the nature of the problems of child abuse and juvenile delinquency. It starts by discussing the common characteristics of the problems, such as forms, causes, consequences, trends, and then continues to the detailed discussion of the state of conditions of such problems in the contemporary Ethiopian context. The fourth module aims to introduce with the general roles and responsibilities of the police and the governing principles (behavioral standards) of handling children and their cases. The fifth module aims on building the knowledge and skills of planning and implementing preventive strategies and operations to the problems of child abuse and young offending. The sixth module deals with the specific principles, techniques and processes of treating children who are in need of special attention and protection from the police: street children, children at risk of various forms of abuse, and children suspected or identified to be victims. The seventh module aims to equip with the knowledge, skills and attitudes of handling children in conflict with the law. It provides step-by-step processes of treating a child alleged to be in conflict with law as well as the principles and processes of diverting child offenders from the regular criminal justice procedures. The last module specifically deals with managerial aspects of the child protection functions focusing on building the necessary managerial/leadership capabilities.

The detailed contents of each module are also organized into different lessons and topics, in a standardized manner. The internal structure of the modules and lessons comprise introduction, learning outcomes, relevance and priority, lesson topics and contents, hint to the trainer, and summary and key learning points. The introduction gives brief information about the core issues of the learning (subject of learning), rationale (why is it important to learn about such topical issue), relationship to other modules or lessons, detailed contents and processes of the learning; etc. The broader aim and the specific objectives to be achieved in completion of each lesson are clearly outlined under the 'learning outcomes'. The relative importance of each separate topic (i.e., to which category of the police officers the topic is generally relevant and of prior importance) is explained at the beginning of each module and lesson, under 'relevance and priority'. Suggestions to the trainer concerning the approaches and methodologies he/she may need to follow in dealing with each specific lesson topic together with the descriptions of the recommended activities are provided under a heading 'hint to the trainer'. The information that the trainer can focus and rely on (i.e., the facts, principles, techniques, procedures, rules, etc. wanted to be known, or applied) is sufficiently provided under each specific learning topic. This part serves as a note for the trainers as well as the trainees. Finally, key learning points are outlined at the end of each lesson, to support the trainers in recapping the lessons.

The manual also provides a general user guide in addition to the detailed guidelines to the trainers. These include:(a) the suggested approaches of making use of the manual for different purposes by different categories of users: trainers, child protection officers (CPU staff), and leaders and supervisors of the child protection functions; and (b) the principles and approaches to be followed in using the contents of the manual while developing specialized courses as well as integrating the lessons into different police training programs and courses. With the view to support this, a table that compiles the relevance and relative level of importance of each module, lesson, and learning topic to different categories of trainees (such as new recruits, patrol officers, investigators, crime prevention heads, investigation heads, senior managers, etc.) is also provided at the introductory part of the manual.

#### 4.2.4 Curriculum integration

The nature of police roles and functions makes it obligatory to have different types of training programs within the police institution. The currently existing police education and training programs in Ethiopia are classified into three major categories: recruit training program, specialized training programs, and leadership development programs.

The recruit training is the first, entry-level course to newly recruited young people joining the police force. The specialized police training programs include varied types of in-service courses aim to build specialized capabilities in specific aspects of the police functions, for instance, community policing, crime investigation, traffic control, forensic science, crowd/riot control, etc. Leadership development programs include varied higher-level police courses provided for officers cadets and commissioned officers with the rank of inspector and

above. Composition of the programs include: (a) a one-year certificate program for long served non-commissioned in-service officers with a rank below inspector – constables and sergeants; (b) two different officer cadet diploma programs, one for in-service police officers and the other for young university graduates joining the police; and (c) bachelor degree programs, which are designed to upgrade graduates of the policing diploma programs having best academic as well as job performance records and high potentials for effective police leadership. Except the diploma and degree programs, which are so far under the mandates of the EPUC, the remaining training is run by regional police training schools/colleges as well as the EPUC.

As children and their matters have some peculiar characteristics, all police officers need to be given a specific training concerning child matters. The specific competency requirements, however, may differ according to the role each category of the police officers is expected to play. What is expected from the station commanders will definitely differ from what is expected from a policewoman working in a CPU. Considering the potential impact on child matters, those who are at the lower levels (e.g. patrol officers, investigators, traffic officers deployed on road traffic management, etc.) have more direct contact with children and need to be more trained on the behaviors and skills required in dealing with children. The middle level managers have the power to enforce good practice on the ground while the senior managers can influence on the overall culture and practices through the policy and strategy development. Therefore, specific contents of training to different groups/categories of police officers should be determined through a thorough needs assessment process.

One of the key aspects and criteria of institutionalizing the child protection training into the police system is thus to integrate and mainstream the issues of child rights and child protection in each and every one of those training programs. Except few scanty cases, such as the EPUC's bachelor degree program and the Amhara Regional State Police College's recruit training program, this has not yet happened. The processes are speeded up, however, after completion of the training manual. Currently, for instance, there is an ongoing project of curriculum integration in collaboration between the EPUC and SCS.

**(Law 410) Juvenile Justice (2 CHs)**

The course will show the participants on the special care, treatment and measures that are required in dealing with juvenile delinquents. It will cover both cases of substantive and procedural treatments. A detailed exposition of the criminal and procedural law, special treatment considerations and procedures will be seen.

In addition to the explanations and classifications of juvenile offenders, and dealing with substantive and procedural issues of juvenile offences, correctional philosophies and strategies including preventive programs, juvenile courts, probation, correctional institutions, and rehabilitation will be addressed with special emphasis to 'Community Based Correction'. In light of this, the Ethiopian experience will be made subject of discussion. Finally, 'Child Protection' will be dealt as one major component, where by, the problems of child abuse in Ethiopia and special arrangements needed to be present for proper maintenance of the children's rights are identified.

**Box 8: A course in a curriculum**

*Description of the course integrated to a Bachelor Degree program curriculum, EPUC*

**Source:** The program's curriculum, edition 1, page 26

To ensure that the issues of policing child matters are properly incorporated in all police training curricula, it needs a thorough and systematic approach to follow. Possible options for

materializing the integration include the following. These options are not necessarily mutually exclusive.

- (a) Treating the relevant aspect of the issues of child protection as a separate course to be offered as an independent subject or module in the curriculum of a given program;
- (b) Treating as a particular component of other major subjects of learning, i.e., a separate learning topic in a course or module (for example a separate lesson on child rights within the subject, course, or module on human rights);
- (c) Treating as an intrinsic element of all relevant topics of learning (e.g. stressing specific procedures to be followed in cases of children while dealing with a lesson on ‘arrest and detention’ in general). This is about mainstreaming the issues of child protection in all lessons wherever applicable.

The incorporated lessons must be relevant and sufficient for the attendants to perform child related roles and functions at the post of assignment after the training. They should also be providing additional knowledge and skills to the attendants on top of what they have already acquired through previous training and work experiences. The integration process, thus, entails creating an appropriate match between the particular roles/duties of the attendants of a given program and the contents of the lessons on child related matters incorporated in the curriculum of that particular training program. That could be attained by carefully analyzing the possible contacts, roles, and functions of the targeted attendants of the given training to children or to the objectives and endeavors of child protection. The general principles and techniques of systematic training design equally apply to this case too.

As it is not appropriate and maybe not possible to integrate in all police training programs at once, it needs to prioritize among various programs which are being carried out by the police training institutions. The sequence thought to be most appropriate is, first, to start with the recruit training program, then to move up sequentially on the pyramid of the training programs. In the due course, the appropriate principles and techniques of ‘vertical and horizontal expansion of learning issues on a given subject’ should be maintained to avoid unnecessary duplications and to optimize coherence and interlink between the lessons incorporated to different curriculums.

#### 4.2.5 Specialized course development

Another important approach besides the integration to each and every curriculum of police training programs is to prepare and provide separate training course on the issues of children in particular. That can be a specialized or refresher training on one or more aspects of the child protection functions and services. This approach becomes more appropriate in the following circumstances.

- Where the attendants of the training are particularly assigned to child related functions, e.g. CPU staff, child abuse investigators, etc.
- When the subject matter of the training is unique to child related matters and is found

not appropriate to be integrated to other police training programs

- When the issue of the training is of high priority which deserves to be addressed separately

In addition to a basic training which addresses the major issues and the general aspects of child related police roles and functions, police officers need to take a specialized training on the issues and aspects of child matters that are specifically related to their particular job roles and responsibilities. Type and scope of the training contents may differ for different categories of police officers depending on the nature of the relationship between their job roles and child matters. Some categories of the police functions and the officers engaged on such functions may have a high level of involvement and role in child related matters while others do not. Again, different categories of police officers usually deal with different aspects of child matters, e.g. patrol officers and investigators. Therefore, each group of the officers need to take a specialized training on the respective aspects of child matters to the extent that enables them to be technically and attitudinally capable of properly performing their roles.

Based on the generic training manual described before, the EPUC went on to develop various specialized courses, in collaboration with the UNICEF and SCS. The major ones include:

- Child abuse investigation course,
- Police leadership course on child protection,
- Child protection specialist trainers course,
- CPU staff training course,
- Police recruits course on child protection,
- Refresher training to in-service police officers.

The first two and the last one of these had been developed with technical assistance (consultancy service) from the Consortium on Street Children, UK, through financial assistance from the UNICEF. The rest were developed by the trainers from the EPUC through financial and technical assistance from the Save the Children Sweden. Support of the CSC and UNICEF secured because of the EPUC's collaborative strategy that concerned NGOs were invited and requested to discuss on and take part to.

### *Child abuse investigation course:*

The child abuse investigators course was particularly designed for police investigation departments and investigation officers. In its design, the course assumes and makes it a prerequisite that the attendants should have gone through a basic training on child rights and child protection, i.e. either the recruit officers' course on child rights and child protection or the refresher course. Where that is not the case – attendants are not gone through any one of such courses – the foundation course would be combined to this course, and taken before proceeding to the specialized topics. The course aims to develop basic competencies with regard to victim treatment and case management processes: detection and interception of the

incidents of child abuse; victim protection and assistance; identification and examination of the physical and emotional signs of different forms of abuses; interviewing a child; and collection and development of evidences for different kinds of child abuse cases.

### *Leadership course on child protection:*

The leadership course targets on middle level police management – chiefs of *Woreda* and *Zonal* level police departments. It intends to create sufficient awareness and motivation towards the materialization of the managerial roles to child protection. The course covered the rights of children, particularly those with significance to policing; police duties to protect children; child protection strategies; institutionalizing child protection roles and services in the police system; leadership and supervisions of child protection systems and functions; networking and collaboration with others.

### *Refresher course:*

In principle, which is a retraining program where officers who have gone through a relevant training – both basic or integrated and specialized courses – are given with additional training to be updated with emerging issues and/or contemporary aspects of the problems and the solutions of violence against children. Refresher courses help to keep crucial information fresh in the minds of the participants and give an opportunity to discuss the difficulties that they have encountered while implementing what they have learned before.

Refresher programs are always important, as changes and developments on the context that can have important implications on the causal factors, forms, and magnitude of the problem as well as the solution strategies are always apparent. A need for such training may also arise because of identified gaps on the competencies of particular officers. Contents and approaches of refresher courses will depend on the specific types of the gaps/needs identified at the specific point in time for a particular group of officers. The content, however, usually includes at least some of the basic aspects or issues of the previous training as well as the emerging issues/aspects.

The TINA indicated that almost above 90 percent of the in-service police officers have not taken any training on child rights and child protection. The refresher course developed targets mainly on those officers deployed to patrol and investigation operations at community levels. It aimed at creating basic understanding of the police duties with regard to child rights and child protection. Content of course included the rights of children most relevant to be known by all police officers, governing principles and standards of police treatment to children – attitudes and behavioral standards expected of the police officers; basics of the roles and services of frontline officers. Which is indeed a compact version of the course for new police recruits.

At the outset, the refresher training was a huge project intended to cover about 50 percent of the in-service officers – which was about 30,000 by the time. The project included development of the course, training of trainers, and creating additional capacity of

accommodating 100 trainees at a time in each of the police training centers across the country (12 sites including the EPUC), which involve furnishing two class-rooms with armchairs, black/whiteboards, TVs and other related required supplies. As per the initial plan, about 1200 people were to be trained at each site, to reach the target of 30,000 officers trained in three years period. Although, all the preparatory phase processes (development of the course, training of the trainers, and furnishing of the additional classrooms at all police training centers) had been completed as planned, the in-service officers training target was not achieved. The reasons include too much bureaucratic snags management of the project involved, competing priorities in the training centers, and change of people. The most critical one was however moving of the officials, who were primarily involved in the planning and implementation of the project, from their positions. That happened to both the UNICEF and the police sides.

#### 4.2.6 Police trainers development

Integration of the issues of child protection in the curricula of all police training programs imply that all trainers are going to address the relevant issues of child protection in their respective modules or lessons. Through the integration process, for instance, legal aspects of the child protection issues may become part of the law courses/modules; preventive aspects, part of the crime prevention courses/modules; investigative aspects, part of the crime investigation course/modules; and managerial aspects, part of the leadership courses/modules. Accordingly, the integrated lessons on the issues of child protection are to be dealt with by the trainers who do the regular courses or modules, which the lessons are integrated to. Therefore, the trainers need to be properly trained in the respective aspects of child protection issues, even if everyone may not need to be a specialist trainer on the entire aspects of child protection. However, some specialized training programs (like CPU staff course and child abuse investigation course) that particularly deal with the issues of child matters need specialist trainers too.

Creating qualified specialist trainers in all of the police training institutions throughout the country may need quite a lot of effort and might be of a relatively long-ranged process. Nonetheless, training all police trainers in all aspects of the child protection functions and services remains imperative to realize the intent of institutionalizing child protection training within the police training systems. Indeed, the fact that every trainer is trained and inspired about child rights, child protection mean the issue of child protection is integrated to other courses, as every trainer is normally expected to bring the issues of child protection in the course of training delivery. Training of the trainers thus has been taken as one means of mainstreaming the subject of child protection in the police training programs and courses.

A mix of strategies applied to develop the trainers. Selected trainers involved in the process of developing the training manual and course modules (in the production, validation and review, translation, and launching). Many attended the user introduction training on the generic training manual. A training of trainers course was given in each of the specialized

courses developed. A specialist trainers' course has been developed that is supposed to run by the EPUC.

#### 4.2.7 Major challenges and gaps in the police training

The described practice of the police training is very commendable, especially with regard to the systematic processes of training designing and institutionalization. The TINA, the training package comprising an all-inclusive generic manual and separate course-specific manuals (course modules) that derive and extend from the generic manual, the directions and strategies being followed towards curriculum integration, the mix of training programs (basic, specialized, refreshment), the focus on trainer development, collaboration with and winning the support of the NGOs and the UNICEF etc. are mentionable elements of the strengths in the practice.

However, the practice so far is all about strategies/directions and preparations. Most of the training programs designed and courses developed are not yet implemented. The pace of the implementation has been unjustifiably slow. Besides the limitations in the practice of training itself, there are also many other factors in the entire organizational context of the police that hinder effectiveness of the training as well as applicability of what has been learned. Most of which are manifestations of the fact that the issue of child protection being not adequately institutionalized within the entire police system and practice.

The strategic choices or directions and plans regarding child protection training, and the commitment to their implementation have been up to the individuals on lead of the training institutions – the EPUC and regional state police colleges/schools – and their immediate bosses in the respective police forces – the federal and regional state police commissions. There are no force level policies and strategies both at federal and regional state levels regarding child protection in general and child protection training in particular. The training institutions exist to provide only what is required and allowed by the police forces. They are not dissociated from the entire force's doctrine and value system too. Implementation of the training programs and courses thus depend more on the force level choices and commitments than the training institutions.

Effectively policing family violence and child abuse requires well-defined policies and policing objectives, the support of senior officers, sound management and adequate legal powers to provide the individual operational officer with clear protocols to govern his or her responsibility in individual situations requiring police attendance or response.<sup>167</sup> The role of training is to support on the implementation of the policy, procedures, and practice that have been devised by the executive system of an organization.<sup>168</sup> Training can only be effective where these preconditions are fulfilled. Unless the training can be tied effectively into the

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<sup>167</sup> (Commonwealth Secretariate 1999): 8

<sup>168</sup> (Smith 1993)

existing organizational priorities, structures, and the role-specific tasks of the employees, it may even in turn become a problem, by increasing disparities and confusions. To reap the benefit of its members' newly acquired knowledge and skills, an organization has to be prepared for the change that it will itself consequently undergo.<sup>169</sup>

Training the police officers by itself cannot be a complete solution to improve police attitudes and practices with regard to child protection. It is only a part of an overall strategy to reach such an end. Effectiveness of training is also dependent on many other factors than the quality of training itself. Aside fulfilling the policy and institutionalization issues discussed before, varied strategies such as the following would also help to enhance effectiveness of the police training.

- Ensuring official recognition for all training programs and materials on child related matters by the concerned police authorities
- Making training on child related matters compulsory and/or linked to promotion
- Encouraging the application of learned capabilities through specifically designed schemes like special award, recognition of good practices, etc.
- Supporting the trained officers in their daily work by providing helpful information and resource

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<sup>169</sup> (Smith 1993)

*Chapter V*

**Child Protection  
Data/Information  
Management**

Information is a key element of success in child protection. It's needed in order to understand the problem and solution as well as to facilitate effective implementation of chosen solution measures. Information related exercises in child protection include generation, maintenance, and communication or sharing. Effective information management requires creating data operations and management system, and standardizing the processes. This chapter describes the characteristics and constituents of an effective data operation and management system for child protection; the kinds of data need to be captured and processed; and the mechanisms, processes, standards and tools of executing the data operations.

## 5.1 Information and Analysis for Child Protection

### 5.1.1 The role and requirements of effective data management

The kinds and scale of measures taken in pursuit of better protection and services to children are usually dictated by the state of the problem of violence against children encountered by the respective communities. To design appropriate measures of response, first, the existence, forms, causes, consequences, magnitudes, trends of the problems of child abuse and juvenile offending need to be well-defined. Once the problem is correctly understood, the general forms and features of responses required to effectively deal with the problem and to treat the children affected should be identified. Thereafter, through an evaluative analysis against what is required, the gaps in the actual practices of dealing with the problem and in addressing the corresponding needs of the affected can be precisely specified. These would be possible only if there is a system and practices of properly handling (capturing, preserving, analyzing, sharing, and using) information related to the problems and solutions of child abuse and youth offending. Otherwise, let alone the attainment of for better protection and services to children, the possibility to come up with the required kinds of response measures will remain slim.

‘Collection of sufficient and reliable data on children, disaggregated to enable identification of discrimination and/or disparities in the realization of rights, is an essential part of implementation of the CRC’.<sup>170</sup> Consequently, establishing effective systems of data management that support effective implementation of the rights of children is part of the obligations the signatory states to the CRC shoulder. The CRC Committee guidelines for periodic reports call for detailed statistical and other information covering all areas of the Convention, as an important element of the strategies to improve global monitoring of the child protection issues.

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<sup>170</sup> (Committee on the Rights of Child 2003): 12

It is essential not merely to establish effective systems for data collection, but also to ensure that the data collected are evaluated and used to assess progress in implementation, to identify problems and to inform all policy development for children. The evaluation would help to demonstrate impact and to replicate successful approaches. This entails development of indicators related to all rights guaranteed by the Convention.

The report out of the UN study on violence against children recommends that governments need to ‘improve data collection and information systems in order to identify vulnerable subgroups, inform policy and track progress towards the goal of preventing violence against children’.<sup>171</sup> According to the UNICEF child protection strategy,<sup>172</sup> national data collection on child protection should become routine, and should include disaggregation by sex, age and other vulnerability factors, encouraging government accountability for protection results.

Governments are also required to collaborate with appropriate research institutions, to strengthen research and diagnosis of child protection challenges. ‘Strengthening national child protection capacities requires a sound analysis of child protection risks; of existing policies, structures and services that aim to protect children; and the incorporation of the views of children themselves’.<sup>173</sup> Knowledge created through the research and analysis can lead to right strategic actions that support lasting solutions such as social changes. Researches on emerging issues that affect child protection, thus, need to be identified and disseminated.

**Table 3: Benefits and requirements of effective data management**

<i>Benefits of effective data management</i>	<i>Requirements of the effective data management</i>
<ul style="list-style-type: none"> <li>▪ Better understanding of the problem of violence against children</li> <li>▪ Customization of solution measures: the laws, strategies, services, etc.</li> <li>▪ Knowledge creation – through research and analysis</li> <li>▪ Effective monitoring and evaluation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Establish effective database system</li> <li>▪ Specify child protection indicators</li> <li>▪ Standardize and improve child protection evaluation</li> <li>▪ Improve research and analysis</li> <li>▪ Share data and disseminate research results</li> </ul>

### 5.1.2 Range of relevant the information and analysis

Designing effective and realistic child protection and service strategies call for huge amount of diverse information and robust analysis. The major aspects of information that become of interest can be classified into three categories: community related information, problem related information, and solution related information.

<sup>171</sup> (UNICEF 2008): 14

<sup>172</sup> Ibid

<sup>173</sup> Ibid: 9

## Contextual information and analysis

Understanding the context in which an organization operates is one of the decisive preconditions to properly perform its functions. Each institution/agency involved in child protection functions and services thus need to hold clear and complete information about the general state of conditions of the country or at least the community in which it operates. These may comprise of the elements outlined below. A thorough and informed analysis on each component elucidates the relationship or implications to the problem and solutions of child abuse and youth offending in the given community or country.

- The demographics: population size, rate of growth, structure /age, sex, ethnicity, education, settlement, etc./
- Economic system and status: principal economic activity, source of livelihood, level of income, state of child labour, state financial capacity as well as priorities and trends of government spending, and the like
- Sociocultural realities: predominant forms of family and social structures, belief and value systems, customary practices, etc.
- Peace and security: forms, features, magnitude, and trends of crimes and conflicts
- Politics and governance: form of state, ideology, relevant government laws, policies, and strategies/programs
- Institutional frameworks and arrangements: organizations operating within the community or nation both governmental and non-governmental, including their mandates, capacities, etc.

## Problem information and analysis

The second major aspect of information and assessment required for the formulation of effective intervention strategies to the problem of VAC relates to the state of the actual cases of child abuse and maltreatment in the community or the country. Aspects of organized data in this regard comprise information about the incidents, victims, consequences, and the causal and aggravating factors to these. The information could be generated and developed by keeping a complete record of cases, and by organizing and analyzing such records periodically in order to deduce conclusive implications.

Detailed forms of the data and analysis include:

- Incidence data and analysis (forms, features, frequency, and distribution),
- Victim data and analysis,
- Offender data and analysis,
- Damage or consequence analysis,
- Causal factor analysis,
- Trend analysis.

## Solution or response information and analysis

This refers to the inventory and analysis of measures taken, in responding to the problem of VAC and the results achieved accordingly. Concerns the general principles, approaches, and strategies followed; the major functions, processes and techniques implemented; and the systems, resources, and tools applied in responding to the problem.

Best solutions are usually not ready-made, rather are custom-made. Most appropriate solutions, fitting a given context well, could only be reached through meticulous processes of generation, evaluation, and analysis of varied options. Results from the analysis of the context, problem, and practice constitute one major aspect of the inputs required for the identification of appropriate solutions in a given context, while know-how of the general principles, techniques, and tools of effectively dealing with the problem of VAC constitutes another aspect.

Possible solution options to be considered can be categorized into:

- ***Cause based solutions and responses***—measures that aim on managing (avoidance or alteration) of the root causes as well as aggravating factors.
- ***Effect based solutions and responses*** – measures that aim to avoid or minimize damage, such as services of victim support and restoring justice to the victim.
- ***Element (victim, threat, or circumstance) based solutions and responses:*** victim focused strategies aim at reducing vulnerability of the victims. Threat based solution options include elimination of the risk or the threat (if at all possible), and repression of the motives and/or capabilities of the threat to execute the offence. Circumstance focused solution option aim to control situations, such as temporal and spatial conditions, that may contribute to the capabilities of the threat and/or to the vulnerabilities of the victim.
- ***Incidence based solutions and responses*** – measures that aim on eliminating or reducing the possibility of successful execution or occurrence of incidents, such as the measures and tools of detection, interception, defense, and effective encounter.

Response analysis also involves internal assessment of the agencies/organizations involved. This includes appraisal of the human, systemic, and material capabilities. How inclusive are the institutional mandates of the issues of child protection? Are the required types systems and arrangements in existence? Are the actual operations and services supported by relevant policies, procedures, standards, and guidelines? How adequate is the general competency of personnel deployed to implement functions and services? How compatible are the widespread attitudes, culture, norms, and practices in the organization to the principles and standard practices of child protection?

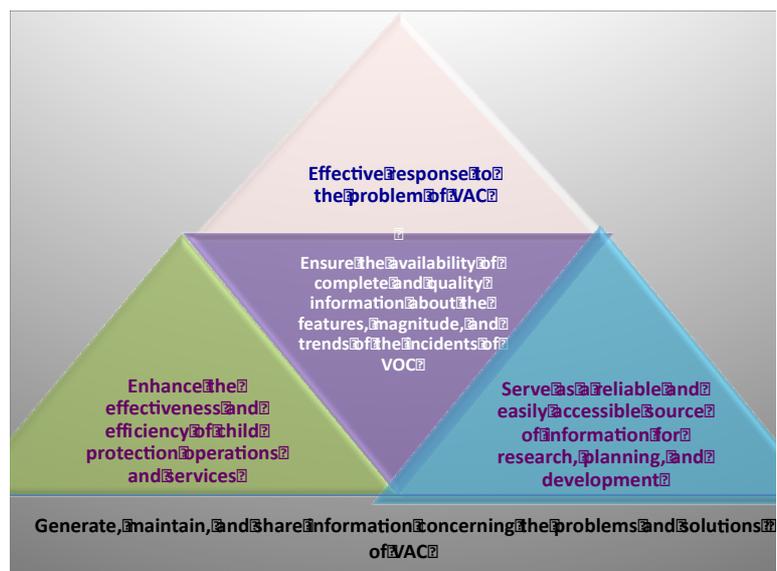
## 5.2 Child Protection Data System (CPDS)

### 5.2.1 Purpose of a CPDS

A CPDS is supposed to be a sub-system within a specialized system for child protection in a given community or country. CPDSs have important purposes, which the child protection systems (CPSs) – the higher-level systems to which they form a subsystem – exist to serve. The purposes for the CPDSs derive from the purpose of the CPSs.

Child protection systems exist to provide and facilitate specialized services of protection, law enforcement, justice, and welfare to children and families in the respective communities. Their functions include, among others, assessing the risk of violence against children (VAC); implementing and facilitating the implementation of preventive and protective strategies; providing and facilitating specialized services and treatment for families and children affected. In due course, the CPSs need to undertake, and indeed actually do a great deal of information capturing and processing works. Over and above this, generating, maintaining, and supplying information about the features, magnitude, and solutions of the problems of VAC is one of the fundamental roles of the CPSs. The information related role removed or neglected the entire mission of a CPS will not be a success.

Success of the CPSs would be most likely if there are proper practices of relevant data handling and information sharing. Purpose of the CPDS is, therefore, to inform appropriate and effective response to the problems of VAC in a given community. Its role is to capture, maintain, and provide the information needed to define appropriate and effective response measures.



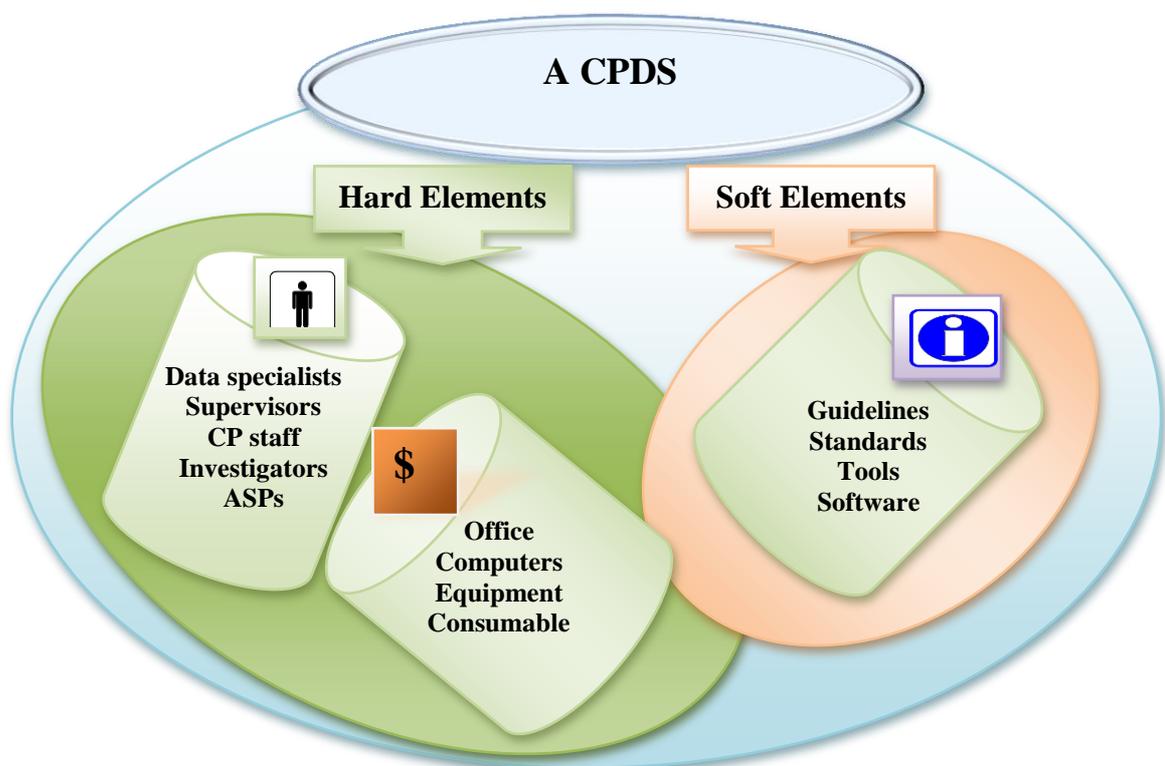
**Figure 14:** Objectives and outcomes of an effective CPDS

In Ethiopia, recording, compiling, processing, and analyzing data on the cases of child abuse and children in conflict with the law has been a component of the CPU activities. Accordingly, cases of children who came into the services of CPUs and CBCCs are recorded and stored. Kinds of the information captured include incident information (form, place, time, cause, damage, etc.); victim and perpetrator profiles (personal particulars, back ground, relationship, education, job, etc.); and process information (measures taken, decisions passed, results achieved, etc.). The data operations were somehow supported by a computer program, as well as some standardized formats designed for recording and reporting purposes.

However, a great scale of improvement is needed on the practice to qualify the characteristics of an effective CPDS described next.<sup>174</sup>

### 5.2.2 Key elements of a CPDS

CPDS refers to a complete set of elements encompassing the data; the data operations, standards, and tools; and physical constituents of the data system as a unified whole. As any other similar organizational systems a CPDS, consists of hard and soft elements including people, material, and guidelines.



**Figure 15:** Constituents of a CPDS

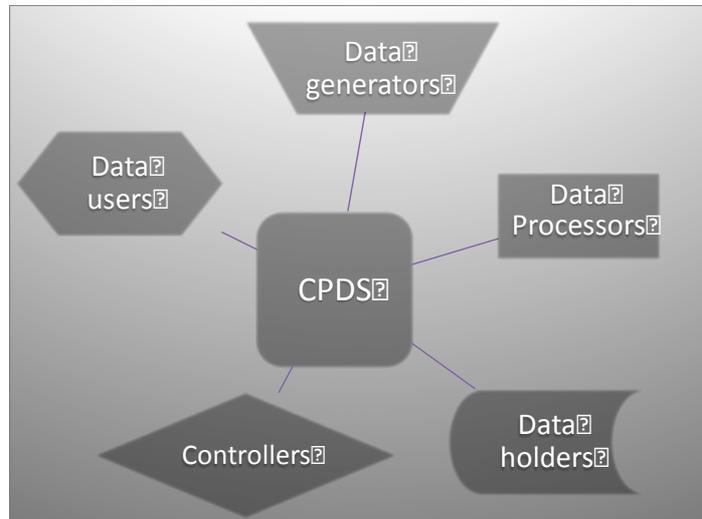
Human elements of a CPDS include those who partake in executing the system's operations, which are described below. Material elements of the system comprise facilities, equipment, and consumables used to perform the data operations. The typical ones include office place to host the people, equipment, and operations in the database center (DBC);<sup>175</sup> computers and accessories used for the operations and storage of the data in the center; and office equipment

<sup>174</sup> The description and suggestions are adopted from the CPU database handbook produced by the author for Malawi police child protection units. See, Deda, Tsegaye. "Child Protection Unit Data System: a handbook of system standards, data operations and tools." EveryChild UK, 2010 (unpublished).

<sup>175</sup> Database center (DBC) is the centralized data storage unit or facility in the CPDS where all data storage media such as the database computer and hardcopy files are kept. The facility used to house the database components.

needed to do the data operations and to contain the data storage media comfortably and safely. Soft elements refer to the standards that govern and guide the processes and management of the data operations, as well as the associated software and tools that support ease and efficiency of the processes. In this case, soft elements of the system include those described later under the CPDS standards and tools.

The major role players in a CPDS include database specialist, CPDS supervisor, child protection staff (for instance CPU officers in case of police), investigators, and associated service providers (ASP).<sup>176</sup> Of all, the database specialist officers (DBOs)<sup>177</sup> hold the central role. Their role include:



**Figure 16:** Roles and players in the CPDS

- Facilitation and supporting data capturing processes done by others;
- Pooling together data captured by various actors, at different times and places, on different subjects and aspects of information into the database;<sup>178</sup>
- Updating and securely maintaining the data and records in the database;
- Enabling access to the data in the database;
- Collating and analyzing the data captured in the system;
- Generating usable information and sharing it to all appropriate users

Child protection staff or CPU officers, investigators, and ASPs play the role of data generation, on one hand, by capturing the necessary facts about the cases, the people involved, and the processes, in due course of executing their part in responding to the case. On the other hand, they take the position of users in cases where they are in demand of more facts than that of the ones themselves could generate to support what they supposed to do accordingly.

Officers who do investigation of the cases involving children should capture and transfer as much as possible relevant facts about the incident, victims, perpetrators as well as the

<sup>176</sup> Associated service providers (ASPs) are the agencies, institutions, individuals who involve in the processes of dealing with children and their cases as a providers of varied services that go in line with law enforcement and justice processes (e.g., medical, counselling, rehabilitation, feeding, shelter, and reintegration services).

<sup>177</sup> Database officer (DBO) is a database specialist who is responsible for the data operations executed within and through the database centre.

<sup>178</sup> Database refers to the data stored in the database centre using varied storage media such as database computer, hard copy files and other softcopy file storage media. ‘Computer database’ refers to the data stored in a database computer.

processes and results of the investigation, trail, and adjudication. They also constitute a major group of immediate users of the data in the system, as they need to be provided with all sort of information that helps them properly accomplish the investigation processes, if captured by the system. Police officers on regular duty, who might have come across an incident involving children, been given with a report of an alleged child abuse or juvenile offence, and/or happened to be on the scene or spot of an incident are to capture and communicate as much facts as possible about the incident, the scene, witnesses on the scene, and the measures taken on the spot.

Those who involve in the provision of associate services, such as medical treatment to victims, psychosocial services to children and families affected, forensic examination of technical evidences, etc. have to capture and communicate relevant facts about the kinds, extent, processes, and results of the services provided. They are also to be supplied with facts that help them properly execute their roles if available in the system. The specific items of data provided to and expected from them will be determined in accordance to the particular form of service provided. This should be clarified in the communications between the concerned CPUs and the ASPs.

Supervisors of the CPS and the CPDS take the role of controlling and supporting the entire processes. As they demand information from the system that may help them in managing functions and performances of the CPUs and CPDSs, they also take the position of a user. In overseeing the operations, security, and use of the data, they undertake the role of a controller in the system.

### 5.2.3 CPDS standards and tools

To be effective a CPDS needs to evince standardized features, practice, and technology of data operations that fit well to the context it operates. Of course, together with capable people to do the data operations as per the standards as well as adequate tools and resources that support appropriate execution of the operations. This, basically, refers to the ‘soft elements’ of the system cited before. Such tools and standards are crucial elements that determine and demonstrate the quality of any data system.

#### *System specification:*

This refers to complete and officially endorsed specifications of the key features of the system including purposes, functions, output/outcomes, constituent elements, roles, and role players. In fact, this means the extended, adapted, and adopted version of what is summarized herewith, under the topic 6.2.

#### *Data operation guidelines:*

These are detailed guidelines specifying ‘what to do’ and ‘how to do’ for the people who take part in the data operations. Which comprise descriptions of the activities, methodologies,

processes, tools, etc. of data capturing, recording, storing, protecting, compiling, analyzing, and sharing. Practical benefits of having such guidelines include:

- Standardized processing,
- Ease of execution,
- Enhanced efficiency,
- Better precision,
- Ease of training others.

### *Database programme (software):*

A CPDS needs to be supported by a computer programme (application software), which is particularly designed to support the data operations as per the prescribed standards and procedures. Such a computer programme enables to easily store, retrieve, modify or update, collate, and extract the data in the system. It is also supposed to do automated operations of data compiling and generating statistical data reports. A particular computer program needs to be developed to a given context, (a country, a region/province or a community), as specific entries and requirements many vary from one to another.

### *Data access and use standards:*

Data access and use standards can be designed as part of the data operation guidelines. These standards focus on specifying the privileges and procedures to accessing and using the data in the CPDS and processed information from the system, primarily aiming to ensure security and proper use of the data. The standards should determine and pronounce the scope, privileges, and procedures of accessing the data/information as well as the manners of making use of them. They will also serve as a quick reference to generate a 'memorandum of understanding' with various external users of the data/information. These standards, properly designed and implemented, would generate practical benefits such as the following.

- Enhanced accountability and data security
- Smoother working relationship and information sharing processes among the elements of the system, mainly the data users
- Enhanced chance for proper use of the data/information
- Ensured and enhanced accessibility to the data/information by external users

### *Data Operations Support Tools:*

These are standardized tools (formats, tables, check lists, etc.) used for data handling processes, such as recording, transmitting, collating, and sharing. The need to have and use such kinds of hard copy tools is not avoidable even if there is a computerized recording, processing, and communication system. For instance, everybody within the domain of the data operations, management, and use may not be connected via ICT networks, or every data in the system may not be transferrable through the automated processes.

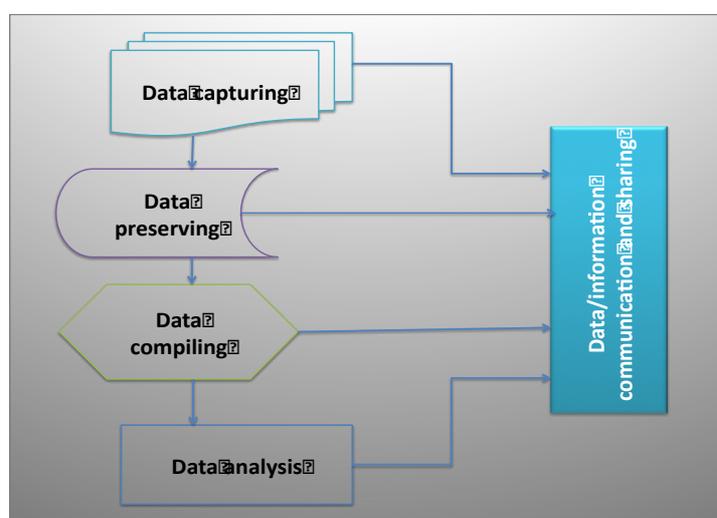
Among many others, the following are included in the list of recommended formats.

- Incident/case report form
- Incident/case logbook
- Case process diary logbook
- Incident scene process report form
- Investigation and trail process record and report form
- Referral forms
- Data access and use record form
- Database record layout form
- Case database file report form
- Statistical summary report form

### *Performance Appraisal Standards:*

Standards designed to guide and support those responsible for managing the data operations and use processes. They help monitoring and evaluating performances of the CPDS as a system as well as the people involved in the data operations. The CPDS system is also supposed to provide sufficient information that helps to appraise the performances with regard to child protection in general. The performance appraisal standards should therefore provide and clarify the specifically applicable principles, parameters, methodologies, and processes of appraising the efforts of child protection in general as well as data operations in particular. The proposed indicators and measures for both are annexed as Appendix A and B respectively.

## 5.3 Child Protection Data Operations



As any other open work system, CPDS receives input, does processing, and produces outputs. It collects the relevant facts about incidents, people involved, processes executed, services provided, etc.; holds/stores the data securely; collate, analyze, and interpret the data and generate analyzed information. The term ‘data operations’ refers to such activities of capturing, preserving,

**Figure 17:** Child protection data operations

processing, and communication performed by the system.

### 5.3.1 Data capturing

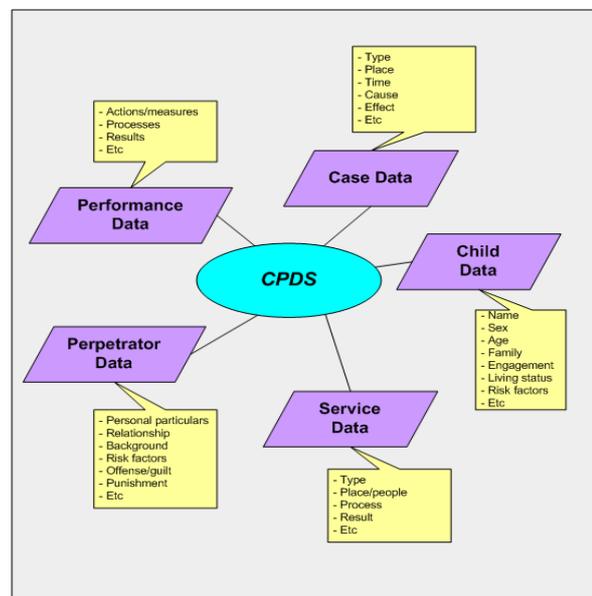
This is the process of getting hold of the required information or facts. Key aspects of the data capturing operations include searching for and obtaining the required kinds of facts, and recording and retaining them for use. Data capturing is the primary and most critical operation that determines the possibility and quality of all other subsequent data operations.

#### Kinds of data captured

The kinds of data to be captured and processed by CPDS, include, in principle, any thing or fact that worth to be known in dealing with a particular case and people involved, and in generating processed information that will in one or another way help the efforts of child protection. The typical ones are categorical identified and described next.

##### **(1) Case/incident information:**

Facts that describe (a) the nature of the case or incident: forms of the violation or offences, place, time, modus operandi or characteristics, circumstance, scale, etc.; (b) the consequences of the incident such as human damage like death and injury, property damage, and other negative consequences of psychological and social forms.



**Figure 18:** Types of data captured by a CPDS

##### **(2) People – victim and perpetrator– information:**

Facts that describe profiles of the individuals involved in the incident both as the victim and offender:

- Personal profiles such as names, sex, age, marital status, address, nationality, ethnicity, religion, education, employment, etc.;
- Distinguished characteristics that might have contributed to the incident such as exposing factors – vulnerability factors for the victims and push factors for the offenders;
- Relationship between the victim and the offender;
- The level of involvement as well as specific form of offence of each perpetrator, if they are many;

- Method of detection, identification, and proof of guilt of each perpetrator, e.g. whether he/she is caught red handed; identified and apprehended through witnesses, self reporting or police intelligence and search; guilt proved through confession or through other evidences;
- Conviction of the offender(s): whether convicted or not; kind and intensity of the sentence received; etc.

### ***(3) Case management process information:***

Facts about the ways in which the cases are handled and things are done, such as measures and processes of incident report reception and verification, investigation, prosecution, and adjudication, as well as the results of such processes.

***Case detection and substantiation:*** means and methods by which the existence of the incident/case was detected and verified. The record should clarify who came across the case first - police officers or other reporters. The particular sources and mechanisms of the external reports should be clearly indicated. Record should be maintained whether the reported incident is substantiated or not, including how and when the case disposition is done.

***Case investigation and prosecution:*** Investigative measures/techniques applied; evidences sought, found and used; key stage events or processes in the investigation and prosecution processes; are recorded. The record should, at least, include

- Dates of critical stages or events such as start and end of the investigation, submission of investigation report, opening of charges in court, trial sessions, final verdict passed, etc.;
- Key activities of investigation accomplished;
- Major kinds of proofing evidences obtained and used;
- Whether the investigation is successful or not;
- Comments and corrections given as well as the reworks done on the police investigation;
- To and fro movements of the investigation report between police, prosecutors, and court observing the case, before guilt or innocence of the alleged offender(s) is declared by the court;
- Intermediate and ultimate orders and decisions of the court.

### ***(4) Service Information:***

Facts about (a) the kinds and scale of services provided to victims or needy children (such as immediate protection and care, medical treatment, rehabilitation and reintegration, livelihood supports, etc.); (b) the agencies/institutions and key individuals involved in the provision and

facilitation of such services including the particular contributions of each; (c) the effects made through the services.

***(5) Other accomplishments of child protection:***

Every significant measure taken by a given CPS deserves to be captured by the CPDS. Even though, they comprise most, the above-indicated records cannot reflect all functions and services of a CPS. Particularly, preventive functions and services are not included. Examples of more common preventive endeavors CPSs are expected to accomplish include training and sensitization of various implementing bodies; public education and awareness raising; facilitation of community involvement and collaborative initiatives. In addition to these general preventive measures, CPSs also provide specific services to children identified to be particularly at risk. Services designed to increase the strength and stability of families, to afford children a more stable and supportive environment, to increase parents' confidence and competence in their parenting abilities, to reduce potential risk factors associated to children and families, and the like.

The kinds of additional information to be captured concerning the accomplishments of a CPS include for instance:

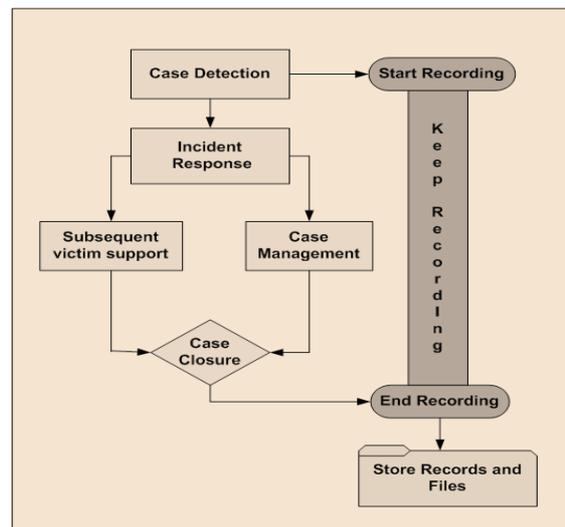
- Training, awareness raising and sensitization events, which may comprise sessions of training, workshops, seminars, discussion forums, etc. Records to be made of them include (a) the purposes, expected outcomes, themes/contents, duration, methodology, and processes of the session; (b) the kinds, number and composition of the participants; (c) attendants' feedback - satisfaction rating about the contents and processes.
- Publicity events used to promote the issues of child protection. The kinds of information to be captured with regard to these include (a) the descriptions of the occasions/events; messages conveyed; (b) methodologies used; and (c) targeted attendants – kind and estimated number.
- Preventive child and family support services provided: (a) kinds /distinguished characteristics/ and number of the families supported; (b) kinds and scale of the services provided /using specific measures of time, effort, and money committed.
- Public education and advocacy information dispatch record: for example, (a) type of the media used; (b) kind and amount of the information transmitted (in cases of printed media measured in words or pages; in cases of audio media like TV and radio measured in terms of time/minutes or hours/; (c) characteristics of the target groups (e.g. kind, estimated size);
- Data/information sharing service record: for example, (a) kind and amount of data provided; (b) receivers satisfaction rating; (c) intended purpose, actual use as well as conformity of the use to the applicable principles and expressed intentions.
- Collaborative initiatives and achievements record: (a) number of agency and

community structures made to be involved; (b) number of committee /team/ structures established and operationalized; (c) kind and extent of support made to the collaborative and community structures, e.g. provision of equipment, technical advise, and training.

- Customer feedback record: instant feedback should be received from each customer who has come to receive services of the CPS. This mainly includes, but not limited to, children and families treated and supported. In this line, it is also important to keep record of the feedbacks on the satisfactoriness of data transfer and communication among the partakers of the CPDS. This requires feedback to be received in the event of information transfer and exchange from those who are on the receiving end. For example, feedbacks of the DBOs are received and recorded on the reports from first officer on scene, case/incident report receiving officers, investigators, etc.;

### Data capturing process

Best moment of recording the above listed CPS performance measurement data is immediately after the execution of the activity or provision of the service is completed. Incident based data recording processes, however, follow the logical flow of the case management process. The recording activity starts when and where the alleged incident is detected and ends when the case management process is completed. In between, the recording is done in a continuous manner alongside the other activities of dealing with the case and treating the child involved. The initial recording or capturing of the data from the source should be done by the ones directly involved in the execution of respective processes



**Figure 19:** Data capturing process

of handling the case and people at different phases of the process. Later on, all the data captured should be handed over to the DBOs and transferred to the database file record by the DBOs. Varied medias and tools including personal notebooks, standardized formats, and the database computer would be used for the data capturing.

### 5.3.2 Data preserving and protection

This refers to the processes of accumulating and safely retaining of all data captured by the system. Aspects of the operations include keeping stock of files and records containing various data in easily accessible and retrievable as well as long-lasting manner, and protecting the data stock from risk of illegitimate access and damage. Purpose of the preservation is to maintain the data for further use. For instance, to enable future reference late in the case handing processes, and more importantly to create a reliable database that can

be used in search of strategic solutions for the problem. To accumulate facts so that they can be used to generate processed information that reflects a complete picture of the problem. It also helps to enhance security and accessibility of the information captured.

Preservation is done mainly in central data storage units, the DBCs, under the responsibility of the DBOs. However, initial records and copies of the records transferred to the DBC can be maintained in the archives of the individuals' and/or the job or service units involved in the processes of capturing the data such as investigators and associate service providers.

The data storage medium include: file holders into which hard copy files are piled up; computers including the one in which the database program is uploaded as well as those used as backups or alternates; computer accessories such as CD-ROMs, flashes, and backup hard disks; cabinets and lockers used to store and support security and safety of the storage media.

As child protection data involves personalized information, the risk of infringing privacy rights is intrinsic to the processes of data operations and use. Accordingly, there are diverging requirements, the need to get hold and use of such personalized information on one hand and maintaining the privacy rights of the subjects of the information on the other hand. Personalized information shall be captured, processed, shared and used only when found necessary in search of a solution and to the extent to which it is really needed. Everyone involved in the data operation must be well cognizant of and always confirming to the applicable principles of dealing with personalized information.

Even though it overrides all others, the kind of potential danger that make the protection of the data of a critical requirement is not only the possibility of invasive effects to the privacy rights of the subjects. The list of potential threats goes beyond this to include the following, for instance.

- Physical damage of the storage medium,
- Theft of the computers and related devices
- Faulty recording – incorrect data entry
- Illegitimate alterations and erases
- Illegitimate access and use of the data
- Disclosure of personal or classified information

A variety of simple techniques can help prevent such insecurity threats, such as protecting computer screens from observation, keeping printed information and computers in locked facilities, maintaining backups of records and files in the database center as well as the database program (computer) itself, and clearing desktops of sensitive information and materials. And, to this effect, ensuring all database staff as well as other key role players in the system mainly investigators are trained on the requirements of data protection and the implications of a breach.

***(a) Ensuring physical security of the database components:***

Database computers and related components should be installed or located in safe and locked facilities. All kinds of data storage devices (hard discs, CD-ROMs, Flashes, etc.) as well as the hard copy file holders containing the records need to be located and kept in secure manner from the risks of physical damage such as fire, flooding, accident, etc.

***(b) Ensuring restricted access to the database files:***

Another technique to help prevent abuse and misuse of data is to limit access to the database computer as well as the computer database files and other related soft and hard copy data storage medium to approved personnel only. Only the DBOs should have direct access to the original records and files in the database center. All data processing operations in the database center, i.e., entering, storing, updating, and retrieving of information into and from the database should only be executed by a formally assigned DBO, and he/she shall take full accountability for any failures or faults that may happen in breach of this requirement. Secure passwords should be used to allow only approved persons to log-in to the database computers. To be effective, passwords must be difficult to guess and should not be found in easily accessible records. Effective passwords contain a variety of characters and symbols that are not part of the alphabet.

***(c) Storing backup copies:***

Storing backup copies of the database records and the data accumulated in the database, and having backup of the computer program and operating capabilities is another important safeguard so that data can be restored if it is altered or destroyed by any cause. Records in the database should be backed up frequently and should be stored in nearby, but not the same locations, to avoid loss in case of damage at the primary site.

***(d) Maintaining hardcopy files of all original records:***

All hardcopy files which were used as the original records or sources, like incident reports, investigation process and result reports, referral service reports, etc. should be stored and kept securely alongside the computer database record. Moreover, hardcopy print out versions of all closed case files should always be produced and stored in the respective case file holders.

### 5.3.3 Data compiling and analysis

#### Purpose and form of the analysis

Compiling is the process of sorting, reorganizing and summarizing of the separate facts/information and records into standardized data clusters, formats, or patterns. This often

involves bringing various facts and records kept at different forms and places or arrangements together, and computing or generating statistical summary of the facts and records. Purpose of the compiling operation is to make the raw data ready for use as input for analysis and interpretation. The compilation is usually done through both automated and manual operations.

Data analysis is a critical examination and interpretation of the data to derive meaningful and usable information. It involves scrutiny of the correlations among different facts and combined implications of this. The analysis could be applied concerning the state of condition of a given case (individual case analysis) or concerning the state of the incidents and problem of VAC in general. The later is, however, the mostly applicable one.

Purpose of the individual cases analysis is often related to the processes of dealing with a particular case, in search of appropriate response measures to the incident and people involved in it. This is mainly done by those involved in dealing with a given case and people involved in it, such as investigators, associate service providers, and judges.

The later form of the analysis is done based on statistical summary data that shows cumulative state of condition of the problem in general in the community represented by the data. This form of analysis is expected to generate meaningful information concerning, among others, the forms, features, magnitude, and trends of the incidents of VAC; kinds and characteristics of particularly vulnerable groups; casual and contributing factors for the problem; and the practices of responding to the problem.

To design a program for prevention of the identified problems and to decide the relative priority level of each measure, it is necessary to have complete and conclusive information about all the aspects of the problem - incidences, causal factors, victims and perpetrators. This would be possible through a thorough analysis of the detailed features of each element in the dynamics of the problem as well as the nature of the interactions among them based on the data recorded and compiled.

Through this process, the raw data – facts about what happened and who is involved – could turn out to be usable information that can give a clue about possible measures of solution to be considered. Problems and solutions could be prioritized based on the summary information developed through the analysis. Factors that need to be considered for the prioritization purpose often include, among others, the magnitude and trend of the problem and the degree of the consequences, i.e. extent of the consequences and the proportion of the community affected.

Agencies in the CPS must use the analyzed information for formulation and implementation of appropriate preventive measures for the problem of VAC in the respective communities. The information should also be made accessible to all who may need and use them for the same or related purpose.



**Figure 20:** What can the data in the CPDS tell us?

### Kinds of analysis done

Varied forms of analysis can be done using the data in the CPDS. This is determined in accordance to the reason why the analysis has to be done. Major forms of the analyzed information obtainable out of the data in the system, however, include the following.

#### *Incident diagnoses and description:*

Undertaking a thorough examination of the nature of particular cases experienced and deriving clarified accounts of the common features of incidents prevalent in the community which the data represents. This covers for instance the taxonomy (categorical classification into major types and specific forms), distinctive characteristics, and modes-operandi of the acts and incidents of child abuse and juvenile offence.

#### *Frequency and distribution analysis:*

Defining and analyzing the rate of occurrences for different types of incidents at different times and places, and deriving interpretations of and the likely reasons for what has been observed accordingly. This involves calculation of the number of incidents that have occurred during different time frames (example hours, days, weeks, months, seasons and years); conducting comparative analysis of the observed frequencies and the differences in average frequencies of various incidents at different temporal and spatial contexts; and deriving possible or plausible reasons for the observed frequencies and differences.

### *Victim and offender profiling:*

The aim of the analysis here is to clearly indicate the scale of vulnerability of different groups of children and communities to the problem in general as well as to particular forms of child abuse and juvenile offence. The analysis may cover relative prevalence rate of different categories of children (age, sex, background, location, engagement, etc.) to different forms of abuse and offences, at different circumstances, locations, communities, etc., as well as the plausible reasons for what has been observed.

### *Cause analysis:*

The purpose of this analysis is to generate precise and complete information about the causal factors (both root causes as well as aggravating factors) so that the corresponding counter measures are clearly and easily identified. The detailed processes of the analysis may involve then determining root causes and immediate contributors for each type and form of the incidents, and conducting detailed categorical examination of the specific forms of the causal factors. Categorization of the factors could be done by:

- (a) **Scope** as, for instance, common to all or most forms of the cases, and specific to different types of problems;
- (b) **Domain** as, for instance, societal, community, individual, or institutional factors - this may also be further broken down into different categories under each domain;
- (c) **Type** as, for instance, economic, socio-cultural, educational, circumstantial;
- (d) **Degree of the contribution** as, for instance, remote cause, immediate cause, root cause, pushing or aggravating factor.

Finally, a priority order of the list of causal factors could be developed for separate aspects of the problem (e.g. child abuse, youth offending, and different types of abuse and offences), as well as for the problem of abuse and youth offending all together.

### *Consequence analysis:*

Analysis and description of (a) the **kinds** of damage (bodily, emotional, economic, social, etc.); (b) the **form** and **extent** of the damage (loss of life; a severe or minor bodily harm; temporary or long-lasting psychosocial complications, unemployment and unproductively, and the like); (c) the **scope** of the negative consequences as regards the parties affected (damage at individual, family, community, or society level).

### *Trend analysis:*

This is the analysis and description of the changes and developments seen over time with regard to different aspects of the problem – magnitude (total number of incidents); distribution (frequency of occurrence at different places and times); consequence (forms and level of the damages); etc. – as well as other significant factors such as causal and vulnerability factors.

### *Response analysis:*

Assessment of the appropriateness, adequacy, and effectiveness of the measures taken to address the problem. Such analysis naturally entails appraising performances of the respective CPSs. Response analysis will be more meaningful if done alongside, and in line with the implications from, the other forms of analysis.

## 5.3.4 Data/information sharing

### The significance and key principles of sharing child protection data/information

The endeavors of combating VAC involve varied actors inside and out side the CPS. All of the actors need some sort of information to perform their part appropriately. As described before, the processes and roles of data capturing itself is scattered to different actors, times, and places. Data has to be transferred from one to another within the system, for instance, from the ones who capture the data to those who store and preserve the data, and from the database to those who use the data. Access to the data as well as processed information out of the data in the system should also be provided to all legitimate external users. However, all the pertinent principles and procedures of data security and protection are always maintained. Sharing and use of the data should never be in contravention to the requirements of data security and protection of privacy rights.

The transfer and exchange of data/information occurs at all levels of the data operation processes in the system. One other key role the CPDSs are to play is therefore facilitating the transfer and exchange of information among internal and external role players and users. Effective practice of data transfer and sharing requires designing and implementing standardized tools and procedures of data exchange and transfer. Database specialists in the system shall be able to generate and provide all sort of processed data and information, that could be technically and principally possible, up on demand from anybody who is a legitimate user of the data/information, at any time, taking the prescribed principles and procedural standards of sharing the data and information into consideration.

### Reports to be generated from the CPDS

Besides continuously responding to particular demands as they emerge, the CPDSs have to generate and disseminate general-purpose statistical summary reports regularly at fixed time interval. The periodic statistical data reports together with corresponding discussions of the observations, implications, and recommendations should be shared to all concerned users. Accordingly, the two types of reports described below are suggested to be generated and distributed on quarterly, semi-annual, and annual basis.

### *Statistical Data Report:*

This is a summary report of the entire database records. The report should come using a standard format designed as part of the CPDS standards and tools. Entries in the statistical report form need to include as complete as possible information about the victims, offenders, incidents, services, case management processes, and results. A sample format is annexed in Appendix C.

In generating the statistical summary data, both automated and manual data compilation operations may need to be applied. Where a well-designed database program is installed and operational almost all of the entries in the form can be obtained through, either fully automated or partially automated operations. Otherwise, the database specialists must generate the entries from the original records through manual operations.

### *CPS accomplishments summary report:*

Being essentially a performance report of the concerned CPS this comes with summary information about things done and results achieved accordingly during the report period. The report should include all other activities and results of the CPS that may not be clearly conveyed through the incident based statistical reports. For instance, the efforts and results of preventive family and child support, training and sensitization, community partnership and stakeholder involvement, etc.

*Chapter VI*

**Key Issues and  
Recommendations**

To be effective in child protection, first of all, there must be an ardent accord about the relevance and directions of the protection. A national policy and strategy on child matters, protection included, epitomize a national consensus. This provides an apropos footing and framework towards a successful child protection endeavor. However, it will not be sufficient by itself. Unless the following preconditions are fulfilled, policy and strategy will be nothing more than a mere aspiration.



*Figure 21: Critical preconditions for effective child protection*

- Legal frameworks that provide for the legitimacy of the chosen directions and measures on one hand and for the authorities and responsibilities of the duty bearers to materialize them on the other hand
- Institutional frameworks – structures, systems and arrangements – through which the child protection policies and strategies are implemented
- Adequate amount of particularly dedicated resources including capable people to implement the child protection measures
- Mechanisms and arrangements to integrate, synchronize, and synergize the efforts of varied actors that take part in the implementation of child protection measure

## 6.1 Child Protection Policy and Strategy

National level policy and strategy is the gateway to effective child protection. It is the means through which the universally acceptable directions and standard practices – commended measures and mechanisms worked out elsewhere – are adapted to the realities of a given context, and are authorized to take effect. Here follows the key characteristics and considerations of an ideal policy and strategy undertaking.

### *Embracing everything relevant:*

The policy and strategy should cover all aspects, issues, and measures that become relevant to ensure safeguarding all the rights of all children. It needs to relate to the situation of all children in the country in general as well as the situation of particularly vulnerable children to particular forms of violence and mistreatment prevalent in different settings – such as family, community, institutional settings. It should cover both preventive as well as reactive or responsive systems and measures to the problems of children. That takes to addressing conjoint root causes whilst dealing with discrete incidents and their effects.

The policy and strategy needs to ensure the development of integrated child protection systems that focus on prevention alongside the efforts to protect children whose rights have already been violated. Broader aspects of the required strategy cover undertaking policy and legal reforms, formulating and reviewing structural frameworks, besides specifying particular measures and services of prevention and response. Experience has also shown that success in managing the problems of violence against children comes through multi-dimensional and multi-level comprehensive programmes.

### *One as well as many:*

Another key quality of an effective child protection policy and strategy is the balance between its oneness and multiplicity. It is advised, especially in the contexts represented by the one under discussion, to be one and many at the same time. There needs to have a single comprehensive national policy and strategy form which detailed strategies and plans concerning different aspects of the problems, solutions, and implementing bodies would be derived. A comprehensive plan will prevent the efforts from becoming an activity that depends on ad-hoc decisions that focus on only some aspects of the rights and problems of children and/or are limited to a short period. Such kinds of decisions and efforts usually fall short of sufficient hindsight, insight and foresight, and thus cannot guarantee a complete and sustained solution.

Evaluation of the experiences including that of the Ethiopian showed that actions tended towards an issue-by-issue approach, which develops separate strategies for each area of concern in the absence of a single holistic policy and strategy haven't lead to a success. Such approach usually fails to effectively target the common root causes for the failure to provide adequate care and protection to children. It also makes hard, if not impossible, to ensure integration and synergy of the multiple efforts and results. In the Ethiopian case, implementation of the different stand-alone NAPs found to be confusing and competing one another, and that, in the face of so constrained resources and capacities have seriously challenged the realizability and effectiveness the plans.

### *Integration and elaboration:*

To be materialized, of course, the comprehensive national strategy need be integrated to and elaborated in sectoral national plans of action - for example for education and health - setting out specific goals, targeted implementation measures, and allocation of financial and human resources.<sup>179</sup> The strategy must not be simply a list of good intentions, and must go beyond statements of policy and principle to set real and achievable targets in relation to the full range of rights for all children.

It must include description of workable mechanisms and processes of realizing the intended results. Proper hierarchical structure of the actions/measures, processes, results, roles,

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<sup>179</sup> (Committee on the Rights of Child 2003): 8/9

timeframes, and inputs should be specified. Obviously, the strategy needs to be adequately resourced, in human and financial terms. The strategy will also need to include arrangements for monitoring and continuous review, for regular updating and for periodic reports to parliament, to the public, as well as other relevant international monitoring mechanisms.

### *Realistic and contextual:*

The policy and strategy should be based on the realities on the ground. The specific nature of effective child protection systems can vary from country-to-country, and they should take into account the specific conditions of the country in which they are being developed and applied. Strategies must not primarily be founded on external factors. The drive as well as the content of the policies and strategies shouldn't be just in response to and/or to appear to be confirming to external requirements – fulfilling the expectations that follow ratification of the UN CRC and *inter alia*, for instance.

To enhance certainty of the intended outcomes, policies and interventions should be based on robust evaluations showing that they are effective in the given context.<sup>180</sup> They should be realistic correctly reflecting the situation of the country. Appropriateness, primacy, and viability of the strategic choices being made need to be determined primarily based on the realities on the ground, although they should still be in the realm of the generally acceptable principles.

The processes of the policy and strategy development should start with a vigorous assessment and understanding of the true-to-life situations on the given context: problems, practices, capacities, opportunities, challenges, and implications. Genuine and informed consideration of the place of children in the futurity of the nation or the society is crucial, but often missing, especially in the circumstances similar to Ethiopia. Identification, collation, and adaptation of best practices from elsewhere will follow thereafter.

### *Consulted, agreed, and owned:*

The strategy should be developed through a process of consultation, including with children and young people and those living and working with them.<sup>181</sup> Once drafted, the strategy will need to be widely disseminated throughout the government and to the public, including children (translated into child-friendly versions as well as into appropriate languages and forms). Systematic processes of consultations and feedback would follow thereafter. Every agency and group taking part in the implementation must of sufficient understanding, consensus, and sense of ownership about the entire policy and strategy as well as its specific roles.

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<sup>180</sup> Hill, Malcolm., Lockyer, Andrew., and Stone, Fred. Youth Justice and Child Protection. London: Jessica Kingsley Publishers, 2007: 15

<sup>181</sup> (Committee on the Rights of Child 2003): 8/9

### *Of well-thought out choices and priorities:*

The strategy will inevitably set priorities. There is a need in this regard to consider domestic reality while aiming the universal requirements (CRC). Measures of lasting solutions and critical points of intervention to bring the lasting solution need to be determined and prioritized. Fragmented focuses, engagements, and help that wouldn't bring a complete and lasting solution will need to give precedence to concentrated focus and engagements that produce comprehensive solutions. The strategic endeavors should primarily focus on the carefully identified critical few, and the focus may need to shift from one to another over different terms of subsequent strategic plans maintaining the logical sequence of the chosen interventions towards the intended lasting solution. Developing a national strategy should be a continuous process; it is not a one-off task.<sup>182</sup>

In the Ethiopian case, measures targeting reduction of poverty and illiteracy/ignorance will take strategic priority. Poverty is the predominant factor for failing to fulfill the rights for protection and care. Illiteracy and ignorance is key factor behind many other factors contributing to the problem, such as high birth rate and large number of children per family – which exacerbates household poverty and subsequent vulnerability of the children; harmful traditional practices; uninformed or ill-informed mechanisms of child upbringing and disciplining; etc. Therefore, interventions that focus on building the economic capacities and reversing the ignorance and apathy towards children at the levels of family, community, and the country will take precedence over the others. As the rights for survival and development precedes the right to participation, the relative level of emphasis to the measures addressing the need for survival will outweigh the other. It should be noted however this does not mean that other reactive measures and supports to children and families should be dropped off. Rather, to emphasize the need to focus more on tackling the common root causes but still properly addressing the individual incidents.

Of no doubt that there needs to move from disintegrated form of incident based response to integrated proactive and lasting but long-term solutions. Increased number of cases investigated or increased number of children received foster care services is an encouraging result by itself. However, it is not an indicator of eventual success and will not be taken as such. It shouldn't be overemphasized too. Had that been the case, it would have been of much success story in Ethiopia, as hundreds of thousands of children reported to have been provided with varied reactive services.<sup>183</sup>

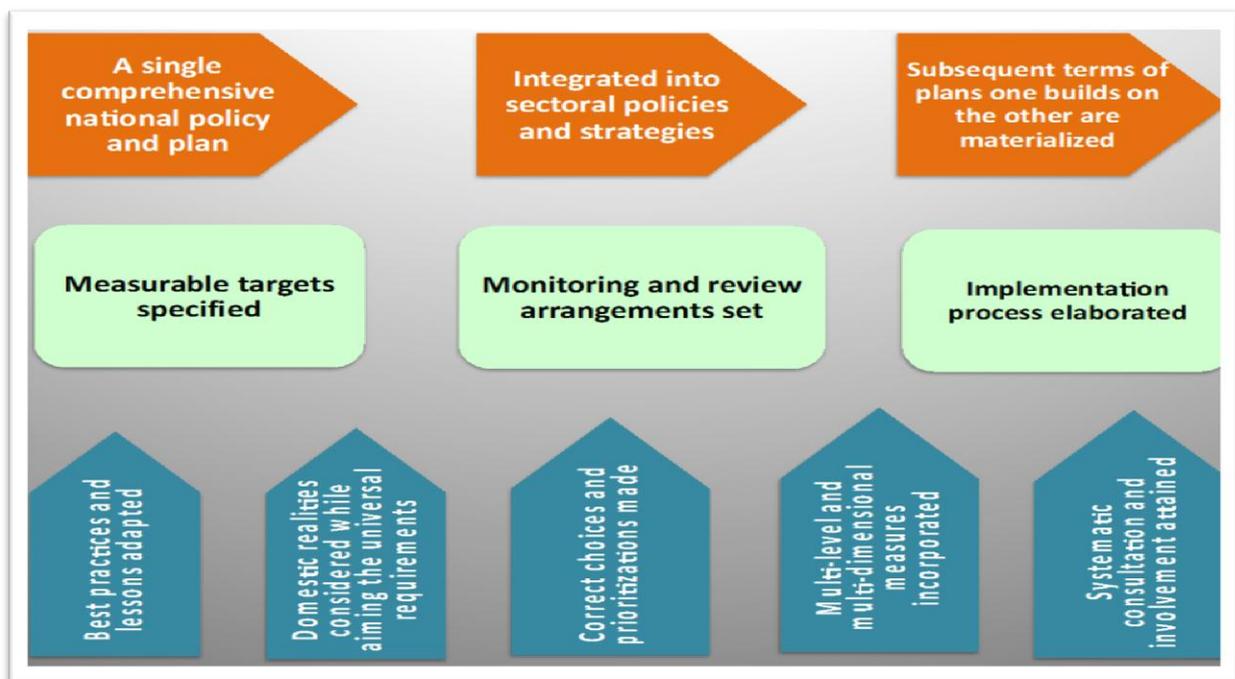
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<sup>182</sup> Ibid

<sup>183</sup> A total of 37,543 cases involving children (26,047 cases of child abuse and 11,496 cases of children in conflict with the law) reported to have been dealt with by the CPUs supported by the FSCE over the last decade. (FSCE 2009). Some 13,500 children are also reported to have been dealt with by the special courts (CFBs) in Addis Ababa city alone in just three years period between 2008 and 2010. (IRIN: A Service of the UN Office for the Coordination of Humanitarian Affairs n.d.). Similarly, more than 130 associated service providing organizations, mainly NGOs, have also reported to provide different forms of services including foster care, adoption, family reintegration, psychosocial counselling, etc. to nearly hundreds of thousands of children. (African Child Policy Forum and Plan 2008)

What is more important is in fact to reduce the number of children being in need of such services of responsive treatment. Unless applied with sufficient care, reactive forms of welfare and economic supports can have serious undesired repercussions. It may attract everyone (children and family) socially and economically challenged, and eventually ends up to an unmanageable or unattainable size of demand or request. This is apparent as vast majority of children and families in the country are confronted by immense socioeconomic challenges. One can simply imagine how many Ethiopian mothers will tend to bring their children for institutionalized care or adoption services if they find such services available, and the scale of the systems and resources may be needed to satisfy the needs of all.

It can also be of destructive effect against resilience and self-reliance of the families and children, as well as the traditional coping mechanisms such as the widespread practices of extended family and social support systems. Considering the fact that how far the tradition of the Ethiopians, especially the religious communities, giving money to persons who beg for has intensified the practices of beginning and number of beggars on the streets and around churches in Addis Ababa and other larger cities would help to validate such an assertion. Related to this, the tendency of the community to be more passionate towards beggars who carry children than those who do not has been a lead factor to the current state of terribly increased number of children being used for begging. The situation encouraged many beginning women including the female children on the streets to giving birth to as many as possible children. As the result, the number of children born on the streets has tremendously increased too.



*Figure 22:* Features of a good policy and strategy

Apparently, the policy and strategy environment in the Ethiopian practice doesn't satisfy these qualities. Therefore, undertaking a review of the policies and programs employing the principles and approaches described is needed. This should start with a formulation of a single national policy and strategy, which all other relevant sectoral strategies and plans would stem from. Thereafter, sectoral integration and elaborated planning processes continue. A thorough inventory of the existent capabilities in the concerned government and non-government sectors – NGOs, civil societies, and communities – as well as incorporating up-building of the capacities as part of the strategy is highly advised.

## 6.2 Child Protection Legal Frameworks

Appropriate legal framework is an irreplaceable critical precondition to succeed in the endeavors of child protection. Law establishes the rights and entitlements of children. Again provides for and legitimize the measures to be taken to ensure that children are protected and their rights are maintained. Furthermore, law determines the manner in which the child protection measures and services are implemented.

Below are more lists of the practical advantages of an adequate legal framework.

- Sets out the rights of children and the obligations of the society: family, community, and government.
- Express commitment of governments and institutions;
- Clarify solutions and their implementation directions;
- Exert legitimate obligation and accountability to specified duties;
- Provides legal backing to actions or measures to be taken;
- Clarify and delimit roles and relationships;
- Define specialized institutional systems and arrangements required;
- Ensure or support better coordination and integration of efforts of multi actors;
- Enhance ease of execution, evaluation and continuous improvement;

### Constituents of the child protection legal framework

A complete legal framework of child protection comprises of child right laws, criminal laws, other acts and regulations, as well as related bylaws. To allow effective implementation, these laws need to be comprehensive, harmonised, as well as communicated. Each component of the legal framework must be coherent within itself and with other related laws. They should also be integrated into and reflected by all other relevant national and sectoral policies, laws, and strategies.

### *Child right laws:*

Refers to laws that stipulate the rights of children as adopted by legislative body of the country. It can be a compilation of the adopted international conventions, constitutional provisions that particularly address the rights of children, a child rights act that amalgamates the issues of children all-in-one, or a collection of laws that address one or another aspect of the rights of children. Laws having direct implications on children such as family laws, labour laws, laws addressing issues of basic education and schooling, and the like can be part of this.

### *Criminal laws:*

This refers to provisions of criminal codes and criminal procedure laws, which can be invoked to punish persons who have inflicted harm upon children and referred to while handling criminal cases that involve children. Of the things the criminal laws are expected to address or provide for include criminalizing offences against children – child abuse and maltreatment; specifying conditions or acts constituting the crime of child abuse and maltreatment; specifying the degree of criminal responsibilities and legal consequences (punishments) to varied forms of offences against children; and specifying special procedural standards of handling children involved; etc. Laws or provisions that establish a separate criminal justice system for children in conflict with the law also fall under this category.

### *Other acts and regulations:*

These comprise all other, non-criminal, national laws legislated by law making bodies as well as derivate rules or directives made and upheld by various authorities towards implementing the policies and laws concerning children issues – laws that regulate the kinds of measures as well as the manner of their implementation. Legislations that provide for the required measures of preventing child abuse and maltreatment and protecting children from violence; that define the procedures for establishment and effective execution of social programmes to provide necessary support for children and families; and that provide for the identification, reporting, referral, investigation, treatment and follow-up of the cases of child maltreatment and judicial involvement will form one essential sub-component of these laws. Another sub component consists of enabling regulations that vest appropriate agencies and officials with the authority to ensure effective implementation or enforcement of the laws; that establish relevant structures and arrangements such as specialized police units, diversion and community based correction programs, child friendly benches, and multiagency structures; and that stipulate the mandates (authorities and duties) of various actors as well as their working arrangements and relationships.

### *Operational standards and guidelines (OSGs):*

Operational standards and guidelines form the lower-level elements on the hierarchical structure of the necessary legal frameworks. They should derive from the higher-level laws,

and particularly focus on specifying the functions, processes/procedures, and results. OSGs specify and provide guidance about what to do, how to do, and what effects to attain. They denote minimum requirements expected from the operational level role players. Benefits of this include enhanced integration among pertinent laws, principles and practices; ease of execution, training, performance management; and eventually enhanced likelihood of achieving the required results.

The kinds of operational standards and guidelines may need to be formulated and implemented include, but not limited to, the following

- Guidelines for preventive and protective operations against child abuse
- Guidelines for identification/detection, interception, and investigation of the incidents/cases of child abuse
- Guidelines for treatment of vulnerable and victimized children
- Guidelines for handling child offenders
- Guidelines for diversion and community based correction processes
- Data operation and management standards and guidelines
- Checklists and guidelines for determining a child's best interest
- Networking and collaboration guidelines
- Monitoring and evaluation guidelines and performance appraisal standards
- Minimum standards of specialized services and facilities for key child protection systems such as CPUs, CBCPs, CFB, and ASCs.
- Standardized jobs specification and competencies for professionals particularly assigned to child protection and child friendly services and operations,

### *Agreements and memorandums of understanding:*

Official agreements and memorandums of understanding may become necessary, mainly in cases of collaborative engagements. Such agreements and memorandums of understanding form one category of legal frameworks because they normally derive from other applicable laws, and serve similar purpose. Agreements may need to be made at multi-lateral or bilateral levels; intra or inter state and non-state agencies; at local, national, or regional domains, based on the kind of collaborative effort sought for and parties involved. Unless the memorandums of understanding and agreements between collaborating entities are founded on other applicable higher-level laws, they might not carry sufficient legitimacy and power, and thus will have less chance of success.

### **Options – a unified act versus distributed laws**

The identified categories of laws are not mutually exclusive. Rather they need to be interlinked and complemented one another. Many, including the CRC Committee, even

suggest having a single all-encompassing ‘Children’s Act’<sup>184</sup> – a law that amalgamates everything about child rights and child protection. National governments are expected to develop a unified ‘child law’ drawing together all aspects of child welfare law that clearly defines the content and enforceability of those rights; creates a solid framework that sets the agenda for national and local programmes and provides for a monitoring and reporting system to deliver against targets.<sup>185</sup> Some consider this, however, as an ambitious and difficult undertaking. According to this perspective, it is not easy to cover all the provisions of the CRC and other related instruments in a single.<sup>186</sup> Moreover, the attempt can also result, they believe, in taking child relevant provisions out of mainstream legislation; for example, on education, healthcare and social security.<sup>187</sup> In practice, there are many countries having a unified ‘children act’, for example, the UK<sup>188</sup> Malaysia<sup>189</sup> Kenya,<sup>190</sup> Lesotho, Gambia, Uganda, South Africa,<sup>191</sup> Ghana,<sup>192</sup> the list goes on.

### What needs to be done, so?

Whilst there is a body of laws pertaining to children, in Ethiopia, a number of problems were identified in the legislation. The laws are fragmented and not easily accessible to those who are responsible for its implementation. Furthermore, there is an absence of provisions for the implementation of laws; roles and responsibilities are poorly defined; and legal standards of co-ordination and monitoring are absent. Despite the fact that the CRC is ratified and deemed to be domesticated – through an official proclamation of the ratification and by integration of key elements of child rights in the constitution – the Convention is hardly seen to be invoked by the law enforcement agencies as well as the courts of justice.

The country does not have a unified child law – ‘Children Act’. Provisions concerning children are fragmented into varied laws: criminal code, criminal procedure law, family law, labour law, etc. Such an approach contributed much for the provisions on child matters to be not only incomplete and non-integrated but also challenging to apply. The approach doesn’t

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<sup>184</sup> Doek, Jaap. Harmonisation of laws on children: Some practical guidance. The African Child Policy Forum, undated. 13

<sup>185</sup> (Save the Children UK 2010): 5

<sup>186</sup> (Doek undated): 13

<sup>187</sup> *Ibid*

<sup>188</sup> The National Archives, Government of the UK. Children Act 2004. <http://www.legislation.gov.uk/ukpga/2004/31/contents> (accessed April 3, 2011).

<sup>189</sup> UNICEF. Children Act. [http://www.unicef.org/malaysia/children\\_child-act-2001.html](http://www.unicef.org/malaysia/children_child-act-2001.html) (accessed February 22, 2011)

<sup>190</sup> National Council for Law Reporting Nairobi. "The Children Act, 2001." KLR-Kenya Law Reports. National Council for Law Reporting Nairobi. <http://www.kenyalaw.org/Downloads/GreyBook/12.%20The%20Children's%20Act%20Act.pdf> (accessed June 5, 2011).

<sup>191</sup> (Nielsen 2008): 71/72

<sup>192</sup> Parliament of the Republic of Ghana. "The Children's Act, 1998." [http://www.law.yale.edu/rcw/rcw/jurisdictions/afw/ghana/Ghana\\_Childrens\\_Act.pdf](http://www.law.yale.edu/rcw/rcw/jurisdictions/afw/ghana/Ghana_Childrens_Act.pdf) (accessed March 12, 2011).

put a particular focus on child matters, could not provide a clear guidance for the implementation of the provisions, will not ensure ease of understanding and communication of the pertinent laws.

One fundamental step to be taken first is, therefore, to enact a single comprehensive ‘child law’. This law will not necessarily be containing all aspects and elements of the laws identified above. Bringing everything into a single act may not only be found technically impractical but also inappropriate.

The purpose of the unified act should be to establish a comprehensive foundation, common framework, and reference to all other pertinent laws. It should, however, at least, cover the rights of children (domesticated version of the CRC and other ratified international conventions) in a complete manner; provide sufficient policy directives of putting the rights in to practice; and establish key structures of the implementation (such as multi-agency child protection systems and national monitoring and reporting mechanisms). From there, integration of the same into all other relevant legal and institutional frameworks as well as formulation of necessary derivative laws and implementation structures will follow.

Besides their incompleteness and disintegration, the existent laws are also reported to include some provisions seems to be incompatible to the CRC. Reviewing such laws to ensure full compatibility to the applicable conventions, the constitution, and the comprehensive ‘child act’ yet to come will thus become another essential step to be taken.

Almost all sorts of legal frameworks required for effective implantation of the rights of children – those described as non-criminal acts and regulations as well as operational standards and guidelines – are not in existence. All the systems and practices of child protection described in this document – police child protection units, community based correction programs, child friendly courts, multi-agency structures, collaborative programs or engagements, etc. – have not been backed up by respective legislations. Formulation of all sorts of laws required for the effective implementation of the rights of children is what needs to be done yet. These include the kinds of legislations described under ‘other acts and regulations’ as well as operational standards and guidelines.

## 6.3 Child Protection Systems and Structures

This refers to institutional frameworks through which child protection strategies and laws are implemented. Without which the policies, strategies, and legal frameworks will just remain a mere wish – unpractical statements of intents only. Policies, strategies, and laws might have identified the systems and specified their structures, mandates, and characteristics (minimum requirements). The issue here is about ensuring their existence and effective operation. This involves three major processes: establishing a centrally responsible state organ; integrating

the roles into all relevant government organs at all levels; and establishing specialized service systems that provide specialized services to children who are particularly in need of.

### Establishing top most central organ

The CRC Committee suggest state parties to have a specific department close to the heart of the national governments, directly accountable to top most highest state body. The key role of such department would be developing a comprehensive children's strategy and monitoring its implementation at national level. Provided with sufficiently high-level of authority, it can also contribute both to the overall purpose of making children more visible in government and to coordination to ensure respect for children's rights across government and at all levels of government.

An equivalent of this in Ethiopia is the department of 'Mothers and Children Affairs' under the 'Ministry of Women Affairs' (at the federal government level) and the respective bureaus at regional state levels. However, the Ministry and bureaus for women affairs as well as the departments for mothers and children affairs are not particularly established to deal with the matters of children. Therefore, they address the children's issue only as part of many other duties they are up to. In reality, the children's issue is at far distance form the top state body. As per the structure, the body exclusively concerned with the issues of children is just a section or unit within the department of Mothers and Children Affairs. Also, the entity is not established in accordance to a particular regulation that vests it with authorities sufficient to effectively execute the expected roles.

One can conclude from this thus a kind of government organ required as per the CRC Committee recommendation – specifically concerned to children matters, vested with sufficient level of authority to make the matters of children visible in the government and to centrally guide, coordinate and monitor the efforts and effects of all other concerned agencies and organizations – is not in existence. Apparently, the recommendation is to consider establishing an organ – perhaps a 'children commission' – solely concerned with children matters and directly reporting to the prime minster, cabinet office, or the federal parliament. This would ensure that activities of various sectors could, not only be effectively coordinated centrally, but also sanctioned.

### Establishing specialized service systems

Another aspect of creating the necessary institutional frameworks involves establishing special structures and systems particularly mandated to do specialized functions of child protection and CFJ, and to provide specialized services for children who are vulnerable or at risk and those who pass through law enforcement and justice processes. These include, but not limited to, specialized police units, child friendly courts, specialized rehabilitation centers for young offenders, and associated service structures like, for instance, counseling and psycho-social service systems, foster homes, and specialized medical units for victimized children.

In Ethiopia, many forms of such systems and services have been introduced during the last two decades, although much is remaining yet to reach a proper level of maturity and sufficiency. Examples include the CPUs, CTCs, CBCCs, CFBs, and CANUs (Child Abuse and Neglect Units). Noticeable good practices therein include starting from the right point, and piloting and expansion.

### *Starting from the right point:*

The practice was first begun with the CPUs. Establishing such a specialized system with the police first proved to be a best practice. It was the right starting point and a driving force. The other systems might not be optimally utilized in the absence of the CPUs, if at all they would be able to be established. The CPUs set up in the police stations in Addis Ababa were the driving force behind improving the way children in conflict with law are treated, especially with regard to diverting children away from the courts, speeding up the decision-making process, ensuring the separation of children from adults in custody and community supervision of first time petty offenders while in the care of their parents.<sup>193</sup>

### *Piloting and expansion:*

Most of the systems introduced through a gradual step-by-step processes involving piloting, learning, and expansion. Establishment of the next batches of specialized systems basis on the lessons from the proceeding ones. Successes/achievements of the first ones motivated the rest. Not only many more police departments but also NGOs followed the paths of the Addis Ababa Police Commission and FSCE, that started the practice first.

The experience suggests such a gradual process is a good practice to be followed while introducing police child protection units. Especially in cases of less advanced and most challenged nations such as Ethiopia, it is not surprising to find police intuitions failing to hold the proper conceptualization, let alone, properly practicing child protection and child services. The process thus needs to involve not only introduction of the practices but also introduction of the concept it self – creating awareness and winning support on the purposes, importance, principles, methodologies and processes of protecting children and treating them in the law enforcement processes. In such circumstances, pilot based approach may even be a must, but not an option. The practice may be introduced first in a specifically chosen community or location where the magnitude of the problem of child abuse and youth offence is most severe, and so is clearly recognized by the concerned bodies. After some time, when possibility is proved, benefits are clearly noticed and enjoyed by the concerned communities and law enforcement agencies, lessons are obtained and organized, then it will become easier and quicker to expand.

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<sup>193</sup> (Martin 2005)

### *Rightly structuring:*

Rightly positioning the specialized systems into the respective institutional frameworks is also critical. As indicated elsewhere in the document CPU are structured within the police, CFB are under courts. Both consist of their own internal hierarchical components tasked to managerial and operational aspects of the role. The upper components for CPUs are CPU Coordination Offices while juvenile justice offices or projects are for CFBs.

The upper structures take the responsibility for coordination, guidance, lesson sharing, research, and development. They focus on supporting and facilitating the efforts of the subsystems at lower levels, and deal with common and strategic matters corresponding to their respective domains of responsibility. The sub-systems at local/community levels (CPUs and CFBs) engage in the provision of direct and immediate services to affected children and assume primarily duty for the implementation of all other related activities within the domain of the community they serve.

Because the purposes and functions of police CPUs involve both proactive (e.g. prevention) and reactive (e.g. case handling and victim treatment) aspects, they need to be organized in a manner whereby both proactive and reactive aspects of their objectives and operations are provided with balanced attention. Making police CPUs accountable to the chiefs of the respective police departments or units is, thus, more suggestible than putting them under the chiefs of either crime prevention or crime investigation.

As they are multidisciplinary undertakings, the CBCP activities and centers need to be governed by a multiagency body or an agency responsible for multiagency structures – away from the police. If that wouldn't work for any reason, organizing under the chiefs of local government administrations or under a local government agency mandated for social and welfare affairs will be preferable options than the police.

### **Integration and institutionalization of child protection roles**

Even though, it is still necessary to have one at the center, child protection and maintenance of children's right is not possible to be implemented through a single department/agency. No state agency may escape having a role on the issues of children, either directly or indirectly. The actions of virtually all government departments impact on children's lives. It is not practicable to bring responsibility for all children's services together into a single department, and in any case doing so could have the danger of further marginalizing children in government.<sup>194</sup>

Therefore, integrating the respective roles and duties to the already existing key implementing institutions such as law enforcement, judiciary, health, education, and social and welfare service agencies, and may be many others will be imperative. Child protection concerns should be systematically incorporated within the list of legally authorized mandates

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<sup>194</sup> (UNICEF 2008)

and responsibilities, the codes of conduct, professional training, and information and management systems of such institutions/agencies.<sup>195</sup>

Protection of children from abuse and delinquency as well as provision of related services to vulnerable and victimized children is part of the primary responsibilities of all governments. Activities and services related to child protection should, therefore, be owned by the concerned government agencies. The police CPU operations and services supposed to be fully owned by police commissions; child friendly benches by the courts; services of feeding, shelter, rehabilitation, reintegration, and adoption by social and welfare affairs bureaus/agencies, public advocacy and awareness raising by the government department centrally responsible of child matters (e.g. Department of Mothers and Children Affairs), medical service by the Bureaus of Health, etc.

The practice so far has not been in conformance with this principle. Most of the systems and services mentioned have been initiated and owned by NGOs. Even if many state agencies take part in the processes of establishing the systems and implementing the operations and services, they have not yet fully internalized and institutionalized such roles as integral part of their regular duty. They were not seen proving the commitments of primarily owning the duty. Many still consider such functions and services as external and additional to their regular duty. They feel as if they are supporting or collaborating to the NGOs involved.

Accordingly, the practices of NGOs taking the initiative and owning the process while concerned state agencies remain just reactive, acting as a collaborator in response to the NGO initiatives need to be reversed. The state agencies should take the lead and go to demand/request the NGO's support and collaboration. This constitutes a major precondition to ensure sustainability and advancement of the systems and services.

The CPUs, as specialized systems for child protection and child services, are not annexures to the police institutions. They just constitute a sub-system within the whole system of the respective police service and agency. They are nothing less and outsider than other sub-systems such as the specialized systems for crime investigation, traffic safety and control, crowd management, etc., that together constitute the police department or institution as a complete system. In other words the purposes, constituents, and processes of the CPUs must be made inseparable parts of the regular purposes and processes of the concerned police at all levels, i.e., national, regional/provincial, local levels.

## 6.4 Child Protection Capacity Building

Unless adequate capabilities that enable to implement what is expected of them, existence of the specialized systems by itself wouldn't serve the ultimate purpose. In the contrary, it may reflect a tendency of pretention, not a real commitment, from the government or the

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<sup>195</sup> (Nielsen 2008)

respective agencies. In truth, the most relevant indicator of commitment is the extent of actual investment made into the systems and services. Key elements of the required capacities comprise people (professionals), material (physical facilities and resources), and finance.

Humans constitute the most critical form of resource needed for effective child protection endeavor. People to be assigned for the functions and services of child protection need to be carefully selected, trained, and managed in accordance to the behavioral and professional requirements that the work of dealing with children and their matters entail. They should be provided with basic training on child rights and child protection services and operations before the assignment and continuously updated as long as they are on the job. The range of professional qualifications and competencies required to effectively deal with matters of child protection is numerous comprising social works, psychology, law, policing, medicine, and many more. For instance, a team of people assigned to a police CPU must together satisfy the qualifications or professional competencies of policing, social works, and data operation. A typical police CPU may need to have a head (who assumes the responsibility of leadership and facilitation), database specialist (who assumes primary responsibility for the data operations) and other staff who perform the remaining core functions of the unit.

Specialized systems for child protection and child services do need a grate deal of physical facilities and resources. Distinguished types of resources needed may include indoor and outdoor facilities that enhance child friendliness of the service centers as well as the processes executed in there. These include rooms that enable to conveniently and effectively interact with children; working places/offices and equipment adequate and sufficient enough to execute the in-office operations and keep data files and other data storage medias; open space in the compounds of the service centers where children can stay and play comfortably.

Moreover, as in the case of any other organizational engagements, child protection systems and services too involve continuous financial expenses related to their operations and deliverables, besides the investment needed to create and maintain the systems – human competencies, facilities, and equipment. Being committed and capable to cover such costs is, thus, one of the critical requirements for establishing and operating the specialized systems. Here follows some approaches/strategies believed to be invaluable in building the necessary capabilities for child protection.

### **Creative fund raising and resources utilisation**

Formulating and implementing approaches and strategies that enable to raise funds from various sources and through various mechanisms, and establishing independent fiscal administration system, whereby contributions from all possible sources are pooled together to the system and managed directly, but with stronger transparency and accountability, from the system. Possible means to consider, in addition to the traditional practices of donor funding, may include, but not limited to, the following.

- Resources and finical contributions (budgets) from all involved state and non-state

agencies;

- Contributions form associations and memberships,
- Varied local fundraising events and schemes,
- Charity /gifts and donations/ from community members,
- Sponsorship for specific types of activities and services;

Even though, these strategies may seem to be difficult, and indeed are not easy they are realistic, if appropriate approaches are followed. Although meagre, there have been some positive experiences of applying some of them – various sponsors were successfully solicited for various activities and operations. Feedings services arranged with hotels, boarding schools and universities; research and training activities sponsored by universities and colleges or other research and training institutions; transport services sponsored by transport companies; medical services sponsored by private and public hospitals and clinics; free call (child hotline) services sponsored by telecommunication companies.

### **Intensified volunteerism and volunteers' involvement**

Experiences of advanced countries show that volunteers could play great role in child protection endeavours. Communities have more resources and professionals than institutions. Volunteerism is one major means that enables to get hold of the involvement of the greater community. In the Ethiopian case, though there is no well-developed culture of volunteerism comparable to that of developed nations, there is still a high potential of making great number of people and private institutions committed to take part in the process of child protection.

Volunteers can be individual personalities, groups of people /associations/, institutions, etc. in the respective communities that may involve in an individualised or organised manner. Volunteers can involve in various ways such as free services, fund raising, sponsorship, material support, etc.

Raising awareness, sensitising, persuasion and motivation based on a particularly focused approach; official recognition and acknowledgement of any involvement and support; making the processes and results of child protection fully transparent and accountable to all involved; etc. are part of the advisable strategies to be followed towards initiating and intensifying volunteerism.

### **Focused and strengthened awareness raising and sensitisation**

Everyone in the society needs to be addressed as much as possible. Typical ones include bearers of the right as well as holders of the obligation: children, parents, community, all concerned institutions – governmental and non-governmental, and the media. Specific target focused, tailor made, approach should be followed, whereby the contents, methods, expected results, etc. of the awareness raising and sensitization schemes are specifically designed to each particular category of the targeted audience based on their specific roles, the related expectations from them and the gaps they have. The processes of doing so should also be a complete one which involves needs assessment, defining the intended results, choosing the

appropriate methodologies, making sufficient and tailored preparations, implementing as intended and planned, reviewing the outcomes and impacts.

With regard to particularly responsible state agencies, the strategy should focus better on top-down approach whereby, first, the people at the most top level management/leadership post of the concerned agency/organisation are made to be aware, motivated and committed, and the same is made to other middle and lower level managers consecutively. Human resource succession plans of the respective organisations should be carefully reviewed and taken into consideration, so that problems that may arise from people's turnover would be better controlled. In cases where there are no such plans in the organisations, possibilities should be analysed and individuals who are more likely to come up quicker on the managerial/leadership hierarchies should be identified and accommodated.

All possible means must be systematically and exhaustively utilised: mass media, publications, personal consultation and lobbying, discussion forms, structured training sessions, exposure and learning visits, etc. As many as possible events of public gathering should be used for conveying key messages related to child rights, child protection and corresponding problems of child abuse and delinquency. Such events may specifically be convened for the same purpose like 'child rights day', 'child protection day', rally in support of motions or measures towards child protection, etc. Or they can be any of the various forms of public meetings held on the basis of political, religious and social matters. Specific examples of the approaches of conveying the required message may include giving speech or making the message addressed in the speeches of influential figures or dignitaries who deliver keynote addresses on the occasion; using small/quick publications like brochures, fliers, banners; and exhibition show.

Community development cadres may be used to access the rural communities. This may be achieved through those who are already deployed among the communities for other purposes such as agricultural or health extension workers, primary school teachers, volunteering members of the community, etc. Child rights and child protection issues relevant to be understood by children and young people need to be integrated into school curricula as part of civic education or by its own. In contexts similar to that of the Ethiopian, also important to have a well designed and regularly running programme on parenting skills and family responsibilities.

### **Institutionalised training and development schemes**

Most of the operations and services of child protection require specialized capabilities (knowledge, skill and behaviours). People who involve in the execution and provision of such services need to acquire the specialized capabilities. Enabling people involved in the operations and services will not be achieved through single shot or rare training incidents. It requires varied, continuous, and regular training and development programs.

Thus, training and development needs to be an institutionalised responsibility and practice of the state agencies which the specialised systems and services of child protection are integrated to, such as the police, judiciary, social works, as well as learning institutions that

produce the required professionals, such as schools of social works and community development services. They should provide basic, specialized, and upgrading/development or refreshment courses to primarily involved professionals as well as collaborating implementers of the child protection operations and services.

The processes of establishing and operationalizing the training and development scheme mainly involve:

- Setting standards of roles, jobs, operations, and corresponding competencies,
- Defining training and development policies and directives;
- Integrating into regularly running training programs
- Designing specialized training packages and plans;
- Producing training materials and tools,
- Implementing and reviewing the training programs, packages, and polices in a continuous manner. That many need to include massive training to currently engaged, but not trained, personnel and officials at different agencies.

## Effective data management system

To design effective and realistic strategies of child protection and CFJ, one needs to first acquire complete and precise information about the features and magnitude of the problem of VAC and corresponding needs in the context under consideration – a community or a country. Information and communication is critical to understand the problem and solution as well as to facilitate effective implementation of the chosen solution measures.

Kinds of information become pertinent to child protection are varied, and may be related to the community or the society in concern (demographic and sociocultural facts); the incidents of VAC (forms, features, magnitude, trend, cause, consequences, etc.); the practices of dealing with the problem (policies and strategies, practical measures/actions taken, systems, processes, challenges, gaps, and lessons). Effective child protection practice entails generation or capturing, preservation, communication and sharing of a range of information across all actors involved. It becomes thus imperative to have a standardized system, practice, and technology of data operations that fits the given context well.

To properly serve the purpose, a child protection data/information system is suggested to comprise the following elements, of course, together with capable people to do the data operations as per the standards as well as adequate amount of resources that support appropriate execution of the operations.

- **Data system standards:** specifications of the purposes, functions, features, constituents, roles and role players in the data/information system.
- **Data operation guidelines:** descriptions of the kinds of data/information to be captured and processed as well as the methodologies, processes or procedures, and the onus of executing the operations.
- **Data protection, access and use standards:** the principles and procedures of

protecting, accessing, and using the data/information, which is designed towards ensuring security, accessibility and proper use of the data.

- **Data operation support tools:** standardized formats, tables, and checklists to be used for recording, storing, compiling, sharing, and reporting.
- **Performance appraisal standards:** specifications of chosen criteria – indicators and measures as well as the methodologies – for appraising performances of key actors in the child protection system.
- **Database program:** a computer program (software) particularly designed to support the data operations as per the prescribed standards and procedures. That should be able to execute automated data processing – recording, storing, retrieving, updating, compiling, and generating summary reports.

Practical benefits of such a complete data system standards are many. E.g. enhanced quality and amount of data in the system; enhanced ease and efficiency of data operations; professionalization of the functions – data operations and processes; clarity of roles and responsibilities – who supposed to do what in the data system; enhanced as well as appropriate access and use of data/information; ease of monitoring and evaluation; ease of training.

The existent practices and systems of child protection data/information operations and management in Ethiopia are not so robust. Data related functions in general are scantily practiced, just limited to what is within the realm of police CPUs. There also not all the necessary kinds of data are captured and required data operations are executed – deficient contents as well as processes. All of the suggested standards and most of the required tools are missing. Establishing a child protection data system of the suggested features, that embrace all the key actors, functions/operations, and information within the full range of child protection system will thus need to be part of the next priorities.

## 6.5 Networking and Collaboration

It is apparent that protection of children calls for multi-disciplinary measures and services that require involvement of various public and private entities: government agencies, non-governmental organizations, community structures, families, and individuals. Success in child protection requires working with and getting assistances from many other agencies and community elements on the scene. Without the actors in the system acting together in an integrated and collaborated manner, the endeavors will not be effective. Thus, each should be aware and cognizant of the others existence, roles and expectations, and all should support each other. Therefore, establishing and maintaining effective networks and collaborative arrangements among all partakers, and one ‘winning the support’ of the others in the network remains an imperative precondition for the ultimate success.

## The roles and players (summary) in CPS

In the Ethiopian experience, as described in many parts of the document, a number of institutions, groups and personalities have been involved in different aspects of the child protection endeavors, though prevail lots of shortfalls and challenges. The table below summarizes list of the main actors and roles they have somehow been playing. Winning the involvement and contributions of varied community elements such as elders, religious figures, and leaders of traditional associations beyond the concerned state and non-state bodies has been an especially commendable practice.

**Table 4: Roles and role players in child protection**

Actors/Agencies	Aspects of the involvement
Police	Intelligence and information, protective services, enforcement and investigation, facilitation for referred or associated services, rehabilitation, and reintegration.
Health institutions	Medical treatment, counseling service, age determination, and provision of medical evidences or testimonials.
Judiciary	Legal review and integration, child friendly court systems and services, raising legal awareness of the public and concerned professionals, application of the laws and maintenance of justice.
Centrally responsible government organ for children (the ministry and bureaus of women affairs in the current case)	Enhancing advocacy and child rights protection at national and local levels; centrally coordinating and supervising implementing bodies; creating awareness on the international and national instruments to the general public as well as the implementing bodies; mobilizing resources from state and non-state actors; initiating and guiding pertinent social movements; and so on.
Community structures and religious institutions	Provision of facilities and resources; facilitation of the access to the community – liaison; community sensitization and campaigning; Information on vulnerable children and families; rehabilitation and counseling of children and families affected; and livelihood support such as feeding, shelter, orphanage, etc.
Civic associations (of women, youth, professionals, and the like)	Public education, sensitization, and campaigning; information on children and families; promotion and facilitation of volunteerism and volunteer services; etc.
Schools	Child rights, child protection awareness raising in schools and in local communities; taking part in rehabilitation of children undergoing community correction or diversion programs; protecting children in the school environment; etc.
Families	Creating protective environment at home, taking part in the rehabilitative processes of children undergoing community based correction programs and other forms of diversion.
Children	Advocacy and awareness raising in schools and local communities being organised like in school clubs and children’s parliament; protecting them selves by claiming for their rights and reducing their own factors of vulnerabilities; etc.

Businesses	Providing apprenticeship and job opportunity, as well as material and financial assistances.
Media	Advocacy, public education, and sensitization
Universities and alike institutions	Professional research, counseling, advice, and training; free education, training as well as employment opportunities for needy children; and services of temporary shelter and feeding; etc.
Varied NGOs and CSOs	Advocacy, awareness raising and sensitisation of the general public as well as concerned government officials and professionals; financial support and technical assistance to implementers; varied forms of associate services to affected children and families – legal, economic, psychosocial, educational, and livelihood such as drop in, feeding, orphanage ... services.

## Approaches helped effective partnership

Range of helpful collaborative schemes may include, among others, interdisciplinary committees and/or taskforce structures representing varied actors; projects or functions and service jointly implemented; common events and forums of discussion; common planning and evaluation arrangements; and communication channels used in common. Such schemes are usually required at all levels (regional, national, and local); within as well as across institutions or agencies; and in bilateral as well as multilateral forms. As for the Ethiopian case, the following are the major approaches/strategies applied towards making effective partnership possible, which are claimed to be of much help.

### *Consultation/lobbying and involvement:*

Continuous lobbying on the importance and process of collaboration, actual and potential collaborative initiatives, as well as the contemporary state of the problems of violence against children has been one of strategies that helped much in winning support from others. Because of continuous lobbying, the Ethiopian Telecommunication Corporation has agreed to provide a three-digit line which is free of charge and operates at national level.<sup>196</sup> By following an ‘open door policy’ and inviting concerned NGOs and CSOs to discussion on its proposed strategic plans, the EPUC was able to win the support of many NGOs including the UNCEF and SCS in the process of designing, integrating, and providing training on child protection. This is just to mention examples; otherwise, the cases are very many.

### *Common forums and training events:*

Having continuous and regular sessions of discussion and experience sharing among different actors through multi-sectoral committee structures, convening workshops and training events that involve representatives of different actors combined, facilitating inter-agency exchange and learning programmes, and so like events help one understands and acknowledges the existence, roles, and expectations of the others. And hence facilitates effective collaboration.

<sup>196</sup> (Forum for Sustainable Child Empowerment 2009): 7

Training together facilitates working together, and it is frequently the means by which working together begins.<sup>197</sup> Child protection training events should therefore attempt to bring together different professionals supposed to work cooperatively.

### *Joint undertakings - working together:*

Creating systems and opportunities where different agencies or their representatives do things being together. Practical examples in the case include social workers and police officers working together in the CPUs under the police stations; community representatives and volunteers, police officers, social workers, schools, and families working together in the community based correction programs. There have also been many of multiagency joint projects where different state and non-state actors work together. The joint deeds aim to bring specialized services, expertise, and resources of different agencies together towards providing a comprehensive service to particularly targeted children. Eventually, this also integrates and synergizes the efforts and effects. An scheme called 'Multi-Sectoral Response Against Child Sexual Abuse and Exploitation'<sup>198</sup> operating in Adama city and a multi-agency joint project for sexually abused children, operating in Addis Ababa, Addis Ketema sub-city<sup>199</sup> may stand as representative examples of such undertakings.

### *Community based committees:*

Wherever there are CPUs, there is often one such a committee. The committees consist of influential personalities drawn, in most cases, from religious institutions; self help associations (Idir), women and youth associations, school communities, elders, and community counsellors and leaders. Their role is to facilitate involvement of and collaboration with the communities and the community structures they represent.

Nonetheless, the implementers of the practice confirmed that, although the approaches have helped them considerably, experiences of the collaboration were not free from shortcomings and challenges. Major ones of the problems include unsatisfactory level of commitment,

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<sup>197</sup> (Smith 1993)

<sup>198</sup> The project is organised and operated under Ethio-Child Focused Association (ECFA), which is a coalition of child focused NGOs working in Adama city with the objectives of attaining a collaborative efforts of GOs, NGO's, & CBO's to effectively respond to the protection, rehabilitation and integration needs of children through a holistic and integrated manner. The project brings the necessary services of the police, hospital, court, social and labour affairs, and concerned NGOs in the city to sexually abused/exploited children.

<sup>199</sup> The multi-agency joint project comprises of organizations that have come together to provide a holistic support for children who have been sexually violated.[221].The services being provided altogether include legal (advice and representation), psychosocial counselling and rehabilitation, medical treatment and examination, and shelter. Member organizations include CHADET, the Association for Nationwide Action for Prevention and Protection Against Child Abuse and Neglect (ANPPCAN), the Organization for Prevention Rehabilitation and Integration of Female Street Children (OPRIFS), the Forum on Street Children - Ethiopia (FSCE), the African Child Policy Forum (ACPF), Family Guidance Association – Ethiopia (FGAE), GOAL – Ethiopia and the Integrated Family Support Organization (IFSO). These NGOs operate in cooperation with the sub-city's police CPU. Each one provides different forms of the services in accordance to its specialisation.

which is also more based on the individuals particularly involved than the institutions they represent, very frequent turnover of the individuals involved, and lack of well-established formal standards of working together.

In fact, the extent of the collaboration among the actors has been far less than what one normally expects to be. Biases and prejudices towards one another have been rampant. Above and over the issues regarding the Government-NGO relationship described in chapter two [2.3.4], prejudices and biases characterise the relationship among government agencies as well as NGOs themselves. Some NGOs were criticised to be tending to establish a boundary – a domain one believes to be solely its– and to be unwelcoming to others that may cross into their perceived boundaries. That can be a kind of engagement or service, a location or group of community, and/or a government counter part collaborating with.

There has been a widespread discontentment from the judiciary over police performance, which is believed to jeopardize the relationship between police and judiciary agencies. There were incidents where the judiciary appears to be resistant to be part of a multi-agency task-team where police is the key member. The resistance was defended in reference to the principle of separation of state power and the need for judiciary independence. Such an approach that involves working together with the police – which is indeed at the heart of state executive power – was considered as if it would lead to infringement of the judiciary independence. Similarly, there was a sustained complaint from the police against medical professionals, where the later is accused to be unwilling to accommodate perspectives of the police with regard to medical examination and testimonials on victims of physical and sexual abuse – ‘they tend to always do things their own way using their own jargons regardless of the specific needs and enquiries from the justice perspective’.

## Effective networking and partnership strategies – further recommended

### *Formalised standards of collaboration:*

Developing well studied and designed, all involved, and well-enforced formal standards of involvement and collaboration as well as mechanisms of effectively working together is the grand recommendation out of the lessons from the practice. In a more specified form, this may consist of the following.

- Carefully designed and implemented networking and collaboration strategies
- All agreed common planning, implementation and evaluation framework, along with the integration of a common assessment tool that enables a sharper interagency focus on outcomes for children
- Agreed protocols or memorandums of understanding that stipulate and guide the roles and relationships
- Well designed and formally recognized standards and tools of communication
- Particularly dedicated reference/focal persons in each of the collaborating institutions

- Regular sessions or forums of consultation and review

### *An understanding of the dynamics and challenges:*

One needs to note that, however, the realizability of the recommended strategies as well as the eventuality of the effective collaboration shouldn't be oversimplified. A multiagency and interdisciplinary venture will never be an easy undertaking. There are always problems and challenges inherent to such ventures.<sup>200</sup> An understanding and acknowledgement of the inherent challenges and drawbacks of multiagency multidisciplinary efforts will form one major step towards effectively managing them. Range of the factors that become the causes for the challenge are many including the differences in profession, schooling background, role boundary, association to the effect, the level of awareness, payment and reward, ...<sup>201</sup>

Scholars in the field have identified the following categories of barrier in joint working across social services:<sup>202</sup>

- Structural issues such as service fragmentation, gaps in services and non-coterminosity of boundaries
- Procedural matters hindering joint planning and implementation through different budgetary and planning cycles and procedures
- Financial factors including different funding mechanisms and flows of financial resources as well as administrative and communication costs
- Status and legitimacy' with differences in legitimacy between agencies
- Professional issue including problems associated with competitive ideologies and values; professional self-interest; competition for domains: conflicting views about the service recipients or users; as well as differences between specialisms, expertise and skills.

'The dynamics of an inter-organizational network should be viewed as a mini political economy in which the behavior of each participant is determined in a large pan by its need to secure its own objectives'.<sup>203</sup> According to Glennie,<sup>204</sup> effective multidisciplinary/multiagency networks are characterized by highly coordinated, co-operative interactions, based on consensus and mutual respect. This would be possible if strong equilibrium is achieved in terms of four key dimensions. That include: (a) *Domain consensus* – agreement regarding the

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<sup>200</sup> (Beckett 2007): 29/30

<sup>201</sup> Lethard, Audrey. "Policy and interprofessional issues: Introduction." In *Interprofessional Collaboration: From Policy to Practice in Health and Social Care*, edited by Audrey Lethard, 3-11. East Sussex: Brunner-Routledge, 2003.

<sup>202</sup> Ibid: 7

<sup>203</sup> Glennie, Sara. "Safeguarding children together: Addressing the inter-professional agenda." In *Inter-professional Collaboration: From Policy to Practice in Health and Social Care*, 172-184. East Sussex: Brunner-Routledge, 2003: 178

<sup>204</sup> Ibid: 177

role and scope of each agency; (b) *ideological consensus* – agreement about the nature of the tasks faced and the most appropriate way of approaching these tasks; (c) *positive evaluation* – by workers in one organization of the work of those in others; (c) *work co-ordination* – patterns of collaboration and co-operation.

### *Building positivity:*

Implementation of effective networking and collaboration would require first of all a realignment of ideological and domain consensus. Achievement of domain or ideological consensus within the network and effective work cooperation or positive mutual evaluation will be possible only to the extent that it does not involve actions that undermine the position of the collaborating agency. Accordingly, unless the prevalent tradition of prejudiced projection of the problems and shortfalls to one another is ceased optimal collaboration will not be attained. Strongly advised the most critical first step is therefore to switch off the negativism and to start to understand and appreciate the others in the domain of child protection.

### *Employing appropriate methodologies and processes:*

Thereafter, one may proceed to a well-designed and implemented approaches, mechanisms, schemes, and arrangements of collaboration and networking with the others. Important steps of processes one may need to follow in this respect include:

- Identifying the bodies, in the wider context, involved in the activities that entail child rights and protection, and the roles they play and the services they provide;
- Studying and describing the key actors in the processes of child protection and justice involving children;
- Developing a relationship map among the different actors in the processes from the beginning to the end of handling a case involving a child and treating the child;
- Conducting facility or service mapping - specifying where children can be referred to social, medical, legal, welfare, or other support, or from where one can seek support in the process;
- Outlining and describing how one is connected to others in the network and processes;
- Ensuring that each actor in the system understands the others, their existence, purposes, functions, capabilities, relationship and expectations;
- Designing and implementing the networking and collaborating strategies.

The design and implementation processes further entails:

- (a) Determining the aspects or issues of collaboration;
- (b) Describing the approaches and procedures of working together;
- (c) Formulating/designing the systems and tools that facilitate the process of collaboration;
- (d) Approaching the counterparts and obtaining their understanding and consent on the designed arrangements of collaboration or working together;

- (e) Being committed and setting good example in realizing the established arrangements;
- (f) Undertaking measures that help to sustain and advance the collaborations.

## Appendix A

### Indicators and measures of a CPS's performance

The specific kinds of indicators and measures of performances will derive from the specific roles/duties that make up the entire mission of the given child protection system or unit. The grand mission of any CPS is enhancing protection of children from abuse and offensiveness. The specific activities expected of the systems/units towards the achievement of this grand mission may vary depending on the specific features of a given context. The following are assumed the major aspects of a CPS's mission operations.

- (1) Awareness raising and sensitisation on the problems and solution of child abuse and youth offending,
- (2) Treatment and services to children - victims, in conflict with the law, as well as those under risk and needy,
- (3) Managing cases that involve children,
- (4) Facilitating stakeholders involvement and collaborations in matters related to child protection,
- (5) Processing data/information pertinent to child protection endeavours,

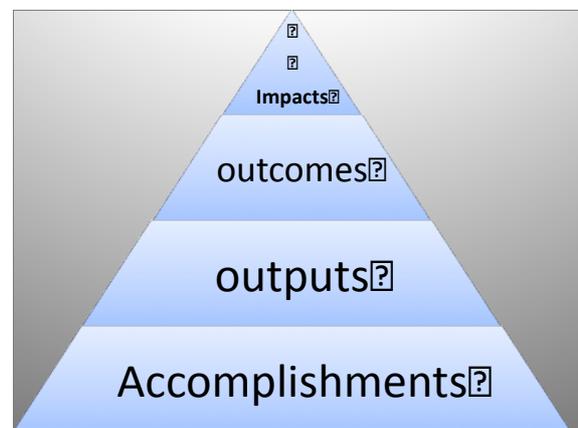
Constituents of the general indicators and measures of a CPS's performances encompass accomplishments as well as results in respect to the mission operations.

#### Accomplishments:

This refers to major things done, i.e., distinguished activities, events, services, etc. These would be measured by the amount, level, or range of activities, events, and services successfully completed as well as the inputs (time, money, people,...) devoted or used up.

#### Outputs:

This refers to easily measurable immediate results of what has been accomplished. It is measured, for instance, by the number/amount of cases managed, children treated/served, people trained, money raised, etc.



**Figure 23:** Hierarchy of results as the measure of CPS performance

### Outcomes:

Outcome refers to the positive consequences attained because of the measures taken, for instance changes in attitudes, improvement in skills attained as a result of training. This would be measured by the extent of change/improvement made.

### Impacts:

Impact denotes the ultimate result (total effect and/or benefit) achieved as a result of the entire operations and accomplishments of the system in total. Measured, for instance, by the extent of reduction in the number or rate of incidents of abuse and maltreatment; the level of increase in the ratio of incidents detected, investigated, and adjudicated; the extent of improvement in the range and quality of protective services provided to children in need; etc.

All these are results; the difference is on the hierarchy, and of course on the level of significance. The higher the level is the higher the significance of the result is too. Nonetheless, the lower level results determine the higher level results. In practice, one may find it hard to differentiate so clearly between the hierarchies of results; nor the differentiation is a hard rule.

The specific parameters of measuring and appraising the results with regard to different forms/aspects of engagement may vary depending on the particular characteristics of the functions and services. The following are, however, the most common possible indicators and measures of performances with regard to the indicated major aspects of a CPS's mission operations. One may also find diff

**Table 5: CPS performance indicators and measures**

<i>Accomplishments and Outputs</i>		<i>Outcomes</i>	<i>Impacts</i>
Awareness raising and sensitisation	Number/frequency of events accomplished, Range of possible approaches implemented, Number and proportion of the target groups reached, Number and proportion of the available mass media made use of, Number of hours of audio-visual dispatches on public TV and radios, Number of pages covered in a printed public media, Number of documents printed and distributed, Quality of the contents and methodologies used,	The level of awareness and readiness of the ones approached through awareness raising measures and the level of change in their awareness and readiness; The extent of improvement/change made in the attitudes of the general public as well as those who are involved in the processes of child protection and child services; The extent to which professionals have sufficient knowledge and skills to address the specialized service	The level of reduction in the scale and/or trend of the problems of child abuse and delinquency in general. The extent of change (reduction) in the rate of abuse to specifically identified group of vulnerable children. Minimized consequences

Treatment and assistance of children	<p>Number/diversity and extent of measures taken to identify, protect and assist children in difficult circumstances and under risk,</p> <p>Number and proportion of the children and families at risk provided with preventive support,</p> <p>Number of children treated or assisted through the specialised services of CPUs,</p> <p>Kinds and extent of specialised services provided,</p>	<p>needs for children at risk, abused and in conflict with the law;</p> <p>The extent to which all parties have applied/realized the roles expected of them;</p> <p>Proportion of the children at risk who are able to be identified and provided with appropriate preventive support;</p> <p>Proportion of the needy children able to be provided with specialised reactive services of the CPUs;</p> <p>Proportion of the incidents of child abuse detected, and handled as per the applicable laws;</p> <p>The extent to which the necessary local prevention and protection structures are in place and effectively implement coordinated response to the problems of child abuse and delinquency;</p>	<p>of the problem of child abuse and juvenile delinquency,</p> <p>Reduced level of police mishandling and maltreatment of children and their cases</p> <p>Enhanced level of special attention of the police, judiciary and other concerned sectors for the crimes committed against children.</p>
Management of Cases involving Children	<p>Number of cases managed:</p> <ul style="list-style-type: none"> <li>- Received and recorded</li> <li>- Screened out</li> <li>- Investigated</li> </ul> <p>Average rate of incident response,</p> <p>Average rate of case clearance,</p> <p>Average speed of file completion (completion of investigation processes),</p> <p>Average rate of the acceptance of investigation results,</p>	<p>The extent to which all potential collaborators are made to be involved and the extent to which strengthened relationship is maintained among them;</p> <p>Sufficient, diversified and standardized systems and sources of protective and supportive services are available for children and families who are in need of such services – in difficult circumstances, abused, as well as in conflict with the law.</p> <p>Improved rate and quality of managing child involving cases including speedy and fair trail.</p>	<p>Increased courage and empowerment of children to come to the police defending their rights even against their family.</p> <p>Decline in the number of children detained in police stations, and let to go through regular justice and correction processes.</p> <p>Reduction in the proportion of incidents of child maltreatment and abuse remained undetected or unreported.</p> <p>Reduced level of public fear regarding the crimes against children, and juvenile delinquency</p>
Facilitating stakeholders involvement and collaboration in the endeavours of child protection	<p>Number and extent of major activities done or measures taken in order to enable and maintain effective involvement of the community and stakeholders,</p> <p>Number of collaborative engagements (programs, projects, activities and services) running or accomplished,</p> <p>Proportion of existing community structures and other potentially collaborating institutions made to be participated,</p> <p>Number or proportion of agencies included in the network of collaboration,</p> <p>The extent and satisfactoriness of the roles CPUs are playing in the networking and collaboration process,</p>	<p>The extent to which a standardized system of data operation is in place, and the data operations are properly executed, as specified in chapter 5.</p>	
Data Management	<p>Number and extent of measures taken to ensure appropriate data operations,</p> <p>Size and quality of the data handled,</p> <p>Quality of the data operations,</p>		

## Keys:

### *Average response speed to reported incidents:*

Response speed is the measure of the time that elapses before taking a formal/official action in response to a reported incident. That is the duration between the receipt of an incident report and the initial response action. Time of the receipt of report is the time when logging-in of the case is made into the official incident case logbook in the service unit/center. Initial response action can be any official step/measure taken regarding the reported case, which may be aimed at further verifying the report, substantiating the case, treating the child, obtaining evidence, etc. depending on the nature of the particular case in question.

***Case clearance rate:***

The percentage of the cases to which processes of screening or investigation are completed from the total cases that came to the attention of the system /service center/ during a given period.

***Case clearance speed:***

This is a measure of the efficiency of investigation processes. It will be measured by taking the average length of time taken to complete investigation of a case, which could be defined by dividing the sum of the durations for the completion of all cases to the number of cases completed. Performance would be rated by comparing the average rate observed for the given period against a standard efficiency requirement, if any. This, indeed, needs to take other relevant factors such as the nature of cases, number of investigators involved, extent of technological as well as expert supports available into consideration.

***Perpetrator identification and apprehension rates:***

This could be measured by the number and proportion of cases whose perpetrators, which were not identified or traced at the beginning, are traced and apprehended through police investigation and surveillance process.

***Quality of case clearance:***

This could be measured using parameters like proportion of the cases that are accepted by prosecution authorities or courts and charges are instituted from the total number of cases whose investigation reports are submitted; frequency of rejections and corrections made on the investigation reports; proportion of investigation results that enabled to proof guilt and subsequent verdict in courts.

## Appendix B:

### Parameters of CPDS appraisal

The appraisal covers the data system as an entity as well as the people involved in the processing of the data operations and managing the processes. It focuses mainly on the quality of the data captured, maintained, and shared by the system and the processing of such operations.

Quality of the data could be appraised by adequacy, appropriateness, precision, and clarity. Of the things that may need to be considered to measure the quality of data operations the extent to which the processes are standardized, ease and efficiency of the standard processes, conformity of the regular practices to the applicable principles and standards, and customer satisfaction.

In addition to these, attributes like data security; the system's synergy and advancement can be used to appraise quality of the system. Details of such parameters as well as the approaches and methodologies of applying them are summarized in the table overleaf.

The standards of performance appraisal outlined here will not replace performance appraisal plans for individual staff that involve in the data operations. What is here gives the basis – the common parameters – from which the individual staff appraisal plans will be derived. Those who hold the responsibility of managing a CPDS and their operations are, thus, required to derive performance appraisal plans that include specific criteria, targets and rating scales applicable to each staff involved, using the parameters provided herewith. They also need to design the methodologies and tools that help them do on-going follow-up and monitoring of the performance, and to gather facts or feedbacks that enables to rate the performances.

**Table 6: CPDS performance parameters**

CPDS Performance Appraisal				
	Indicator	Measurement	Methodology/Source	Primary Applicability
<b>1. Quality of the Data</b>				
1.1	<p><b>Adequacy/completeness of the Data:</b> Refers to the amount and diversity of the data, captured, kept and communicated by the system and people involved.</p> <p>Appraisal questions include: How complete is the data captured, kept and provided? Does the system maintain and provide all the necessary data that may be needed by all potential users for all legitimate purposes? Is each one involved in the operations able to capture and transmit to the extent of the expectations?</p>	<p><b>Rate of meeting demands:</b> The relative proportion of the data available and provided from the data (actually or potentially) required, demanded or requested by all categories of users.</p> <p>In cases of data capturing and exchange done within the system, this could be measured by the rate of satisfaction from the receiving end of the data.</p>	Recording of the data requests/expectations and provisions as well as those requests or expectations remained unsatisfied, including the specific kinds of the data that couldn't be captured, maintained, and generated by the system and people involved.	System and staff evaluator
1.2	<p><b>Appropriateness of the data:</b> Refers to the relevance, validity, meaningfulness, usefulness, etc. of the data captured, kept and provided by the CPU Data System and people involved.</p>	<p><b>Usability rate</b> of the specific type data captured and kept in the system, which could be determined by the frequency of the events of making use of the data - relative ratio between the amount of specific types of data which are frequently used to those which are used less frequently or not used at all.</p> <p><b>Rate of inappropriate sharing:</b> measure of the relative ratio of data and incidents involved inappropriate sharing/disclosure.</p>	Recording and analysis of the events of making use and sharing of each specific type of data captured and kept in the system by and for both internal and external users and purposes.	System and staff evaluator

1.3	<p><b>Precision of the data:</b> Refers to the quality of being free from faulty and misinforming. Faulty data is described as incorrect, inaccurate, misleading, etc.</p>	<p><b>Proportion of the faulty data</b> captured, maintained and communicated, and the proportion or frequency of the events/incidents involving this.</p>	<p>Recording and analysis of the incidents involving faulty data recording and communication as well as the specific descriptions of the faults.</p>	<p>System and staff evaluator</p>
1.4	<p><b>Clarity and understandability:</b> Refers to the level of understandability of the data and information captured and communicated/provided by the system and personnel involved. Leading appraisal question will be ‘how clear and understandable are the data and information kept and communicated?’</p>	<p><b>Proportion</b> of the data or information claimed and believed to be unclear and not properly understandable, and the <b>frequency</b> of the incidents involving recording or provision of unclear data or information.</p>	<p>Recording and analysis of the incidents of recording and transacting unclear data as well as the kinds and amount of the unclear data. This could be attained by, for instance,</p> <ul style="list-style-type: none"> <li>- Collecting feedbacks from internal and external users on each event of data transactions;</li> <li>- Doing sample checking of the data records and transacted;</li> </ul>	<p>Staff evaluator</p>
<b>2. Quality of the Data Operations and Services</b>				
2.1	<p><b>Standardisation of the operations and services:</b> Concerned with the existence and extent of formal and institutionalised policy, guidelines, formats, tools, etc. to the data operations and services. Major appraisal questions include: ‘Are there formally recognized standards of the data operations? How clear and complete are such standards?’</p>	<p><b>Proportion</b> of the specific data operations and services that have no clear and complete predetermined and uniform standards of execution.</p>	<p>Recording and analysis of the incidences of non-standardised operations. This could be attained by, for instance,</p> <ul style="list-style-type: none"> <li>- Checking the processes and manners of the execution of each and every aspect or element of CPU data operation practices seen overtime;</li> <li>- Obtaining feedbacks from executors and customer/users of all CPU data operators;</li> </ul>	<p>System evaluator</p>

2.2	<p><b>Conformity of the operations to standards:</b></p> <p>Refers the realizability of the existing CPU data operation and service standards in the day-to-day practices of executing the operations.</p> <p>Principal appraisal question will be ‘how far the existing standards of the CPU data operations and services are applied?’</p>	<p><b>Relative proportion</b> of the incidences of failure to confirm with the standards, and/or relative proportion of the standards that failed to be applied.</p>	<p>Recording and analysis of the incidents of failure to confirm with the prescribed standards of CPU data operations as well as the extent and effects of the failure.</p> <p>This could be attained by:</p> <ul style="list-style-type: none"> <li>- Checking the processes and manners of execution of each and every aspect or element of CPU data operations against the prescribed standards,</li> <li>- Receiving feedback from internal and external customer/users of the data operations and transactions,</li> </ul>	<p>Evaluator of the data operators</p>
2.3	<p><b>Efficiency and ease of the operations:</b></p> <p>Efficiency refers to the level of time and cost effectiveness of the operations, while ‘ease’ refers to the level of convenience and friendliness of the operations to the executers as well as the customer/users.</p>	<p><b>Average speed</b> of the execution of each separate process of the data operations, such as, filling a given data record form, entering data into the database file record, compiling data using a given method, responding to a request of a data user, etc. The average speed seen could be evaluated against the standard speed of the given operation where that is predetermined.</p>	<p>Recording and analysis of actual work (amount of hours taken to execute the activities of a given process) and actual duration (amount time /hours or dates/ it taken to complete the entire process, which includes waiting and movement times besides the execution times), and manners of execution of each and every particular process.</p> <p>This could be attained by:</p> <ul style="list-style-type: none"> <li>- Maintaining full process record of activities by the executers;</li> <li>- Recording and reviewing the start and end dates of particular processes;</li> <li>- Obtaining feedbacks from the internal and external customers/users of specific processes;</li> </ul>	<p>Evaluator of the system as well as the executors</p>
2.4	<p><b>Customer handling:</b></p> <p>Refers to the quality of treatment to the external customers of the CPU data operations, for instance quality of the treatment of the external data users who come</p>	<p><b>Customer satisfaction rate:</b> - Proportion of the customers satisfied by the manners of treatment done, and the average level of satisfaction.</p>	<p>Compiling and analysis of the customer feedbacks.</p> <p>So as to enable this Instant feedback should be obtained from all external customers served by the CPU Data System using a standardised</p>	<p>Evaluator of both service providing CPU staff</p>

	to services of the CPU Data System.		customer feedback sheet. The feedback sheet should kept/filed in the customer service folder as part of the files related to services provided to each customer.	
<b>3. Other Features of the System</b>				
3.1	<p><b>Security of the data:</b></p> <p>Refers to the protection of the data from all sorts of potential threats: damage, loss, illegitimate/unauthorised access and use, etc. Fundamental appraisal question here is ‘how far the data and the data storage medias are protected?’</p>	The number of incidents of damage, loss, unauthorised access, illegitimate use, etc in a given period of time, and/or the probability of the occurrence of these sorts of incidents.	Doing inventory, recording and analysis of each and every incident of such nature and the level of vulnerability of the data and data system to such kinds of damaging incidents.	System and staff evaluator
3.2	<p><b>Coherence and synergy among the elements of system:</b></p> <p>Refers to the level of collaboration and integrations among the various internal role players of the CPU data operations, such as CPU database specialist, other CPU staff, investigators, etc.</p>	<b>Number of incidents</b> of disagreements and dissatisfactions that affected the operations negatively and/or required involvement of a third party for the solution.	Recording and analysis of the incidents of conflicts and complaints one another as well as the causes and effects of the problem and dispositions of the points of the involved staff. This could attained through: <ul style="list-style-type: none"> <li>- Keeping supervisors own records</li> <li>- Conducting group evaluation of the staff involved in the processes of data operations</li> </ul>	Evaluator of the staff as well as the system
3.3	<p><b>Continuous development of the system:</b></p> <p>The CPU Data System needs to be continuously developed/improved based on practical experiences. Aspects of the expected development include: operational qualities, system capacity, system quality and efficiency. This requires operationalization of the standards as well as periodic review and development measures.</p>	<b>Proportion of the intended developments/improvements</b> attained during a given period.	Recording and inventory of measures taken accordingly including the level of improvement attained over a given period of time. Similar to the previous one, this could be achieved by: <ul style="list-style-type: none"> <li>- Keeping records of such endeavours by the concerned CDS supervisor/manager;</li> <li>- Having 360 degree evaluations of the system in periodic terms;</li> </ul>	Staff and system evaluator

# Appendix C

## Statistical Data Report Form

This form is one of the critically important tools of a CPDS, which uses to compile the summary statistics of all the facts captured into the database. The form organizes the records into easily understandable and usable structure. What comes out in this form is the cumulative output of the discrete facts entered into the database. The statistical data organized in this form will make everything in the system ready for analysis.

This form can be compiled for all of the cases captured in the system or for either active or closed cases only. Such compiled outputs of the data in the system may be generated at any time found necessary. As a standard, however, shall be generated on periodic basis as per the established norms for submitting regular reports, i.e., quarterly, semi-annually and annually.

**Table 7: CPDS statistical data report form**

Report Period: From \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_

1. General Data												
1.1 Type of Incident		Child Abuse	Juvenile Offence	Both	Other	Total						
Murder												
Homicide												
Attempted killing												
Grievous harm												
Unlawful wounding												
AOB harm												
Common assault												
Rape												
Defilement												
Other Sexual outrage												
Indecent assault												
Incest												
Sexual exploitation												
Abduction or trafficking												
Economic exploitation												
Abandonment and neglect												
Psychological or emotional maltreatment												
Robbery												
Theft												
Property damage												
Malicious damage												
Other												
Unknown or missing												
<b>Total</b>												
1.2 Place of Incident												
1.2.1 Setting		1.2.2 Region/Province					1.2.3 District					
Rural		A <sup>205</sup>	B	C	D	E	A	B	C	D	E	Other

<sup>205</sup> The symbols are to be replaced by actual name of places



Unknown		Other		Learning disability	
<b>Total</b>		Unknown		Previously victimised	
		<b>Total</b>		Previously offended	
<b>2.5 Religion</b>				Other affecting state of condition	
Christian		<b>2.10 Living Status During Incident</b>		<b>Total</b>	
Muslim		With both parents together		<b>2.14 Parents/Caretakers Risk Factors</b>	
Hindu		With mother only		Both parents dead	
Traditional		With father only		Parents separated	
Buddhism		With brothers and sisters		Single house head parent/Caretaker	
Other		With relative		No sufficient life support	
Unknown		By own self		Non-literate caretaker/parent	
<b>Total</b>		With guardian/foster care		Alcoholic parent/caretakers	
		In shelter/institution		Drug abuse parent/caretaker	
<b>2.6 Marital Status</b>		On street		With mental retardation	
Never married		Other		Emotional unstable/disturbed	
Married		Unknown		With visual/hearing impairment	
Divorced		<b>Total</b>		Physically disabled	
Widowed				Other medical problems	
Unknown		<b>2.11 Living Status following Incident</b>		Domestic violence problem	
<b>Total</b>		Changed permanently		Inadequate housing	
		Changed temporarily		With own experience of abuse	
<b>2.7 Education</b>		Not changed at all		With a history of offence	
Nursery		Unknown		Having other problems	
Elementary		<b>Total</b>		<b>Total</b>	
Secondary					
Preparatory					
Tertiary					
No formal educ.					
Unknown					
<b>Total</b>					
<b>3. Service Data</b>					
Respite care & protection		Community based correction		Housing service	
Medical treatment		Adoption		Information & referral	
Counselling & rehabilitation		Case management		Legal service	
Reintegration		Day care		Other services	
Family support		Education and training		<b>Total</b>	
Foster care		Employment			
<b>4. Perpetrators Data</b>					
<b>4.1 Sex</b>		<b>4.5 Ethnicity/Tribe</b>		<b>4.8 Educational Status</b>	
Male		Oromo		Non-literate	
Female		Amhara		No formal education	
<b>Total</b>		Tigre		Elementary level	
		Somali		Secondary level	
<b>4.2 Age</b>		Sidama		Tertiary level	
7-15 yrs		Guragae		Post-graduate level	
16-18 yrs		Wolayta		Unknown	
19-30 yrs		Gamo		<b>Total</b>	
31-60 yrs		Gumuz			
Above 60 yrs		Afar		<b>4.9 History of offence</b>	
Other category		Nuer		Offended	
<b>Total</b>		Other		Never offended	
		Unknown		Unknown	
<b>4.3 Relationship to victim</b>		<b>Total</b>		<b>Total</b>	
Step parent					
Adoptive parent		<b>4.6 Religion</b>		<b>4.10 Offence type</b>	
Foster parent		Christian		Murder	
Unmarried partner		Muslim		Homicide	
Other family member		Hindu		Attempted killing	
Legal guardian		Traditional		Grievous harm	
Care taking relative		Other		Unlawful wounding	
Child day care provider		Unknown		AOB harm	

Teacher		<b>Total</b>		Common assault	
School mate				Rape	
Friend				Defilement	
Neighbour				Other Sexual outrage	
Estate owner		<b>4.7 Marital status</b>		Indecent assault	
Other unrelated stranger		Never married		Incest	
Other		Married		Sexual exploitation	
Un-clarified		Divorced		Abduction or trafficking	
<b>Total</b>		Widowed		Economic exploitation	
		Unknown		Abandonment and neglect	
<b>4.4 Nationality</b>		<b>Total</b>		Psychological or emotional abuse	
Ethiopian				Robbery	
Non-Ethiopian				Theft	
Unknown/un-clarified				Property damage	
<b>Total</b>				Malicious damage	
				Other	
				<b>Total</b>	

## 5. Case Management Process Data

<b>5.1 Case Status</b>		<b>5.5 Court decision on perpetrators</b>	
Under investigation		Set free	
Alternative solution applied		Diversion order	
Failed or fully terminated		Restitution order/fine	
Temporarily terminated		Below one year imprisonment	
Charge instituted		From 1-3 years imprisonment	
On trail process		From 3-5 years imprisonment	
Concluded/court decided		From 5-10 years imprisonment	
Other		Beyond 10 years of imprisonment	
<b>Total</b>		Life sentence/imprisonment	
		Other	
<b>5.2 Reason for case failure</b>		<b>Total</b>	
Case disproved			
No proof found		<b>5.6 Investigative methods applied</b>	
Other		Victim interviewed	
Unknown		Unknown perpetrator traced and identified	
<b>Total</b>		Suspect interrogated	
		Suspect apprehended	
<b>5.3 Instance investigation report acceptance</b>		Witness interviewed	
On first submission		Crime scene processed	
On second submission		Suspect criminal record screened	
On third submission		Technical evidences obtained and examined	
On fourth submission		<b>Total</b>	
On fifth submission			
Beyond		<b>5.7 Proofing evidences provided</b>	
<b>Total</b>		Physical evidence	
		Forensic evidence	
<b>5.4 Trail instance of court decision</b>		Medical evidence	
On first trail session		Expert testimonial	
On second trial session		Perpetrator confession	
On third trail session		Witness testimonial	
On fourth trial session		<b>Total</b>	
On fifth trail session			
Beyond			
<b>Total</b>			

**END OF REPORT**

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