

EXECUTIVE SUMMARY

The 2021 Ethiopian general elections were postponed multiple times due to COVID-19, insecurity and election management. The federal government and regional councils/governments were elected in June and September, with the Tigray region excluded. EWLA trained and deployed observers, but faced delays and insecurity. VAW during Elections is difficult to capture and report. These findings represent only a fraction of the incidents that occurred during the 2021 elections. The policy brief showcases different findings that were gathered during the sixth general election.

The active participation of women is crucial for the establishment of democracy in Ethiopia. However, there are significant gaps in the election process that prevent women from participating fully and equally as female voters, candidates, election officials, journalists, media institutions and citizens. Addressing these gaps and creating an environment that ensures safe and equal participation of women is essential. Violence Against Women (VAW) is a manifestation of unequal power relations between men and women in both private and public life. Violence Against Women in Elections (VAW-E) refers to gender-based election violence primarily directed towards women for their political aspiration, participation or commitment to vote.

INTRODUCTION

Ethiopian Women Lawyers' Association (EWLA) monitored Violence Against Women in Elections (VAW-E) during the 2021 National Elections in Ethiopia to promote women's full and equal participation. The 2021 Ethiopian general elections were initially scheduled for May 2020 but were held on June 21 and September 30, 2021. Violence Against Women (VAW) is a normalized practice in many countries and societies, making it difficult to report incidents of VAW, including during elections. EWLA's observations represent only a fraction of the VAW-E cases that might have happened in Ethiopia during the 2021 elections.

Major Findings

- VAW-E was prevalent during the 6th National and Regional elections; particularly, in the form of psychological violence.
- The national legal framework fails to provide comprehensive remedies in civil proceedings (e.g., rehabilitation); in addition to the criminal Code limitations with respect to VAW-E which starts from the lack of explicit recognition of VAW-E.
- The FDRE Criminal Code and Electoral-related laws somehow fail to consider the gender dimension of violence that occurs against women during elections.
- Different instances of women were underrepresented among the voter registration officials, Destruction of properties (campaign materials) of women candidates has been recorded, and attempts to buy votes of women voters or Potential women voters have been observed by EWLA observers.

Background

Both federal government and regional councils/governments were designated in the June and September 2021 ballots, with the Tigray region excluded from NEBE's electoral timetable due to the state of emergency in the region. For the June 21 elections, EWLA trained and deployed up to 140 Long Term Observers (LTOs) for pre-election observation and 130 monitors for Election Day observation. However, the long-term observation was limited due to delays in accreditation badges from the National Electoral Board of Ethiopia (NEBE) and insecurity in some constituencies that hindered EWLA's observers from moving freely around and conducting the observation as planned. For the September 30, 2021 elections in Somali and Harar regions, EWLA trained and deployed 26 observers.

Although VAW-E, as a form of VAW, is a well-established human rights violation, the national legal and policy framework of Ethiopia lacks comprehensiveness, adequacy and appropriateness to deal with each form of VAW-E (i.e., psychological, physical, sexual, economic and semiotic violence).

General Context

- VAW is “the manifestation of the historically unequal power relations between men and women in private and public life.”¹
- VAW-E is a form of Violence Against Women (VAW) that occurs during election process.

In the context of political and electoral violence, the term VAW is more appropriate than the broader area of GBV because GBV

includes violations that are not necessarily relevant in political and electoral cases (such as childhood sexual abuse).²

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Methodology

EWLA's methodology for implementing VAW-E observation involved multiple complementary activities, the recruitment, training and deployment of EWLA's long-term observers (LTOs) to be deployed months during the pre-election phase and short-term observers (STO) to be deployed on polling day throughout the country. EWLA designed a methodology that would allow it to be presented in all political administrative zones in the then 9 regions (except Tigray) and 2 administrative cities (Dire Dawa and Addis Ababa). Accordingly, based on the available information on a total of 89 existing administrative zones, EWLA recruited a total of 178 LTOs distributed in all 89 zones. The observers were expected to observe and report on women's inclusion and instances of Violence Against Women during the pre-election period. The same deployment strategy was applied for Election Day. EWLA LTOs were to conduct Election Day observation of VAW-E. In addition to conducting observations by different observers, EWLA had established a VAW-E hotline center in Addis Ababa, capital of Ethiopia, to receive and respond to calls of reports on VAW-E from all over Ethiopia for a period of 3 months that covered the

pre-election period, Election Day, and the immediate post-election period. The VAW-E hotline center was to be complemented by a developed VAW-E response protocol based on the output of the mapping exercise that would guide calls that were received on the VAW-E hotline and survivors would be referred to various services available on the ground. Finally, EWLA planned to conduct a desk analysis/assessment of existing legal and policy frameworks for enabling women's inclusion and participation in political and electoral processes, including preventing VAW-E.

EWLAs 2021 Election Observation of VAW-E

Most of these observers are its (EWLA's) community volunteer committees and community representatives from different regions to monitor the participation, inclusiveness and Violence Against Women during Election (VAW-E) in the upcoming Ethiopian election.

Long term observers (LTOs) submitted 341 completed checklists and filled out 100 critical incident forms from the polling stations; they visited as they witnessed or heard about the violations that had an impact on women's full and effective participation in the pre-election environment.

EWLA's Observation Findings

A) Pre-Election Phase

- Attempts to buy votes of women voters or potential women voters by political party members and local government representatives have been recorded.

- EWLA observers also witnessed and heard complaints from persons with disabilities about access to the election and/or mistreatments by election officials.

- During this phase, women were underrepresented among the voter registration officials. At a quarter of the voters' registration centers observed, all poll workers were men and almost half of the voter's registration centers had only 1 women member.

General pre-election environment

- Threatening or intimidating women was the most widespread violation reported during the pre-election environment.
- Sexual harassment and Physical assault on campaigning women have been observed by EWLA observers.
- Destruction of properties (campaign materials) of women candidates has been recorded.
- Cases of women being excluded from campaign events have been recorded.

A) Election Day Phase

- 83% of the polling stations visited had queues and out of which 74% were not separate queues for men and women voters, which increases the risk of potential sexual harassment for women. Accordingly, EWLA observers reported sexual harassment cases of women voters in queues.
- Women were underrepresented among the poll workers visited by EWLA, only 20% of the polling stations had women chairs.
- EWLA observers reported cases of Violence Against Women on Election Day which included: Physical violence, Sexual harassment and psychological violence.

- EWLA observers also reported women voters being assisted by election officials to vote when they did not appear in need of assistance.

RECOMMENDATION

Based on the VAW-E observation findings, EWLA makes the following policy recommendations to mitigate Violence Against Women. The recommendations are addressed to the House of People Representative (HOPR), the Council of Ministers and NEBE.

To the House of People's Representatives (Parliament):

- Define all forms of VAW-P and VAW-E.
- Advance criminal and civil sanctions on Violence Against Women in Elections.
- Demonstrate zero tolerance for Violence Against Women.

To the Council of Ministers:

- Encourage collaboration with NEBE to prosecute VAW-E crimes.
- Follow up on the adoption of strategies to fulfill the Ten-Years Development Plan.
- Monitor Violence against Women in Elections and Politics.
- Build law enforcement capacity to identify, investigate and prosecute VAW-E and VAW-P.

To NEBE:

- Strengthen internal codes of conduct and develop mechanisms to report on prohibiting Violence Against Women.
- Implement regulations prohibiting sexist, derogatory language.
- Develop a model protocol for political parties to address VAW-P and VAW-E.
- Support women's participation by introducing regulatory incentives.
- Enhance regulatory monitoring to ensure compliance throughout the election cycle.

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ABOUT ETHIOPIAN WOMEN LAWYERS ASSOCIATION (EWLA)

Ethiopian Women Lawyers Association was established at the federal level in 1995 by Women lawyers and re-registered as a Local Organization in accordance with the Civil Society Organization. It has been working for more than 25 years to promote women's social, economic, political and legal rights to help women exercise their constitutional and other rights.

The aim of the association is to promote equal participation of women in all sectors and to prevent sexual violence against women and create a safe environment for women through its three programs: Legal Research and Advocacy, Public Education and Capacity Building, and Free Legal Aid service.

The association is headquartered in Addis Ababa and has opened its regional offices in seven regions and one city administration namely Adama, Hawassa, Bahir Dar, Gambella, Asosa, Jigjiiga, Semera regions and city administration of Dire Dawa. In order to make the service accessible to all, the association is working to continue its service in the zones and woredas under its regional and city administration branches and has so far established 55 volunteer committee centers across the country. Besides, it has established a hotline service (7711) which operates in 3 local languages: Amharic, Afan Oromo and Tigrigna.

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POLICY BRIEF #2



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