



## Ethiopia

All new laws to come under a gender spotlight

### FACT BOX

Country	Ethiopia
Sector / Theme	Protection of women's and men's rights.
Investment name	Promoting Gender Equality through the adoption of Gender Intent
Investment number	INV-032329
Investment owner	Abebe Chekol
Grantee	Ethiopia Ministry of Justice
Size of the investment	US\$750,000
Duration	2021-2023
Gender Mark	Gender intentional
Most significant result	With the support of the BMGF, the Ethiopian Ministry of Justice now requires that all new laws come under a gender review.
Date of update	August 2024

With the support of the Bill & Melinda Gates Foundation (BMGF), the Ethiopian Ministry of Justice now requires that all new laws undergo gender review. This investment has been selected as a story of change because of its potential strategic and catalytic impact in a country with huge gender gaps.



Key takeaways in this story of change are:

- Ethiopia demonstrates a strong commitment and dedicated effort toward gender-intentional legislative drafting.
- Dynamism in leadership has led to a greater focus on gender-intentional issues and a stronger commitment to promoting gender equality.
- Making the guidelines binding for gender intentionality in legal and policymaking for all government agencies eliminates the discretionary mandate of the agencies.

### Investment objectives

Women in Ethiopia encounter widespread discrimination across multiple spheres including access to education, employment opportunities, and decision-making. This formal and informal discrimination reflects in high levels of gender violence, including domestic violence and harmful traditional practices like child marriage and female genital mutilation. While laws are

not a panacea, the absence of a robust women's rights legal framework has impeded progress.

The investment aims to:

- Interrogate draft legislation using gender guidelines and checklists;
- Detect and address all gender-linked constraining norms in national laws; and
- Address gendered practices through gender-conscious laws to complement and reinforce Ethiopia's national initiative to eliminate other aspects of gender inequalities rooted in social realities and power relations.

The investment is classified as gender intentional according to the foundation's gender marker tool<sup>1</sup>. To be transformative, the Ministry is actively working to ensure that its guidelines have a positive impact on legislation and more importantly on women's lives.

### Key steps

**Capacity assessment:** A recent capacity assessment of the Ministry found a deficiency in tools and knowledge for gender-responsive legislative drafting.

**Tools and training:** The assessment spurred the Ministry, with backing from the Foundation,

<sup>1</sup> Gender Integration Marker: Gender Equality Toolbox. Available at: <https://www.gatesgenderequalitytoolbox.org/gender-integration-marker/> (Accessed: 30 September 2023).

to create a comprehensive handbook, accompanied by gender analysis and impact training.

**Pilot project:** Two draft laws came under review: Prison administration and licencing for advocates. Drafters added gender equality objectives, representation of women, provisions addressing violence against women, availability of gender-disaggregated data, and the use of gender-neutral language.

**Expert monitoring:** The Ministry also hired gender experts to ensure compliance with the guidelines and to promote a gender-conscious approach in the development of laws and policies.<sup>2</sup>

**Consultations:** The Ministry has initiated nationwide consultations and ensured the participation of women in the drafting process to further promote gender equality.

**Priority and visibility:** Overall, the Ministry has made promoting gender equality a central focus of its work, and has taken concrete steps to integrate gender perspectives into legal reforms.

#### What the Guidelines say:

- G1:** General considerations (similar laws of other countries, gender gap in Ethiopia, legal enforcement mechanisms, and financial resources needed).
- G2:** Compatibility test with Federal Democratic Republic of Ethiopia (FDRE) Constitution, international laws, and national laws.
- G3:** Assessing compliance with gender equality provisions of the FDRE Constitution.
- G4:** Assessing compliance with gender equality provisions of ratified international human rights instruments.
- G5:** Assessing compatibility with gender equality provisions of relevant legislations.
- G6:** Participation of women and organisations working on women's rights/issues.
- G7:** Use of gender sensitive language in legislation.

**Source:** FDRE Ministry of Justice Ethiopia: Gender-Responsive Legislative Drafting: Handbook for Gender-Based Analysis of Legislation

## Results

At the time of writing, the investment was just a year old: too soon to conduct an impact assessment. However, the new leadership led by the Minister of Justice, Gedion Timotheos, recognises the value of keeping pace with new developments and gender discourse. They are proactive

in reading and learning from relevant literature and experiences in other jurisdictions.<sup>3</sup> This exposure has broadened their understanding of gender intentionality and the level of awareness required in legislative and policymaking processes. They have taken steps to ensure that gender is integrated into decision-making, from drafting to consultation.

Overall, the new leadership at the Ministry has played a crucial role in promoting a broader perspective on gender through integrating it in legal forms in Ethiopia. Their proactive approach, openness to new ideas, and emphasis on gender intentionality have set a new standard for gender equality in the country.

## Lessons learned

- **Champions:** Having a champion<sup>4</sup> at the highest level enabled, a legal framework review to combat discrimination and promote equal opportunities for all.
- **Mandatory use of the guidelines** by all agencies reinforces the serious commitment of the government to promoting gender equality.
- **Visible results:** Promoting gender equality through binding guidelines in Ethiopia has several tangible benefits. For example, by implementing gender-sensitive policies, women and girls gain greater access to education, economic opportunities, and decision-making roles. Clear guidelines help address and prevent violence against women, ensuring their safety and well-being. In addition, guidelines promote gender equality across sectors like education, employment, and social welfare, fostering a more inclusive society.

## Next steps

- Elevating the existing guidelines to a directive, such that the guidelines become automatically binding on all actors.
- Ensuring that compliance with the guidelines becomes a mandatory requirement for all government agencies.
- Follow up Monitoring Evaluation and Learning (MEL) by the Foundation to assess impact on the ground.

## References

FDRE Ministry of Justice Ethiopia: Gender-Responsive Legislative Drafting: Handbook for Gender-Based Analysis of Legislation  
Gender Integration Marker: Gender Equality Toolbox. Available at: <https://www.gatesgenderequalitytoolbox.org/gender-integration-marker/> (Accessed: 30 September 2023).  
Interview notes: Abebe Chekol, Deputy Director, Program Advocacy and Communications at Bill & Melinda Gates Foundation.  
Interview notes: Anchinesh Shiferaw, a Gender Consultant led the work on the drafting of the guidelines for gender intentionality of legislation, and conducted extensive training of the drafters.  
Interview notes: Dr Tadesse Kassa, Senior Advisor at the Ministry of Justice in Ethiopia.

<sup>2</sup> Interview notes with Anchinesh: Gender consultants

<sup>3</sup> Interview notes: Dr Tadesse Kassa, Senior Advisor at the Ministry of Justice in Ethiopia.

<sup>4</sup> Interview notes: Abebe Chekol, Deputy Director, Program Advocacy and Communications at Bill & Melinda Gates Foundation.