

## **Background Guide SFHS MUN**

### **UNICEF**

**Agenda:** Addressing the humanitarian needs of children in Ethiopia.

#### **Note from the Executive Body**

The following pages intend to guide you with the nuances of the agenda and the Council. The Guide chronologically touches upon all the relevant different aspects that will lead to fruitful debate in the Council. It will provide you with a bird's eye view of the gist of the issue. However, it has to be noted that the background guide only contains certain basic information which may form the basis for the debate and your research. You are the representative of your allotted country and we hope that you put in wholehearted efforts to research and comprehensively grasp all important facets of the diversity agenda. All the delegates should be prepared well to make the council's direction and debate productively. After all, only then will you truly be able to represent your country in the best possible way. We encourage you to go beyond this background guide and delve into the extremities of the agenda to further enhance your knowledge of a burning global issue.

For many, it may be the first ever MUN conference in your educational experience, and we strongly encourage you to go through the study guide that has been prepared for you as a part of the conference to get an in-depth understanding of the issue that will be discussed in the committee. However, there is a lot of content available beyond the study guides too. You are expected to research, collate, and list down possible points of discussion, questions and plausible responses and be prepared to enjoy the intellectual energy in the group. At the same time, it is not only about speaking and presenting, but very importantly it is also about the ability to listen, understand viewpoints and learn from each one's perspectives.

The purpose of participation at any MUN Conference should be to learn and implement the knowledge you gain.

#### ***Touching upon basic concepts:***

*Foreign Policy: Following the foreign policy of one's country is the most important aspect of a Model UN Conference. This is what essentially differentiates a Model UN from other debating formats.*

*Rules of Procedure: The committee will follow UNA-USA Rules of Procedure.*

Wishing all the delegates all the best and three days of fruitful debate.

## **The mandate of the UNICEF**

UNICEF is mandated by the United Nations General Assembly to advocate for the protection of children's rights, to help meet their basic needs and to expand their opportunities to reach their full potential.

UNICEF is guided by the Convention on the Rights of the Child and strives to establish children's rights as enduring ethical principles and international standards of behaviour towards children.

UNICEF insists that the survival, protection and development of children are universal development imperatives that are integral to human progress.

UNICEF mobilises political will and material resources to help countries, particularly developing countries, ensure a "first call for children" and build their capacity to form appropriate policies and deliver services for children and their families.

UNICEF is committed to ensuring special protection for the most disadvantaged children – victims of war, disasters, extreme poverty, all forms of violence and exploitation, and those with disabilities.

UNICEF responds in emergencies to protect the rights of children. In coordination with United Nations partners and humanitarian agencies, UNICEF makes its unique facilities for rapid response available to its partners to relieve the suffering of children and those who provide their care.

UNICEF is non-partisan and its cooperation is free of discrimination. In everything it does, the most disadvantaged children and the countries in greatest need have priority.

UNICEF aims, through its country programmes, to promote the equal rights of women and girls and to support their full participation in the political, social and economic development of their communities.

UNICEF works with all its partners towards the attainment of the sustainable human development goals adopted by the world community and the realization of the vision of peace and social progress enshrined in the Charter of the United Nations.

## **Introduction**

### **What are Human Rights and Laws**

Human rights are standards that recognize and protect the dignity of all human beings. Human rights govern how individual human beings live in society and with each other, as well as their relationship with the State and the obligations that the State has towards them. Human rights law obliges governments to do some things and prevents them from doing others. Individuals also have responsibilities: in using their human rights, they must respect the rights of others. No government, group or person has the right to do anything that violates another's rights.



### Universality and inalienability

Human rights are universal and inalienable. All people everywhere in the world are entitled to them. No one can voluntarily give them up. Nor can others take them away from him or her.

### Indivisibility

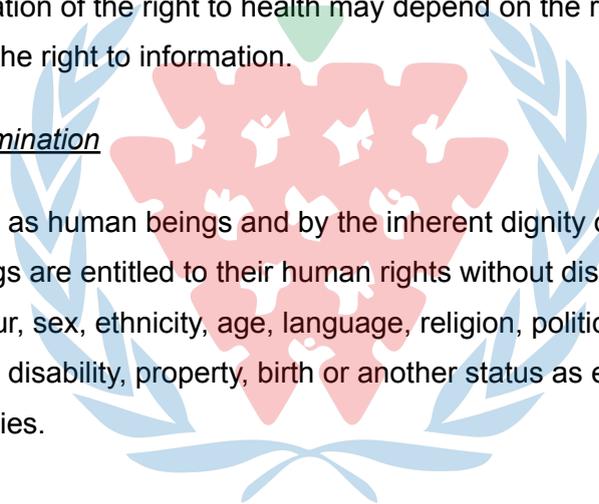
Human rights are indivisible. Whether civil, political, economic, social or cultural, they are all inherent to the dignity of every human person. Consequently, they all have equal status as rights. There is no such thing as a 'small' right. There is no hierarchy of human rights.

### Inter-dependence and inter-relatedness

The realisation of one right often depends, wholly or in part, upon the realisation of others. For instance, the realisation of the right to health may depend on the realisation of the right to education or of the right to information.

### Equality and non-discrimination

All individuals are equal as human beings and by the inherent dignity of each human person. All human beings are entitled to their human rights without discrimination of any kind, such of race, colour, sex, ethnicity, age, language, religion, political or other opinions, national or social origin, disability, property, birth or another status as explained by the human rights treaty bodies.



### Participation and inclusion

Every person and all peoples are entitled to active, free and meaningful participation in, contribution to, and enjoyment of civil, political, economic, social and cultural development, through which human rights and fundamental freedoms can be realised.

### Accountability and rule of law

States and other duty-bearers must comply with the legal norms and standards enshrined in human rights instruments. Where they fail to do so, aggrieved rights- holders are entitled to institute proceedings for appropriate redress before a competent court or other adjudicators, per the rules and procedures provided by law.

### **Why Child Rights Matter?**

Children and young people have the same general human rights as adults and also specific rights that recognize their special needs. Children are neither the property of their parents nor are they helpless objects of charity. They are human beings and are the subject of their rights.

There are many reasons for singling out children's rights in a separate human rights Convention:

#### Children are individuals

Children are neither the possessions of parents nor of the state, nor are they mere people-in-the-making; they have equal status as members of the human family.

#### Children start life as totally dependent beings

Children must rely on adults for the nurture and guidance they need to grow towards independence. Such nurture is ideally found in adults in children's families, but when primary adult caregivers cannot meet children's needs, it is up to the State as the primary duty bearer to find an alternative in the best interests of the child.



*Government policy impact children more strongly than any other group in society*

Practically every area of government policy – from education to public health – affects children to some degree. Short-sighted policymaking that fails to take children into account harms the future of all members of society.

*Children's views should be heard and considered in the political process*

Children generally do not vote and do not traditionally take part in political processes. Without special attention to the opinions of children – as expressed at home and in schools, in local communities and even in governments – children's views go unheard on the many important issues that affect them now or will affect them in the future.

*Changes in society might have a disproportionate and negative, impact on children*

Transformation of the family structure, globalization, climate change, digitalization, mass migration, shifting employment patterns and a shrinking social welfare net in many countries all have strong impacts on children. The impact of these changes can be particularly devastating in situations of armed conflict and other emergencies.

*The costs to society of failing its children are huge*

Social research findings show that children's earliest experiences significantly influence their future development. The course of their development determines their contribution, or cost, to society throughout their lives.

## Ethiopia at a glance

Ethiopia is a landlocked country in the Horn of Africa. Its neighbours are Eritrea, Djibouti, Kenya, and Somalia. Its population, currently at approximately 109.2 million, is continuously increasing. It is the most populated country in the Horn of Africa. Addis Ababa is the capital, located in the centre of the country. The country remains to have a relatively young population with 43.5 per cent under the age of 15 (2017). It is also home to a wide variety of ethnic groups composed with d of a mosaic of almost 100 different languages divided into four main groups.

Ethiopia is Africa's oldest independent country which has benefitted it in terms of the challenges it did not have to face regarding newly established independence. However, it has faced challenges such as civil conflicts and droughts in the 90s, and since greatly improved its economy. Also, due to the transition to democracy and years of civil war, regional disparities increased and led to insufficient resources and infrastructure which resulted in the unideal functioning of many social services.

The country's economy largely relies on agriculture, contributing to almost half of its GDP. Manufacturing and power sources are also major contributors to the country's economy. It is still greatly improving.



## **Status of Children and Children's Rights in Ethiopia**

The population of Ethiopia is mainly composed of children. The median age is only 17.9 years which is significantly low compared to the world. It is even predicted that by 2050, there will be 58 million children in Ethiopia which are 6 per cent of Africa's population.

In Ethiopia, 88 per cent of children, who are mostly concentrated in rural areas, live in multidimensional poverty lacking access to at least three of the fundamental needs such as adequate nutrition, education, health, and shelter. There are high disparities between rural and urban areas in terms of the prevalence of deprivations. Rampant poverty, which many children in Ethiopia face, obliges many parents to restrict their children from attending school for them to work full time and contribute financially to the family.

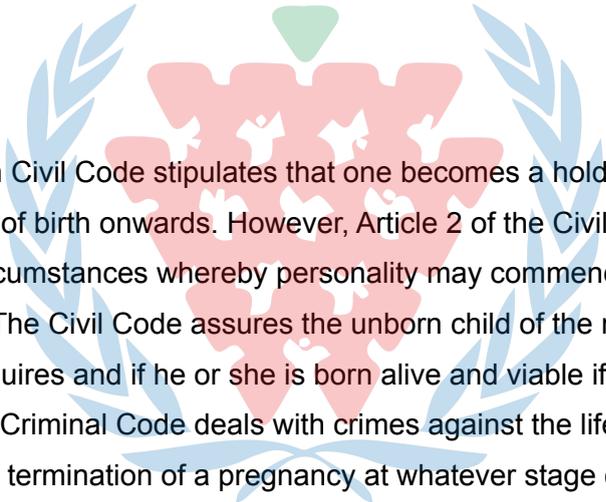
A study named SITAN, conducted in 2019 revealed that there was an improvement in the general conditions of children when compared to a decade ago. It is evident that child rights are gaining more recognition from the public and the government is working to improve it. However, since the adoption of the UN Convention on the Rights of the Child in 1991, few commitments have been made in favour of the rights and lives of children of Ethiopia.

Still, there are gaps and insufficiencies in policy frameworks, implementation of programs, and mindset that must be improved to correctly address the needs of the children in Ethiopia and provide them with an opportunity to benefit from all of their rights.



## **Definition of Childhood under Ethiopian Law**

The term “child” is not specifically defined under Ethiopian law. Instead, Ethiopian laws make use of such terms as “minors”, “infant”, “young workers” or “young persons”. Chapter Twelve of the Revised Family Code deals with minors. The Revised Family Code defines a “minor” as a person of either sex who has not attained the full age of eighteen years old. Based on the Revised Family Code and Family Codes adopted by the other Regional States in Ethiopia, it is possible to assert that the general age of the majority in the country is 18 years. Even though the Convention on the Rights of the Child sets 18 as the upper limit of childhood, it allows minimum ages to be set for different purposes. The different minimum ages set forth by a Member State need to strike a delicate balance between the evolving capacities of the child indicated in Article 5 of the Convention with that of the obligation of the State to provide special protection for children. Consequently, Ethiopian legislation has minimum ages defined under various laws regarding the protection of children.



Article 1 of the Ethiopian Civil Code stipulates that one becomes a holder of rights and duties from the moment of birth onwards. However, Article 2 of the Civil Code also provides exceptional circumstances whereby personality may commence from the moment of conception. The Civil Code assures the unborn child of the right to property if his or her interest so requires and if he or she is born alive and viable if the father dies intestate. Moreover, the Criminal Code deals with crimes against the life of the unborn or abortion. The intentional termination of a pregnancy at whatever stage or however affected is made punishable under the Criminal Code. Even though the Criminal Code provides various grounds based on which abortion is permitted, the practice is considered, in principle, an offence.

Minimum Protective Legal Ages Defined by Ethiopian Legislation		
	Boys	Girls
1. End of Compulsory Education	Not defined	Not defined
2. Marriage	18	18
3. Sexual Consent	18	18
4. Voluntary Enlistment in the Armed Forces	Fit and willing	Fit and willing
5. Conscription into the armed Forces	Fit and willing	Fit and willing
6. Participation in Hostilities	Fit and willing	Fit and willing
7. Admission to Employment	14	14
8. Criminal Responsibility	9	9
9. Deprivation of Liberty and Imprisonment	15	15
10. Capital Punishment	18	18
11. Giving Testimony in Court, in Civil and Criminal Proceedings	Not defined	Not defined
12. Lodging Complaints and Seeking redress before a Court or other relevant authority without parental consent	18	18
13. Legal and medical Counseling without parental consent	Not defined	Not defined
14. Medical Treatment or Surgery without Parental Consent	Not defined	Not defined
15. Participating in Administrative and Judicial Proceedings affecting the Child		
16. Giving consent to Change Identity, including change of name, modification, of family relations, adoption, and guardianship,	Not defined	Not defined
17. Having access to Information concerning the Biological Family	Not defined	Not defined
18. Legal capacity to Inherit and conduct property transactions	18	18
19. To Create or to join Association	14	14
20. Choosing a religion or attending religious school teachings	Not defined	Not defined
21. Consumption of Alcohol and other controlled substances	Not defined	Not defined

## **Children's Rights under Ethiopian National Policies**

Ethiopian government has adopted several major policies which aim at ensuring that children are given opportunities, services and facilities to develop in a healthy manner pointing out the measures and strategies for the realisation of the rights of children. These include the draft Comprehensive National Child Policy, National Policy on Ethiopian Women, the draft Social Protection Policy, National Youth Policy, the National Policy on HIV/AIDS and the National Population Policy. Ethiopia has developed a draft Comprehensive National Child Policy with due consideration of the principles and provisions of the CRC and ACRWC to guide the work of various actors dealing with children and also promote the rights of children. The policy emphasises three central strategies

- 1) development and growth,
- 2) prevention and protection, and 3) rehabilitation, care and support.

The draft Comprehensive National Child Policy is finalised to be presented to the parliament. The National Policy on Ethiopian Women adopted in 1993 aims at achieving de facto equality between men and women. It also sets out objectives for the realisation of the rights of women to participation, property and access to social services, and to be free from prejudiced stereotypes and harmful traditional practices.

The government of Ethiopia has formulated several policies with a focus on children. The draft Social Protection Policy, under active consideration, dwells upon the welfare and developmental needs of children and women. It touches upon varying child welfare issues including begging, prostitution and juvenile delinquency. The policy aims at addressing the welfare issues of vulnerable groups including children.

### **General Principles (African point of view)**

The Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child are anchored on the four general principles which are principles of fundamental importance for the implementation of the whole Convention. Therefore, principles of non-discrimination (Article 2), the best interests of the child (Article 3(1)), the right to life and maximum survival and development (Article 6) and respect for the views of the child (Article 12). These four principles have been identified as principles of general

application and cardinal importance for the interpretation of the provisions in these instruments by the Committee on the Rights of the Child.

### The Principle of Non-Discrimination

The Convention on the Rights of the Child requires States Parties to respect and ensure the rights enshrined in the Convention to each child without discrimination of any kind, irrespective of the child's or her parent's or legal guardian's race colour or, sex, language, religion, political or another opinion on, national, ethnic or social origin, property, disability, birth another status. In addition, States Parties are obliged to take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment based on the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members. The protection against discrimination is also affirmed under Article 3 of the African Charter on the Rights and welfare of the Child. Specifically, Article 26 of the African Children's Charter protectsst apartheid and discrimination on other various grounds.



### Affirmative Action

The principle of non-discrimination does not affect affirmative action i.e. the legitimate differentiation in the treatment of individual children. Affirmative action is beneficial for reducing and eradicating the immediate, root and underlying causes perpetuating discrimination. In particular, affirmative action proves to be necessary to ameliorate the conditions of children in especially difficult circumstances. Not all forms of differentiation constitute discrimination in particular if they are based on reasonable and objective grounds and aim to achieve legitimate purposes. Likewise, legitimate differentiation between children based on the concept of evolving capacities indicated in Article 5 of the Convention is not barred by the principle of non-discrimination.

Some of the situations to be addressed:

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Children in Situations of emergency

1. Refugee Children
2. Children in Armed Conflicts
3. Victims of Violence, neglect or exploitation
4. Children in Conflict with law

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Children in situations of exploitation

1. Child labour
2. Drug abuse
3. Sexual Exploitation of Children

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