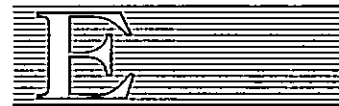


67073



Distr.: LIMITED
ECA/ACGD/SRDM/BPA/04/2
April 2004

UNITED NATIONS
ECONOMIC AND SOCIAL COUNCIL

Original: English

ECONOMIC COMMISSION FOR AFRICA
African Centre for Gender and Development

Subregional Decade Review Meeting
of the Beijing Platform for Action
April 2004

**An overview of achievements and challenges
in promoting gender equality and women's
empowerment in Africa since the adoption of
the Beijing Platform for Action in 1995
(Draft)**

Table of contents

1. Introduction	2
2. A Brief Global Scan of the Status of Implementation of BPFA	3
3. The Status of Women in Africa compared to the global context	6
4. Review of the commitments made by Africa	9
5. Where have things remained unchanged, or even deteriorated and why?	13
6. Women's human rights	
7. HIV/AIDS and its gender implications,	
i. Maternal mortality issues	13
ii. Trafficking of women and children	15
iii. Value is accorded to women's voices	16
iv. Trafficking of women and children	18
v. Value is accorded to women's voices	19
vi. What is the status of women's national machineries and to what extent are they empowered to do their work?	19
8. Conclusion: The Way Forward	21

An overview of *achievements and challenges* in promoting gender equality and women's empowerment in Africa since the adoption of the Beijing Platform for Action in 1995

1. Introduction

The Platform for Action (BPFA) and the Beijing Declaration that came out of the Fourth World Conference on Women held in Beijing, China in September 1995 have become the blue print for promoting gender equality and women's empowerment in the whole world. The first review of achievements made and the remaining and emerging challenges in the process of translating the promises and commitments made in Beijing was carried out in June 2000 through the Beijing Plus Five (United Nations General Assembly Special Session "Women 2000: Gender, Equality and Peace for the 21st Century") process.

The 23rd General Assembly Special Session adopted a political declaration and an outcome document on further actions and initiatives to implement the Beijing Declaration and Platform for Action. The Political Declaration reaffirmed the commitments of governments to the goals of the Beijing Declaration and Platform for Action and to the implementation of the twelve critical areas of concern. The Beijing Plus Five process also underlined the fact that governments have the primary responsibility for the full implementation of the BPFA. At General Assembly Special Session "Women 2000: Gender, Equality and Peace for the 21st Century, governments also agreed to regularly assess implementation of the BPFA with a view to bringing together all parties in 2005 to assess progress and consider new initiatives.

At the General Assembly Special Session "Women 2000: Gender, Equality and Peace for the 21st Century, some of the challenges affecting the full implementation of the Beijing Declaration and Platform for Action were identified as: globalisation, women's lack of access to science and technology especially information and communications technology, the changed patterns of migratory flows of labour, weak partnerships between governments and civil society, the changing demographic trends especially ageing, HIV/AIDS pandemic, growing drug and substance abuse, natural disasters, and the changing context of the gender relations and responsibilities of women. The Outcomes Document and the Political Declaration provided the international community with a further refinement of the blue-print for action. Other international processes, such as the Copenhagen Plus Five (Five Year Review of the World Summit for Social Development) and the Millennium Summit provided additional strong impetus for members of the international community to work together to identify the challenges which still remain to the fulfilment of basic rights for all, and to map out actions to address them.

In Africa, the international processes were paralleled and preceded by regional initiatives to make the review processes relevant to the needs and aspirations of the Continent. A review of the African Platform for Action (APFA), which was conducted in November 1999, resulted in the African Plan of Action (APA). In the current review of the implementation of the BPFA, the achievements and challenges are discussed in relation to the eleven critical areas of concern of the APFA, the twelve critical areas of concern in the BPFA, the emerging and crosscutting

issues identified in the Outcomes Document of the Beijing Plus Five process, as well as the challenges that were identified in the APA. This is essential if both Africa and the international community are going to be made accountable for the commitments and promises made in Dakar and Beijing.

2. A Brief Global Scan of the Status of Implementation of BPFA

The twelve critical areas of concern identified during the Beijing process have formed the basis of assessing the global status of women and the levels of gender equality. The general observations are that although there have been some improvements in the situation of women and the levels of gender equality since the adoption of the BPFA, a lot of challenges still exist. A brief assessment of the global status of women and levels of empowerment in relation to the twelve critical areas of concern outlined in the BPFA clearly indicates some of the remaining obstacles and challenges.

Women and Poverty: Although some progress has been made in recognising the gender dimensions of poverty and recognising that gender equality is essential for eradicating poverty, the trend towards the feminisation of poverty has continued. Women's lack of access to and control over productive resources relative to men, the unequal distribution of remunerated and unremunerated work, and lack of support for women's entrepreneurship are some of the major cause of the feminisation of poverty. At the time of the Beijing Conference, women owned less than one percent of the world's property. Progress made in some countries has been overshadowed by retrogression in others. The net effect is the continued feminisation of poverty especially in the developing world. Widespread poverty has also continued to affect other critical areas of concern such as health, education, participation in the economy, and the environment.

Education and training for women: In many countries education has been recognised as one of the most valuable means of achieving gender equality and empowering women. In the last decade, progress was made particularly in Africa to adopt new policies giving priority to girls' education, establishing universal free education in some countries, providing incentives such as reduced fees, free transport, meals and uniforms for girls who continue in school, removal of gender-biased educational materials, and giving dispensation to adolescent mothers to continue with their education. However, challenges to progress arise from lack of resources to undertake educational reforms, persistent gender stereotyping in educational materials, and insufficient attention paid to the link between occupational opportunities and women's enrolment in tertiary institutions.

Women and Health: In the last decade, a significant number of countries in the developing world have prioritised women's health as an area of concern. There is increased attention to the reproductive health of women, breast feeding, sexually transmitted diseases including HIV/AIDS, and increased awareness among men of their responsibilities in family planning. There is, however, a huge gap between the rich and poor countries in respect to infant and maternal mortality and morbidity rates, with developing countries having inadequate infrastructure and resources to provide sustainable health services.

Violence against women: Violence against women in both the public and the private sphere is now accepted as a human rights issue. The BPFA has managed to put violence against women on the agenda of many states and they have accepted the responsibility to prevent, investigate, punish and expose acts of violence and provide protection to the victims. Governments have recognised the impact of gender violence on development and have enacted laws to protect women and girls from domestic violence. Service provision to abused women and girls has also increased to include shelters, legal services, counselling and police units with special training. Civil society, especially non-governmental organisations, has played an important role in promoting awareness and providing support services to those affected by gender violence.

Women have, however, continued to be negatively affected by various forms of gender violence. Some of the challenges to the implementation of the strategies from the BPFA include inadequate understanding of the root causes of violence against women, lack of comprehensive programmes with the perpetrators, socio-cultural attitudes that encourage silence and inhibit coming out in the open leading to inadequate data on the extent of the problem, and economic inequalities that reinforce women's subordination. Women and girls have also become subjected to new forms of gender violence such as trafficking for economic and sexual exploitation. Prevention strategies remain fragmented, reactive and have not received adequate resources.

Women in Conflict Situations: There is a wide recognition of the destruction of armed conflict and its negative impact especially on women who suffer from abuse with impunity. The work of the International Tribunals for the former Yugoslavia and Rwanda has drawn attention to the human rights abuses associated with violence against women in armed conflict. The recognition (in the Rome Statutes of the International Criminal Court) of rape, sexual slavery, enforced prostitution forced pregnancy and enforced sterilisation as war crimes when committed in situations of armed conflict and as crimes against humanity under some defined circumstances is of historical significance in the struggle against the abuse of women in armed conflict. There is also widespread recognition that women and men are affected by wars and humanitarian emergencies in ways that are different and these differences need to be taken into account in designing and implementing intervention strategies.

Wars of aggression, armed conflicts, foreign occupation and terrorism have continued and are major challenges to the advancement of women. The targeting of civilians, especially women and children, and the recruitment of child soldiers in violation of international law have had particularly adverse impact on gender equality and women's human rights. Under-representation of women at all levels of decision-making in conflict resolution, peace-keeping, peace-building, post-conflict reconciliation and reconstruction has led to programmes that are insensitive to gender issues, waste of resources and exacerbation of situations of gender inequality. Excessive military expenditures have led to the allocation of funds away from socio-economic development that leads to gender equality.

Women in the Economy: Globally there is increased participation of women in the economy, with special measures and legislation being passed to make the labour policies compatible with international labour conventions. The need to reconcile family responsibilities, especially of

women, with employment responsibilities is now widely recognised, especially in industrialised economies. The participation of women in entrepreneurship has been supported through mobilisation, capacity building and establishment of funding mechanisms.

Remaining challenges to the achievement of gender equality, especially in developing countries include gender insensitivity in some macro-economic policies, the concentration of women in the informal, rural and subsistence economies, and low levels of income and job insecurity. Gender discrimination in hiring and promotion, sexual harassment at the work place, unequal access to and control over land and property, the disproportionate burden of care, and the lack of recognition of the value of unremunerated work persist in many developing countries.

Human Rights of Women: Steps have been taken in many countries to remove discrimination against women in the legal sphere, with gender sensitive constitutions creating enabling environments for enjoyment of women's human rights. Over 170 countries have ratified CEDAW. The Optional protocol to CEDAW that enables groups of women to submit complaints to the CEDAW Committee was adopted in December 2000. Civil society organisations have contributed to raising awareness of women on their rights.

Gender discrimination and other forms of discrimination such as racism, religious intolerance and xenophobia still threaten women's enjoyment of their rights. Rights of women in situations of armed conflict are particularly at risk of violation. The goal of universal ratification of CEDAW by the year 2000 has not been achieved, and there are many countries that entered reservations to the convention. Discriminatory legislation and harmful traditional and customary practices still persist. There are gaps between the enactment and the enforcement of legislation and this perpetuates inequality and discrimination against women. In many countries, women access to the law is limited by legal illiteracy, lack of resources, and gender insensitivity and gender bias of law enforcement agencies.

Women in the Media: media networks at national, regional and international levels have raised awareness of the disadvantage of women arising from biased media coverage and the negative depiction of women. Improved information and communication technologies (ICTs) have enabled an increasing number of women to contribute to and share knowledge.

The main challenges that prohibit women from exploiting the positive aspects of the media arise from poverty, lack of access to ICTs, illiteracy, and the poorly developed communication infrastructure in developing countries.

Women and the Environment: All over the world, there is widespread recognition of the link between environmental protection, gender equality, poverty reduction and sustainable development. Governments have involved women in environmental protection and management, and rural communities have generated much wanted income from environmental projects that utilise indigenous knowledge and practices that meet the practical needs of women and men. The participation of women in environmental protection and management is, however, hampered by limited participation in decision-making, limited access to technical skills and resources and gender insensitive environmental policies.

The Girl Child: Progress has been made in prioritising girls' education, especially at primary level. In many countries there is increased enrolment and retention, gender sensitive school environments and enhanced attendance of girls in science classes. Attention has been paid to the health needs of girl children, with countries introducing legislation banning traditional practices that are harmful to girls, trafficking and sexual abuse and exploitation.

Challenges that continue include the persistence of negative cultural attitudes and practices, child labour and the burden of domestic responsibilities on girls when compared to boys, inadequate nutrition and inadequate resources to pursue and complete their education. Girl children are particularly under threat from HIV/AIDS as a result of sexual abuse. Early pregnancies hinder girls from pursuing educational opportunities. There is insufficient attention paid to the reproductive health needs of adolescent girls and legal protection from sexual exploitation and abuse.

3. The Status of Women in Africa compared to the global context

An assessment of the situation on Africa shows that the status of women continues to present major challenges, characterised by poverty, lack of access to productive resources, violation of social, cultural and economic rights, inadequate access to social services and general marginalisation in terms of access to employment. Comparisons at the global level using the various indices, measures and indicators developed to facilitate monitoring of the implementation of the BPFA indicate that Africa still lags behind in many areas. Globalisation has reinforced the marginalisation of Africa, particularly in the areas of sustainable livelihoods, trade, property rights and patenting of resources and knowledge.

Despite the commitments and promises made and some progress made in implementing the BPFA, Africa continues to lag behind the rest of the world in most of the critical areas of concern of both the BPFA and the APFA. When compared to the rest of the world, the levels of poverty in Africa have been growing and the number of people living below the poverty line has continued to increase. In Africa, 340 million people, or half the population, live on less than US \$1 per day. The mortality rate of children under 5 years of age is 140 per 1000, and life expectancy at birth is only 54 years. Only 58 per cent of the population has access to safe water. The rate of illiteracy for people over 15 is 41 per cent. There are only 18 mainline telephones per 1000 people in Africa, compared with 146 for the world as a whole and 567 for high-income countries. The table below shows that, while percentages of persons living in poverty have been decreasing in some parts of the world, they have been increasing in sub-Saharan Africa.

Percentage of Population living on below \$1 per day

	1995	2001
Transition countries in Europe	1.2	3.8
Northern Africa	2.4	1.9
Sub-Saharan Africa	47.4	49.0

Latin America and the Caribbean	11.0	11.1
Eastern Asia and Oceania	32.9	17.8
South-central Asia	41.2	32.6
South-eastern Asia	23.6	11.0
Western Asia	2.2	7.5

Source: Adapted from the United Nations Department of Economic and Social Affairs: Statistics Division, 2003

In most countries of Africa, women constitute the majority of the poor, living in rural areas and largely confined to agricultural production for domestic consumption, with limited access to health and education. Women continue to carry increasingly large burdens of responsibility for providing food to their households but without access to or control over the necessary productive resources. They also have responsibility to care for their own and other orphaned children, the elderly and infirm and the sick. Poor women and orphaned children head many households. In Africa, the proportion of people living in poverty has far more women than men.

The proportion of women in permanent employment outside the agricultural sector is much lower in Africa than in other regions of the world.

The proportion of women in permanent wage employment in non-agricultural sectors

	Percentage	
	1995	2001
Developed regions	41.6	44.0
Transition economies	48.9	48.7
Sub-Saharan Africa	18.9	28.6
Middle East and North Africa	25.1	21.2
Latin America and the Caribbean	38.0	42.4
Asia and the Pacific	29.3	31.1

Source: United Nation Statistics Division – Millennium Indicators, Website <http://millenniumindicators.un.org>

In Africa, women and girl children constitute the majority of workers in the agricultural sector. As peasant producers, they have limited control over productive resources such as arable land, inputs and skills. Women are more likely than men to be employed as non-permanent seasonal workers, earning lower wages than men. Furthermore, although women bear the main responsibility for food security, they are almost always without the resources that they need to adequately perform this role. Women are also overburdened by multiple gender roles and are often forced by circumstances to seek income from some socially looked-down-upon activities such brewing illicit beer, engaging in commercial sex and accepting exploitative seasonal employment at wages that are far lower than those acceptable to men.

Another area where Africa has lagged behind the rest of the world is that of HIV and AIDS. The AIDS pandemic has caused untold suffering to large numbers of people, especially in sub-Saharan Africa and continues to threaten even larger numbers. According to UNAIDS, Africa is home to 70% of adults and 80% of children living with HIV in the world. The continent has buried three-quarters of the more than 20 million people who have died of AIDS world-wide.

Estimates from the agency show that close to 2.3 million people died of HIV-related illness in Africa in 2001.¹

Infection rates among women are the fastest growing. UNAIDS working with UNFPA and UNIFEM on the gendered effects of HIV and AIDS noted that in recent years, the rate of infection among women has accelerated faster than among men. The data available to these agencies led to the conclusion that if gender inequalities were not as pronounced, if women had greater control over their reproductive and sexual health, if women enjoyed greater access to economic opportunities and resources, and if more men were willing to take responsibility for preventing HIV transmission, the pandemic would not have been as devastating as it currently is.²

While the rates of infection are now decreasing in some African countries such as Uganda (8%), in countries of Southern Africa infection rates are growing. For example, Botswana is said to have the highest level of infection in the world at 35.8%, and other countries of Southern Africa that share borders with Botswana such as Zimbabwe and South Africa are not far behind. The HIV/AIDS pandemic presents a major challenge to the Southern Africa sub-region where 54% of the deaths related to HIV/AIDS are among women and girls, and where girls are infected at a much lower age than boys.³

Some progress has, however, been made in addressing some issues of concern to women in Africa, such as in the area of the participation of women in decision-making. While there are still huge gaps between women and men in terms of participation in decision-making, on some of the indicators, Africa has made more progress than other parts of the world. An example is in the number of women in Parliaments. Statistics derived from the United Nations Department of Economic and Social Affairs Statistics Division on the percentages of women in Parliaments in the various regions of the world, show that changes in the proportion of women in legislative bodies are greater in Africa than in the developed countries. As shown on the table below, there has been a steady increase in the percentage of women in Parliaments in sub-Saharan Africa from 9.2% in 1990 to 10.6% in 2002 and 13.2% in 2003. This upward movement can be compared to the changes in the proportions of women in Parliaments in the developed regions where there was a change from 16.2% in 1990 to 16.7% in 2002 and 18.6% in 2003. The changes in other parts of the world are also shown in the table below.

Percentage of Parliamentary Seats held by women in Different Regions⁴

	1990	2002	2003
Developed regions	16.2	16.7	18.6
Nordic countries	33.9	38.9	39.9
Countries in transition	24.8	9.5	12.5

¹ Kuadey, K, *The Politics of AIDS Drugs in Africa*, Articles and Papers on AIDS, Drugs and Care in Africa www.aidsandafrika.com

² Gender, HIV and Human Rights: A Training Manual, UNAIDS, UNFPA and UNIFEM, 2000

³ Jackson H, 2002, *AIDS: Africa, A Continent in Crisis*, *SAfAIDS*, Harare, pp 10 -15

⁴ Adapted from the United Nations Department of Economic and Social Affairs, Statistics Division – Millennium Indicators 2003, Website <http://millenniumindicators.un.org>

Developing regions	11.5	11.9	13.5
Northern Africa	2.6	3.3	6.7
Sub-Saharan Africa	9.2	10.6	13.2
Latin America and the Caribbean	11.9	15.2	17.7
Eastern Asia	20.2	19.9	20.2
South-central Asia	6.2	6.9	8.9
South-eastern Asia	10.4	14.6	15.0
Western Asia	10.1	5.3	5.6
Oceania	1.2	3.9	2.6

4. Review of the commitments made by Africa.

In relation to promoting and fostering gender equality within different policy frameworks at national, subregional, regional and global level, countries of Africa have registered some progress, but at the same time recognise challenges that need to be overcome. During the mid-decade reviews of November 1999 and June 2000, the majority of countries of Africa indicated that they had set aside resources for the implementation of the BPFA and had put in place plans of action to move this process forward. By 2000, they reported that they had registered some success in such areas as increased school enrolment for girls, wider areas of coverage of health services, wider coverage of awareness-raising campaigns and programmes with regard to women's human rights, establishment of micro-credit schemes, and expansion of adult literacy programmes⁵. At least 15 of the reporting countries had formulated comprehensive national gender policies to guide other sectors in incorporating gender concerns in their policies, plans, and programmes⁶.

At national level, countries of Africa had selected their own priorities from the critical areas of concern of the BPFA and the APFA. They also set up structures to monitor the implementation of the activities in the selected areas. Some African countries have made remarkable progress in the areas such as poverty reduction, protection of the human rights of women, gender responsive budgeting and eradication of violence against women. Achievements in these areas can be cited as best practices worth emulating.

In response to the dire situation of poverty in Africa, many countries of the continent selected this area as a priority. Between 1995 and 2000, forty-eight African countries had produced National Plans of Action for the implementation of the BPFA, and out of these, 43 selected poverty reduction among their national priorities⁷. At the Millennium Summit in September 2000, 189 governments, including all the 53 in Africa made a commitment to halving world poverty by 2015. Since women are the main actors in ensuring livelihoods among the poor, one of the key strategies of poverty reduction programmes should be achieving gender equality. Gender sensitive poverty reduction programmes have been implemented in many countries of

⁵ United Nations economic Commission for Africa, 2001, *5 years after Beijing: What efforts in favour of African women. Assessing Women and Education; Assessing Women and health*, Addis Ababa.

⁶ United Nations economic Commission for Africa, 2000, *African Plan of Action: Outcomes of the Sixth African Regional Conference on Women*, Addis Ababa

⁷ United Nations Economic Commission for Africa, 2001, *Op cit : Assessing Women and Poverty, and the Economic Empowerment of women*, Addis Ababa, p14

Africa with support from UNDP. Examples of inclusive and gender sensitive consultations in the development of the poverty alleviation plan in Tanzania and gender sensitive monitoring in Ghana have been cited as good practices in this area. The Ghanaian experience of collaboration between the National Women's Machinery, NGOs and the Ministries of Finance in monitoring the National Poverty Reduction Strategy has been observed to yield a gender sensitive monitoring mechanisms.

Another strategy for tackling poverty that has attracted attention is that of promoting gender-responsive budgets. The practice of applying gender analysis to national budgets has caught on in many countries of Africa. At present gender budgeting initiatives are taking place in many African countries such as Botswana, Malawi, Mauritius, Tanzania, South Africa, Mozambique, Rwanda and Uganda, Namibia, Nigeria, Swaziland, Zambia and Zimbabwe⁸.

In Africa, one area that has affected poverty eradication strategies is that of land tenure, especially the limited access to land by women who are the producers of food. The region faces numerous problems relating to land rights, including insecurity of the land rights of minority groups (Botswana, Malawi and Namibia, Central African Republic), unclear and overlapping land rights (South Africa, Zimbabwe), over crowding or high population to land ratio (Malawi, Lesotho), and insecurity of land tenure for farm workers (Zimbabwe, South Africa). Uganda has made an outstanding achievement by including in the Land Act a requirement for spousal consent on matters concerning matrimonial land.

Progress has been made in many countries in establishing national machineries that have the responsibility of monitoring and evaluating the implementation of the national plans of action for implementing the BPFA and APFA as well as assess the effectiveness of the national gender policies. These structures have continued to be strengthened in many countries, with gender focal points being established in all ministries. The setting up of the Gender Equality Commission in South Africa in 1996 was hailed as a good practice. Another recent example is that of Kenya where the National Commission on gender and Development Act was passed in 2003

The mid-decade review noted some challenges on the monitoring of the implementation of the BPFA and APFA commitments. In spite of the many efforts to mainstream gender into development planning and programming, the APA noted lack of co-ordinating machineries, lack of mechanisms for monitoring and evaluating the implementation of the PFAs, inadequate resources for implementing the commitments made, and lack of strategies and mechanisms for accelerating the integration of the gender approach into development policies, plans and programmes. These challenges have continued to hamper the implementation of the PFAs up to the present⁹.

Some initiatives taken at regional and subregional level to deal with the challenges of achieving gender equality in Africa are shining examples of inter-governmental efforts to promote gender sensitive development. Several collective decisions and actions taken by the African Union and sub-regional blocks such as the Southern Africa Development Community (SADC), Economic

⁸ Zimbabwe Women's Resource Centre and Network, *Gender Budget Watch*, March 2003, Harare

⁹ United nations Economic Commission for Africa, 2000, African Plan for Action

Community of West African States (ECOWAS) and the East Africa Community have indicated the desire to move towards gender balanced development.

In Southern Africa, the adoption of the SADC Declaration on Gender and Development in September 1997 was a milestone for the sub-region. It was adopted and signed by all heads of States, signifying commitment at the highest level to deal with the fundamental obstacles to full and equal participation of women and men in development. The Declaration recognised the disparities that exist between women and men, especially in the areas of power sharing and decision-making, legal rights and access and control over productive resources, and put in place policies and mechanisms for monitoring implementation. In February 1997, the Southern Africa sub-region had set up a policy and institutional framework responsible for monitoring the implementation of the gender balanced development in the region, in the form of the SADC Council of Ministers responsible for gender or women's affairs. The SADC Gender Unit was set up as the secretariat for this institutional mechanism. The Unit co-ordinated the monitoring of implementation of the SADC Gender Declaration and the four critical areas of concern of the BPFA that had been selected by the sub-region for collective strategising and action. The four were women and the economy, institutional mechanisms for the advancement of women, human rights of women and women in power and decision-making.

In the area of gender equality power-sharing and decision-making, the SADC Gender Unit worked together with SADC Parliamentary Forum to monitor the implementation of the commitments of made in the SADC Gender Declaration, and co-ordinate activities aimed at promoting the participation of women and engendering parliaments of the sub-region.

Some countries of the sub-region have made huge strides toward achieving the goals set in the SADC Gender Declaration, especially "*ensuring the equal representation of women and men in the decision-making of member states and SADC structures at all levels. And the achievement of at least thirty percent of women in political and decision-making structures by year 2005*". Among countries that have made significant increases in the proportion of women in decision-making in Southern Africa are South Africa (29.8%), Swaziland (30%), Mozambique (28.4%) and Seychelles (21.0%).

ECOWAS, with assistance from UNECA and UNIFEM is reorganising its regional gender policy. It has revamped its Gender Directorate and is profiling gender perspectives in the current Strategic Plan that was approved at a Stakeholders' Meeting in September 2003.¹⁰ The Gender Policy Framework and Programme aims at '*providing opportunities for women, men and the youth to engage in the formulation and implementation of sustainable socio-economic development solutions that eradicate poverty and promote good governance and the conditions of peace.*'¹¹

¹⁰ Commonwealth Secretariat, November 2003, *Building on Achievements: Report of the Secretary-General on the Implementation of the 1995 Commonwealth Plan of Action on Gender and Development and its Update (2000 - 2005)*, p 15.

¹¹ Quote from Dr Mahomed Ibn Chambas, Executive Secretary of ECOWAS, Abuja, 15 September 2003, in Ibid p15

A number of decisions taken by the African Union have given impetus to the drive towards gender equality in the region. The emphasis on gender balanced development and human rights in the Constitutive Act of the Union creates an enabling environment for advocacy for gender equality in Unions' policies and programmes. Recent decisions on gender balance among Commissioners in the African Union and the adoption of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa in July 2003 at the AU Summit in Maputo are milestones.

The adoption of Protocol on the Rights of Women in Africa has been hailed as a triumph and a good practice in advocacy by the women's lobby in Africa. Having originated from advocacy work of women's human rights NGOs in Africa, the Protocol went through a number of stages with some important changes. The final product is seen as a triumph for the women of Africa who have managed to lobby for a human rights instrument that is truly African, naming women's rights that had not been given the same amount of detail in any other international instrument, and giving African women a platform to claim their social, economic and cultural rights. While the challenges of ratification and implementation still have to be tackled, the adoption of the Protocol is the beginning of the process.

Programmes of the African Union such as the New Partnership for Africa's Development (NEPAD) and the Conference on Security, Stability and Development Co-operation in Africa (CSSDCA) have also provided an opportunity for advocacy on gender equality in Africa. NEPAD is a pledge by African leaders, based on a common vision and a firm and shared conviction, that they have a pressing duty to eradicate poverty and to place their countries, both individually and collectively, on a path of sustainable growth and development, and at the same time to participate actively in the world economy and body politic. The Programme is anchored on the determination of Africans to extricate themselves and the continent from the malaise of underdevelopment and exclusion in a globalising world.

NEPAD's vision is based on full participation of all stakeholders. It has, however, been criticised by the women's lobby in Africa for not systematically addressing the people-centred elements of development, especially relating to the critical issues of gender. There is a growing consensus that in order to eradicate poverty and ensure sustainable development, it is critical that women are empowered to contribute to achieve the objectives of NEPAD. This concerns arises from the observation that women's contribution to economic development in Africa, especially in their roles in the agriculture sector and household work, is not counted in the national income statistics. This widespread exclusion is a missed opportunity, in terms of sustained growth, to recognise the significant contribution of women, who in many African countries not only outnumber men but also are the backbone of livelihoods.

A Gender Focus Group on NEPAD formed by members of the women's movement in Africa has recommended that all chapters of the NEPAD document be revised to integrate systematically all gender concerns of direct relevance to the continent's economic and social development, particularly, the issue of marginalisation of women in economic, social and political decision-making of the continent. It further urges all countries to develop national policy frameworks and sectoral gender policies to facilitate full integration of gender issues in national, sub-regional and regional plans, programmes and policies. The NEPAD framework is

prompted to incorporate a gender component that focuses on developing and applying gender impact indicators to facilitate regular assessment of the progress made on the empowerment of women in Africa to enhance their contribution to economic and social development, and to ensure availability of adequate financial resources, as well as strong human and institutional capacities to implement gender policies at regional, sub-regional and national levels.

The Conference on Security, Stability and Development Co-operation in Africa in another programme of the African Union that focuses on peace and conflict resolution. Observations on women's participation in peace and conflict resolution indicate that the potential of women as peace-makers has not been fully realised or utilised.

In the area of conflict, several African countries are still at war. Over 2 million Africans have lost their lives in wars and conflict caused by political intolerance, many more are displaced as refugees, and the nature of conflicts has changed from inter-State to intra-State. Conflicts have left many affected countries deeply traumatised and have resulted in violent societies, especially towards women. Wars and conflicts in Africa have made communities, especially women, more vulnerable to HIV and AIDS, have increased the number of widows and orphans, and increased the feminisation of poverty. In addition, landmines and the illicit proliferation of small arms are a huge menace and threat to security and have killed and maimed thousands. Impunity and crimes against humanity, especially women, have gone unpunished. There has also been a tragic problem of thousands of child soldiers.

Whilst noting some successes in regional initiatives for peace and conflict resolution, some of the initiatives to bring about peace have lacked credibility and legitimacy and have amounted to a waste of resources. At the level of civil society, there has been a broad-based mobilisation of women for peace throughout the continent and at all levels. This has led to the creation of many national and regional networks on peace. Women, in collaboration with other allies, have been actively engaged in promoting a culture of peace dialogue, mediation, peace campaigns, peace education, art and poetry, seminars and conferences, and have demonstrated courage and fortitude under extremely difficult circumstances. Women have also initiated and organised peace processes and sustained a civil society voice. Examples can be found in Sierra Leone, Liberia, Somalia, Burundi, Rwanda and Sudan, among others. The establishment of the AWCPD by the Organisation of African Unity (now AU) and the ECA came out of the demands of women to participate in the peace processes on the continent and it is a testimony to the key contributions African women have made in conflict resolution, mediation and peace-building. Although women have taken on mediation roles during situations of conflict, decisions on on-going wars are made by male leaders, and peace missions continue to be male dominated while women continue to be absent from peace negotiating tables.

5. Where have things remained unchanged, or even deteriorated and why?

i. Women's human rights

In the area of women's legal and human rights, there has been some progress in passing laws that grant and support gender equality, especially within the family. Examples are found in

many African countries such as Namibia, South Africa and Morocco. Although laws have been enacted to support gender equality, within most African customs women continue to be regarded as minors under the guidance of their husbands, brothers and fathers. In some countries where progressive legislation has been passed, the executive and/or judiciary sustain rulings that discriminate against women. Even where constitutions, laws and the courts are progressive, societal attitudes and behaviours have remained unchanged.

A few African countries have not ratified UN Convention on the Elimination of All Forms Discrimination Against Women (CEDAW). Some still hold on to reservations that hit at the basic principles of the Convention such as non-discrimination against women and family laws. There have been positive developments such as the Optional Protocol to CEDAW, which for example now allows groups of people to lodge complaints, but only three African countries had ratified the protocol and 14 had signed as at November 2003.

The Protocol on Women's Rights to the African Charter on Human and People's Rights, which is progressive, far-reaching document was adopted at the AU Summit in July 2003. It is regrettable that the Protocol was not opened for signature at adoption as is the practice with similar regional instruments that have recently been adopted by the African Union. By the end of 2003, only two countries (Gambia and Ghana) had signed the Protocol. There is need for concerted advocacy for the ratification and implementation of the Protocol.

Violence against women in Africa continues to rise. Femicides, acid attacks, ritual murders, gang rapes, abduction, girl-child slavery, ritual rapes, military sexual slavery, cultism in tertiary institutions, trafficking in women and girls, ill treatment of widows all continue to occur. Women in Africa still remain vulnerable to harmful traditional practices and customs, many of which expose them to risk of HIV and AIDS which has devastated the continent. There are now universal standards which provide a framework for human rights, liberty and freedom, which African governments have made commitments to in many international conventions and agreements. There is, therefore, no excuse for the continued discrimination against women and violations of their human rights.

There has been some progress in getting Violence Against Women on agendas of some African governments. The Violence Against Women Addendum to the SADC Gender Declaration, which requires periodic reporting to the SADC Heads of State was in response to the high and growing incidence of violence against women and children in the Southern Africa sub-region. The sub-region has also identified the problem of gender violence as a regional critical area of concern.

A review of the implementation of the Addendum conducted in December 2000 revealed that there are now laws on violence against women in several countries such as South Africa, Namibia, Mauritius and Mozambique. Although the problem of violence within the family is coming out more for public scrutiny and attention, there still is a strong veil of silence that women and girls are socialised to maintain. This silence, together with the existence of multiple legal systems in most countries combine to create major obstacles to the holistic and comprehensive approaches to addressing the problem.

While some African countries have taken steps to address the problem of violence against women and children, measures taken are far from adequate. In most countries there are insufficient human and financial resources and services are not widespread enough to cover especially rural communities. There is limited capacity to implement and monitor the impact of the measures taken. Furthermore, communities are not sufficiently sensitised to the problem for them to monitor implementation of available measures.

For example, in the SADC region, some countries have taken a wide range of legal measures to prevent and eradicate violence against women and children. Analyses of actions taken indicate that countries have enacted new laws, perused and reinterpreted provisions of national constitutions, amended existing laws and, to a lesser extent, assessed and interrogated these measures for effectiveness. It was, however, noted that judicial systems in most countries abuse victims who venture to report incidences of violence against women and girls. There is a widespread view that women who are sexually abused or harassed call it upon themselves by the way they dress, or respond to the harassment.

Domestic violence is the most pervasive of all forms of gender violence. It broadly incorporates all abuses that take place within the confines of the family and the home, and includes: partner assault and battering; marital rape and rape of women and girl children by members of the nuclear or extended family; incest and child sexual abuse within the family; psychological abuse by intimate partners; economic abuse and abuse of widows by family members. Only a few countries have enacted legislation to deal specifically with domestic violence. The others have no legislation on domestic violence in particular, while some have draft Domestic Violence Bills that are still going through the process of becoming law.

Law, religion, custom and adverse economic conditions combine to make women vulnerable to Sexually Transmitted Infections (STIs) and HIV/AIDS especially coming from husbands and other male partners who have multiple sexual relationships. Marriage limits and sometimes denies the woman control over her reproductive rights.

The role of NGOs in combating violence against women is recognised, but in many countries they do not get financial support from governments. NGOs are often donor dependent, which threatens the viability and sustainability of their programmes. The BPFA provides many strategies for combating Violence Against Women and these have been used by African NGOs for advocacy, campaigns, shelters, legal aid, training and monitoring implementation of laws. Unfortunately, in some countries, there has been a backlash. Examples can be found in Zimbabwe where a high court ruling denied a woman the right to inherit because, according to culture, she is a perpetual minor or, at best, a 'junior male' and Nigeria where some States introduced Sharia laws.

ii. HIV/AIDS and its gender implications,

The HIV/AIDS pandemic has exacerbated the already vulnerable situation of women in Africa. The pandemic has affected women in many ways, such as an increase in infection and increase in the demands made on women as carers. Women have less control over their sexuality due to

poverty, and this makes them more vulnerable to HIV/AIDS infection. The decreased health spending by governments and the privatization of health services in many countries have negatively impacted on women's access to treatment and care. The HIV/AIDS tragedy is devastating the African continent, and women are the most extremely affected.

Because of the power relations between men and women, most women do not have power to negotiate for safer sex. Older men also have a tendency to sexually abuse young girls and infect them with HIV in the mistaken belief that sexual intercourse with the young girls will cleanse the men of the infection. Much greater proportions of young girls are infected with HIV than boys of similar age because of several factors, including gender violence that make the girls particularly vulnerable.

UNAIDS working with UNFPA and UNIFEM on the gendered effects of HIV and AIDS identified some of the features that have led to an accelerated rate of infection among women. These include pronounced gender inequalities in the accessing and enjoyment of human rights, women's lack of control over their reproductive and sexual health, women's limited access to economic opportunities and resources, and men's unwillingness to take responsibility for preventing HIV transmission.

Although some countries have effective awareness campaigns on prevention of HIV/AIDS, the pandemic has posed grave challenges to the implementation of the strategic objectives for promoting women's health as awareness campaigns failed to capture the gender aspects of the crisis.

iii. Maternal mortality issues

In October 2002, the World Health Organization released its estimates of the continued prevalence of maternal mortality. It estimated that 585,000 women die each year as result of pregnancy and childbirth world wide. Almost all of these deaths (99%) occur in developing countries, particularly Africa. For example, in the United States the risk of dying during childbirth was 1 in 2,500. In Sweden it reached an astounding low of 1 in 29,800, but in places like Afghanistan and Sierra Leone, the risk was 1 in 6, while in Angola, Malawi and Niger the risk was 1 in 7.¹² There is an urgent need to address the problem of maternal mortality with effective programs to reduce the unacceptable number of deaths that occur in the world's poorest countries. Studies have shown that since 1995, the rates of maternal mortality have been rising.

¹² UNICEF End of Decade Database: www.childinfo.org

WHO/UNICEF/UNFPA estimates of maternal mortality ratios, maternal deaths and lifetime risk for 1995

UNICEF region	Maternal mortality ratio (maternal deaths per 100,000 live births)	Number of maternal deaths	Lifetime risk of maternal death, 1 in:
Sub-Saharan Africa	1,100	252,000	13
<i>Eastern/Southern Africa</i>	<i>(1,200)</i>	<i>(133,000)</i>	<i>(12)</i>
<i>Western/Central Africa</i>	<i>(1,000)</i>	<i>(119,000)</i>	<i>(14)</i>
Middle East/North Africa	360	33,000	55
South Asia	430	155,000	54
East Asia/Pacific	140	49,000	283
Latin America/Caribbean	190	22,000	157
CEE/CIS and Baltic States	55	3,500	797
Developing countries	440	511,000	61
Least developed countries	1,000	230,000	16
Industrialized countries	12	1,200	4,085
World	400	515,000	75

Source: Maternal mortality in 1995: Estimates developed by WHO, UNICEF and UNFPA, Geneva, 2001.

Maternal deaths per 100,000 live births in 2002

World Average	400
Developed regions	20
Developing regions	440
Northern Africa	130
Sub-Saharan Africa	920

Latin America and the Caribbean	190
Eastern Asia	55
South-central Asia	520
South-eastern Asia	210
Western Asia	190
Oceania	240

Overall, African women have a one in 16 chance of dying in childbirth and pregnancy. UNICEF described the figures as "unacceptably high" and called for increased access to emergency obstetric care. Many women in Africa deliver their children alone or with untrained attendants. And for every woman who dies, approximately 30 more suffer injuries, infection and disabilities in pregnancy or childbirth. This means that at least 15 million women a year incur this type of damage. The cumulative total of those affected has been estimated at 300 million, or more than a quarter of adult women in the developing world.¹³

There is need to confront the issue of maternal mortality as a human rights issue. Since societies expect women to give birth in order to ensure the continuity of communities, societies and nations, there should be programmes to ensure the good health of women in the reproductive age group.

iv. Trafficking of women and children

Trafficking in women and children, especially girls, is one of the fastest growing areas of organised crime. Women and girls are increasingly being trafficked within and across borders and this is one of the most corrosive violations of women's human rights. In the process of being trafficked, women are subjected to gender violence, are humiliated and go through psychological and physical trauma, and could end up with HIV/AIDS. Denial of rights to liberty, freedom from violence and torture, the right to health and care, education and employment, to a home and family are the main characteristics of trafficking. It has been described as a modern form of slavery.¹⁴ The trafficked women end up engaging in prostitution and other forms of commercialised sex, forced marriages and forced labour.

Trafficking in women and girls is addressed in the BPFA under Strategic objective D3: *Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking*. Since 1995 some actions have been taken to address both the root causes and outcomes of trafficking in women and girls. Such measures were reaffirmed in the Beijing Plus Five Outcome Document. Governments were urged to devise, enforce and strengthen measures to combat trafficking through legislative measures, preventive campaigns, information exchange, assistance and protection for and reintegration of victims, and prosecution of all offenders including the intermediaries.

The Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organised

¹³ UNICEF Ibid

¹⁴ Expert Group on Trafficking in women and girls, 18 – 22 November 2002, Glen Cove, New York USA

Crime was adopted by the General Assembly on 15 November 2000. Its purposes are to prevent and combat trafficking in persons, paying particular attention to women and children; protect and assist victims of trafficking with full respect of their human rights; and promote international co-operation to meet these objectives.

The United Nations Division on the Advancement of Women, working together with the UN Office on Drugs and Crime organised an expert group meeting on trafficking in women and girls in November 2002 to discuss and contribute to the understanding of the problem. The key strategies for combating trafficking identified at this meeting include prevention measures (such as economic empowerment, education for livelihood and resilience, capacity building for safe migration, awareness raising and training, and special procedures to prevent trafficking), victim support measures (including referral systems, services to victims and procedures for identification and treatment of victims based of international human rights standards) and legal measures.¹⁵

African countries such as Nigeria and Ghana have implemented some measures to combat trafficking and provide assistance to victims. In Nigeria, one programme of support was implemented in association with an Italian NGO. A film was made on trafficking showing the socio-cultural conditions in Nigeria that fuel trafficking and the hardships and abuse experienced in Italy. In Ghana, NGOs have implemented programmes to identify the trafficker, educate potential victims, provide information to raise awareness, and the reintegration of returned victims.

v. Value is accorded to women's voices

The marginalisation of women's voices in Africa and in many other parts of the developing world have led to a waste of time and resources as gender insensitive development plans have failed to achieve the expected results because they did not take into account the concerns of women.

vi. What is the status of women's national machineries and to what extent are they empowered to do their work?

Since the Beijing Conference, many structures have been set up at every level to promote gender equality. In Africa, governments have established different forms of national machineries such as government ministries divisions and departments, commissions and councils. But studies have shown that these structures do not have strong political support and are not located at the highest level. They tend not to have the technical capabilities to mainstream gender into all development plans and programmes and have inadequate resources.

Since 1995, some countries have strengthened the institutional mechanisms for mainstreaming gender into national development. Gender policies have been formulated and some national machineries have been up-graded. Focal points for monitoring gender mainstreaming have

¹⁵ Ibid p 11 - 17

been established in government ministries. However, challenges to the mainstreaming of gender into national development programmes continue to be the lack of effective monitoring mechanisms, absence of clear and measurable indicators for gender mainstreaming, and lack of resources to fully implement the plans. Gender policies also tend not to be integrated into the national development plans. This makes it difficult to monitor the implementation of the gender policy, and often the capacities of the monitoring mechanisms are not developed and no resources are set aside for monitoring.

The status of women's movement in Africa

Although women are not a homogeneous group, there is consensus that they have common issues and concerns that demand that they come together for collective campaigning. One major source of women's oppression is male dominance and supremacy. Because of patriarchy - a social system which is based on the beliefs of men's superiority over women and which gives men the major decision making power.- and the social institutions that support it, there has been a lot of resistance to the women's movement world-wide as women contest against all aspects this dominance.

In Africa, the women's movement has experienced a lot of ups and downs because of various challenges, which include social systems that give men rights over women's labour, women's bodies, women's child bearing and women's identity. The result has been cultural resistance, religious dominance and other societal attitudes of male dominance that are supported by powerful social institutions. The male-dominated political forces have also often usurped some of the concerns of women with the intention of watering them down and discrediting the main arguments on the issues.

A lot of the women's human rights issues that are raised by the women's movement in Africa are often discredited as being un-African and against 'our' culture. Attempts by the women's movement to be coherent have been hampered by divisions in the movement that are caused by forces opposed to the emancipation of women. Other social concerns such as race, class, religion and political affiliation divide and separate women.

Women have generally been socialised not to believe in themselves. Entrenched cultural beliefs and practices that institutionalised male superiority and dominance have also disempowered women. Although women are the majority of voters, they rarely vote other women into power. They rather vote for men who traditionally have been the rulers and decision-makers. The few women who have got into positions of power are usually perceived to have got there at the mercy and support of men. Affirmative action programmes have reinforced this view. Due to the acceptance of male patterns of cut-throat competition, the few women who are in positions of decision-making would rather not have other competent women competing with them. All these challenges have led to the evolution of a relatively weak women's movement in Africa.

Despite all these challenges and obstacles, the women's movement in Africa has made some significant gains. The women's movement has demonstrated that women's common concerns

and grievances need collective action not only of women, but of both women and men. Women have strategised collectively to raise their concerns at the highest levels. Collective action that achieved results can be exemplified by the lobby for the Protocol on the Rights of Women in Africa, advocacy for the adoption of the SADC Gender Declaration, collective action for the inclusion of women in conflict resolution and peace processes and activities of women in some countries that have led to changes in discriminatory laws. The movement has, however tended to be issue based. Its momentum has also been weakened by its dependency on donor support.

6. Conclusion: The Way Forward.

The available opportunities: In the context of the current situation in Africa where priorities have been reduced to mere (political, economic, social) survival, strategies for accomplishing commitments made to women by governments in the APFA and BPFA have to be reconsidered. Clear distinctions have to be made between the integrated strategies for achieving gender equality in socio-economic and political areas and issue-based coalitions. Gender mainstreaming and the empowerment of women are the twin strategies that can be derived from the APFA and BPFA. They have to be reinforced by clear demands for developing clear indicators for monitoring progress, adequate and well-capacitated monitoring mechanisms and accountability.

The women's movement should be strengthened and made sustainable through the efforts of African women themselves. The women movement has to be made sustainable and not to continue to be dependent on and driven by non-African players such as external activists and donors.

There is now widespread recognition that gender equality is necessary for development. The difference that has been noted to occur in households when females are educated, have access to good health and have decent incomes convince even the most ardent critics that partnerships between women and men is the power base for gender equality. The active involvement of civil society in the achievement of gender equality has to be recognised as both a strategy and a goal of sustainable development.

From such success stories such as the acceptance of gender balanced policies as demonstrated by the appointments of Commissioners in the African Union, the women's movement can derive courage and conviction that gender equality is now more acceptable, both as a strategy and an outcome of development. There is, however, need to learn lessons and build on these successes rather than become complacent.

References

Jackson H, 2002, *AIDS: Africa, A Continent in Crisis*, SAsAIDS, Harare,

Kuadey, K, The Politics of AIDS Drugs in Africa, Articles and Papers on AIDS, Drugs and Care in Africa www.aidsandafrika.com

UNAIDS, UNFPA and UNIFEM, 2000, Gender, HIV and Human Rights: A Training Manual, New York

United Nation Department of Economic and Social Affairs, Statistics Division – Millennium Indicators 2003, Website <http://millenniumindicators.un.org>

United Nations Economic Commission for Africa, 2001, *5 years after Beijing: What efforts in favour of African women. Assessing Women and Education; Assessing Women and health*, Addis Ababa.

United Nations economic Commission for Africa, 2000, African Plan of Action: Outcomes of the Sixth African Regional Conference on Women, Addis Ababa

United nations Economic Commission for Africa, 2001, : Assessing Women and Poverty, and the Economic Empowerment of women, Addis Ababa,

United nations Economic Commission for Africa, 2000; African Plan for Action

Commonwealth Secretariat, November 2003, *Building on Achievements: Report of the Secretary-General on the Implementation of the 1995 Commonwealth Plan of Action on Gender and Development and its Update (2000 – 2005)*, p 15.

Quote from Dr Mahomed Ibn Chambas, Executive Secretary of ECOWAS, Abuja, 15 September 2003, in Ibid p15

UNICEF End of Decade Database: www.childinfo.org

Expert Group on Trafficking in women and girls, 18 – 22 November 2002, Glen Cove, New York USA

Zimbabwe Women's Resource Centre and Network, *Gender Budget Watch*, March 2003, Harare