

**A Fifteen-Year Review of the Implementation of the
Beijing Platform for Action in Africa (BPfA) +15
From 1995–2009**

**Main Report
(Draft)**

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Acronyms

ACHPR	African Charter on the Human and People's Rights
ADF VI	Sixth Africa Development Forum
AIDS	Acquired Immune Deficiency Syndrome
ART	Antiretroviral therapy
AU	African Union
BPfA	Beijing Platform for Action
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CSO	Civil Society Organisation
CSW	Commission on the Status of Women
CWD	Committee on Women and Development
ECA	United Nations Economic Commission for Africa
ECOWAS	Economic Community of West African States
FGM	Female Genital Mutilation
GBV	Gender Based Violence
HBC	Home based care
HIPC	Highly Indebted Poor Countries
HIV	Human Immunodeficiency Virus
HR	Human Rights
ICPD	International Conference on Population and Development
ICTs	Information and Communication Technologies
ILO	International Labour Organisation
MDG	Millennium Development Goal
NDP	National Development Plan
NDS	National Development Strategy
NEPAD	New Partnership for Africa's Development
NGO	Non-governmental organisation
NGP	National Gender Policy
PMTCT	
PoA	Programme of Action
PRSP	Poverty Reduction Strategy Paper
REC	Regional Economic Community
SADC	Southern African Development Community
SCR	Security Council Resolution
SDGEA	Solemn Declaration on Gender Equality in Africa
SG	UN Secretary General
STI	Sexually Transmitted Infections
STIs	Sexually Transmitted Infections
UN	United Nations
SCR	United Nations Security Council

VAW Violence Against Women

Executive Summary

Introduction

The accountability process of the Beijing Platform for Action (BPfA) developed and agreed upon in 1995 requires that Member States of the United Nations meet on a five-yearly basis to review implementation of the Platform for Action with a view to fine tuning and remapping such progress in line with existing global and local situations. Such reviews take place at both global and regional levels respectively. Since the World Conference on Women in 1995 therefore, stakeholders have met on two occasions at these two levels (regional and global) in 1999/2000 (Beijing + 5) and in 2004/2005 (Beijing +10) in fulfilment of this review process. In line with this sequence, the next major review process will take place in 2010 (Beijing +15) to review progress made in the achievement of gender equality, development and peace.

As a prelude to this global event, the Africa regional review of Beijing +15 will take place in Banjul, The Gambia in November 2009 to undertake a specific examination of progress made in the continent since 1995 but more specifically within the time frame of 2005-2009. This regional review process will focus in general on the 12 thematic areas around which the BPfA revolves and more specifically on the key outcomes of the 1999 and 2004 regional review process of Dakar and Abuja respectively.

Context and linkages

The BPfA and reviews consequent to it are not isolated commitments and events. By virtue of their focus on gender, equality and development they are linked and associated intrinsically to a number of other developments and initiatives.

Of first mention is the 1994 International Conference on Population and Development Programme of Action (PoA), agreed upon in Cairo in 1994, together with its subsequent reviews of 1999 (ICPD +5), 2004 (ICPD +10) and 2009 (ICPD +15). It is expected that the issues and concerns of the ICPD +15 outcomes would feed into and shape those of Beijing +15. A key outcome of the former process was the need for African governments to invest more in the reproductive and health and rights of women, with emphasis on the reduction of maternal mortality, the gendered impacts of HIV/AIDS and improving the economic and political status of African women.

Other global, regional and sub regional processes also occupy central place to the Africa Beijing +15 review. At global level, the Millennium Declaration and the targets set under the Millennium Development Goals (MDGs, 2000); UN Security Council Resolutions 1325, 1820 and 1888 which relate to women, peace and security, World Summits on the Information

Society (2003 and 2005); the UN Secretary-General's Study on Violence Against Women (2006), and the launch of the related global campaign.

At regional level, account is to be taken of the 2003 Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (the African Women's Protocol); the 2009 Gender Policy of the African Union (AU); the AU Solemn Declaration on Gender Equality (2004); and the Africa-wide campaign to end violence against women, an outcome of the African Development Forum (ADF, 2008). At sub regional levels, the Southern African Development Community (SADC) adopted a Protocol on gender equality, while ECOWAS has instituted a gender policy to guide its Member States in gender mainstreaming in policy design and implementation. Regional Economic Communities are complementing these global and regional frameworks at sub-regional levels by integrating various resolutions and commitments into their policies and Programmes of Action.

The review methodology

The United Nations General Assembly mandated UN Regional Commissions, including the ECA, to follow-up on the implementation of the BPfA within their respective regions at its twenty-third special session of June 2000. Regional Commissions have consequently carried out reviews and appraisal of progress in the implementation of the BPfA of 1995 in collaboration with the Division for the Advancement of Women.

This review of the region's performance is based on responses by Member States to two sets of questionnaires prepared by the ECA and the DAW and administered by ECA. They both sought qualitative and quantitative data and information spanning a period of five years (2004-2009) on key elements of expected achievements under each of the critical areas of concern from Member States. A total of 41 countries (representing 77% out of the 53 member States) responded to both the ECA and DAW questionnaires.

Major achievements and challenges

Women and Poverty

Achievements

All countries place poverty reduction high on their respective agenda's and continue to heighten their actions and policies to address it through a wide range of strategies, among them being Poverty Reduction Strategy Papers (PRSPs). Some countries have initiated new programming processes to integrate gender budgeting or to mainstream gender in the Poverty Reduction Strategies and to set up mechanisms of measuring gender equality and analyzing existing projects and activities. A number of countries are being guided by long term developmental goals in their quest to eradicate poverty. Twenty (20) countries indicate that they have reallocated public spending in favour of programmes and projects aimed at empowering women. Social protection and security systems are expanding in a number of countries, covering special

programmes for unemployed women, micro finance schemes and pension schemes for older women.

Challenges

The global economic downturn will have a significant impact on women as more of them lose jobs and are forced to manage shrinking household incomes. By arresting capital accumulation by women and drastically reducing African women's individual incomes, women are being crippled in their quest to contribute effectively to the household economy. While micro-finance is useful for addressing immediate household needs, it does not lead to transformative women's economic empowerment. Additionally, small-scale women's businesses tend to be focused on traditional jobs such as embroidery, sewing and the sale of food items, with limited opportunities for expansion; The impact of the PRSPs and other development plans to reduce women's poverty calls for careful scrutiny, as there is limited evidence to demonstrate that they have resulted in curbing poverty among in Africa in a significant manner.

Education and training for women

Achievements

Education represents one of the successes of Africa, largely attributable to the institution of free and compulsory primary basic education by many governments. In nearly all reporting countries, Governments have made attempts to eliminate barriers that hinder boys and girls' access to education.

Challenges

Compared to the general impressive progress being made at primary level, a mixed picture is created with respect to the attainment of gender equality at secondary and tertiary levels at which it is observed that both males and females face obstacles in enrolment and retention. Although country reports indicate that gender disparities in enrolment and literacy are narrowing in every country, more remains to be done to ensure equality between the sexes in the sector. In many countries illiteracy rates among women remain high and disparities between men and women persist.

Women and Health

Achievements

Twenty-three (23) countries have designed and are implementing and monitoring gender-aware health programmes, including affordable sexual and reproductive health care services and education for women and girls, and increase resources for women's health. In all of these countries, health programmes have been designed, to include sexual and reproductive health care services and education for women and girls and increased resources for women's health. Such programmes include sexual and reproductive health components such as maternal health and safe motherhood, pre- and post natal care.

Twenty four (24) countries are taking measures to reduce maternal morbidity and mortality. They specifically deal with health impacts of unsafe abortions; ensure that girls have continuing access to necessary health and nutrition information and services, and address traditional practices that impact negatively on the health of women and girls. Countries are also working on improving upon the provision of infrastructure such as health facilities. Twenty one (21) countries possess institutional, legal and policy (one or more) frameworks to address HIV/AIDS and a substantial number have designed and are implementing programmes in favour of vulnerable groups such as children and people living with HIV/AIDS. In response to the shortage of medical personnel, three African countries: Tanzania, Mozambique and Malawi have initiated a capacity enhancement programme involving the use of Non-Physician Clinicians. These are health personnel who are trained to engage in health procedures which would normally be carried out by a qualified doctor (e.g. caesarian sections). An evaluation of the programme has demonstrated its cost-effectiveness, sustainability and therefore potential to increase maternal health services to women as such personnel tend to remain in their rural locations.

Challenges

Despite commitment to health and specific targeted action on reproductive health, maternal mortality in Africa remains the highest in the world; High levels of illiteracy resulting in inability to read and write hinder access to information and services related to sexual and reproductive health including HIV/AIDS awareness and prevention.

Violence Against Women

Achievements

An estimated 14 African countries are either in the process or have completed law reform processes in the domestic violence. Ghana, Uganda and South Africa have also enacted legislation to combat human trafficking. To tackle various forms of exploitation of children, some countries such as Ghana, South Africa and Tunisia have domesticated the provisions of the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. Penal legislation to address various forms of sexual offenses are also in place in a substantial number of countries. Twenty four (24) countries have also enacted legislation to combat FGM/C. Law enforcement agencies (police, immigration, social welfare departments, customs and the courts), national machineries for women constitute the main institutional arrangement for the combating and treatment of violence in countries, while some such as Ghana, Lesotho, Mozambique, Namibia, South Africa, Swaziland and United Republic of Tanzania have created specialised institutions in place to ensure that victims of abuse receive holistic services.

A number of countries have national plans and programmes in place to build the capacity of law enforcement agencies and some have conducted research into various exploitation issues such as trafficking and prostitution. An estimated 20 countries have undertaken initiatives to involve men and boys in their efforts to combat domestic violence.

Challenges

In most countries, domestic violence is still regarded by society as a whole, as well as by enforcement agencies, as a private concern and attitudes of both men and women to the criminality of domestic violence could be impeding prosecution for such acts. In addition, implementing institutions lack the requisite financial and human resources, to be able to execute their functions and programmes effectively, while some issues of violence such as sexual harassment suffer from limited visibility, reporting and prosecution, accentuated by a paucity of related research and data. It is as such rare to find sexual harassment cases that have been prosecuted.

Women and Armed Conflict

Achievements

There has been a significant increase in commitment to implement United Nations Security Council Resolution (UNSCR) 1325 in the last five years notably in countries experiencing conflict. Nine (9) countries (Chad, Congo, Cote d'Ivoire, Ghana, Malawi, Mali, Namibia, United Republic of Tanzania, Uganda and Zimbabwe) are implementing the provisions of UNSC Resolution 1325, while three (Côte d'Ivoire, Liberia and Uganda) have Action Plans in place to operationalize the Resolution. Eleven (11) countries indicate that they are training women in conflict resolution, reconciliation and tolerance. Some have introduced a training module on human rights and peaceful resolution of conflicts into university curricula. Trainings of several stakeholders (medical, legal, police and soldiers) have been organized in some. Six (6) countries indicate that they investigate and punish policy, security and armed forces involved in acts of violence and exploitation, while seven (7) demonstrate that they have mechanisms in place for the protection, safety and integrity of women refugees.

Challenges

Gender-based violence remains one of the most pernicious consequences of armed conflict. Despite progress, obstacles to strengthening women's participation in conflict prevention, conflict resolution and peace-building remain. The threat of post-conflict violence remains one of the most persistent obstacles to women's full and equal participation in post-conflict peace-building and reconciliation as cessation of hostilities do not guarantee an end to violence.

Women and the Economy

Achievements

Twenty one (21) countries have enacted laws to guarantee equal access to employment opportunities and social protection benefits. Most countries stress that the right to equal access to employment opportunities and social protection benefits are guaranteed by the principle of equality between women and men entrenched in their constitutions and labour laws. During the

review period, some countries adopted measures to ensure compliance of these legal provisions and/or improve the protection of women's rights. All reporting countries have registered an increase in women's economic participation either in the formal or informal market, as employees or employers. Eighteen (18) countries are building capacity in gender-sensitive economic analysis. The period under review has witnessed innovative steps being taken to integrate gender perspectives into economic policy making. Reports show attention being given to analysis of national budgets to ensure that public resources support and promote gender equality and women's empowerment. A total number of 50 African countries have ratified Conventions 100 and 111, while only Mali is on record to have ratified the Maternity Convention (183). A substantial number of ratifying countries have undertaken partial or full domestication of these Conventions. Legal frameworks generally cover non-discrimination with respect to employment opportunities, recruitment, and remuneration, strike and union rights, and compensation. Lack of ratification of ILO Convention 183 notwithstanding, laws and policies on maternity protection are in place in most countries.

Challenges

Data gaps in critical areas with respect to women's contributions in the economy affect effective planning, monitoring and evaluation of the gendered impacts of economic and social policies. The persistency of customary views of the extent to which women can access productive resources, particularly land, remains a barrier to their effective access, control and utilization for productive purposes. Although Convention 100 has been ratified without reservations by many countries, its effective implementation is facing many hurdles. Country studies show that wage discrimination against women persist, with major constraints to effective implementation identified as being the lack of financial and qualified human resources and the non-existence of national classification system of work categories. Other obstacles to ensuring equal remuneration for women and men are gender gaps in professional skills, educational attainment and occupational segregation, with a predominance of women in seasonal employment.

Women, governance, power and decision making

Achievements

Democratic and constitutional reforms throughout Africa have guaranteed equal opportunities for women and men to participate at all levels of political process, including election to the highest office. Since the ICPD PoA in 1994, Africa has recorded increasing election of women to high political and administrative offices; today Africa has woman one Head of State, and a few Vice-Presidents. Country reports indicate that, there has been a steady increase in women's political participation and representation in key decision making organs in almost all African countries. Affirmative action has been used to promote women's participation in politics at all levels.

Challenges

There are indications that fewer women than men are presented for electoral processes in situations where political parties do not have gender-sensitive policies especially in nominating candidates for elections; some electoral systems do not support the election of women, especially in societies where strong gender biases against women occupying decision-making positions persist. It has further been demonstrated that the murky nature of the political terrain, characterized often by cut-throat and “dirty linen” attacks on political figures, tend to stifle women’s effective participation. Politics is an expensive process often times requiring substantial financial and human outlays which women tend not to have. Women often have less time than men to devote to the networking required to build a political career due to their family and care responsibilities.

Challenges

Despite progress being made in the appointment of women to traditionally male-dominated areas, Ministries headed by women when compared to men remains the same (social sector) and political parties continue to operate gender-biased appointment policies and procedures which tend to focus more on ethnic, geographical and political leanings rather than gender.

Institutional mechanisms for the advancement of women

Achievements

Twenty seven (27) responding countries indicate that they have institutional mechanisms for the advancement of women in place. Twenty three (23) countries have undertaken appropriate sub-regional level policy or strategy and actions taken at country level. The majority of countries have either fulfilled or are in the process of fulfilling the basic requirement of having guidelines in place for mainstreaming gender. In some countries, governments have created an enabling environment for specific government sectors to develop their own policies. The presence of national machineries and Gender Focal Points in almost all countries is an indication of commitment to sector gender mainstreaming.

Challenges

Although most countries have established gender machineries in compliance with international obligations, they have largely been “ineffective” due to limitations in human and financial resources to enable them implement their mandates. Persons who are appointed as gender focal persons tend to play other routine functions and therefore neglect their gender mainstreaming tasks which they consider as secondary. Other challenges associated with implementation of this indicator include the tendency to select personnel from lower ranks, the lack of or inadequate systems of accountability and reporting, lack of political will to implement gender mainstreaming and a general lack of knowledge and understanding of gender concepts and gender mainstreaming in most departments and across all levels. The naming and placing of national machineries can also be significant. Some are aligned to under-funded sectors, such as Family, Youth or Social Development, an indication that gender

issues have yet to be given primary consideration in their own right. Many machineries also lack clear focus and possess broad or ambiguous mandates and low funding levels.

Human Rights of Women

Achievements

Twelve (12) countries have reported on schedule to the Committee on CEDAW and a substantial number indicate the participation of civil society in the preparation of reports. A total of 27 countries indicate that they have undertaken additional work on CEDAW implementation since the 2004 evaluation. Many of these have related to the enactment of legislation to reflect CEDAW and other treaty-related provisions. Other country efforts since 2004 include measures to accelerate implementation of Affirmative Action to enhance participation of women in decision making. Twenty six (26) countries indicate that they have embodied the principle of the equality of men and women in country legislation and strengthened programmes to protect the human rights of women. Eighteen (18) countries have developed and are implementing dissemination activities in respect of various human rights instruments.

Challenges

While several examples of reviews of discriminatory legislation are taking place throughout the region in an effort to eliminate discriminatory laws, enforcement remains the most serious problem facing African women notably in the area of family law. The challenge of operation of mixed legal traditions affects the effective implementation of treaty obligations and implementation of women's rights is being hampered by persisting negative attitudes and perceptions of society towards gender equality and women's empowerment.

Women and the media

Achievements

Thirteen (13) countries have conducted research into women's access to and their role in the media. The same number of countries report on efforts to engender media at policy and practice levels; as well as eradicating all forms of gender stereotyping in the media to convey dignified images of women. Some research activities are being spearheaded by national institutions. Fifteen (15) countries have adopted strategies or policies to enhance women's role in media and several have implementing strategies and plans of action in place, while the same number indicate that they support and recognise women's media networks in addition to the development of professional guidelines and codes of conduct for media. Five (5) countries (Burkina Faso, Ghana, Malawi, Mali and Tanzania) have plans in place to implement the provisions of the World Summit on the Information Society. In some countries, women are accessing ICT for the promotion of their economic and social activities.

Challenges

There is a continued projection of negative and degrading images of women in media communications-electronic, print, visual and audio. Print and electronic media in most countries do not provide a balanced picture of women's diverse lives and their contributions to society in a changing world. Violent and degrading or pornographic media products are also negatively affecting women and their participation in society. Programming that reinforces women's traditional roles can be equally limiting. The world-wide trend towards consumerism has created a climate in which advertisements and commercial messages often portray women primarily as liabilities as opposed to being development assets.

Women and the Environment

Achievements

Seventy one per cent (71%) of countries have taken measures to integrate gender perspectives into the design and implementation of environmental policies. Gender is mainstreamed into these programmes and important dimensions such as reforestation, new appropriate technologies are being operationalised. In addition to those countries, others are integrating gender into their environmental policies by devoting special chapters to women. Sixty-eight percent of countries have been implementing plans and strategies towards improving basic services of all, especially in poor and rural zones. In this respect, sanitation, water supply, health services as well as generating income services are encouraged even though they are not necessarily focussed on women as a special group. Gender issues are taken into account in policies, plans, programmes and projects related to protection of environment in some countries. Nineteen (19) countries are providing technical assistance to women to increase production in various fields with a view to ensuring sound environmental practices.

Challenges

Women remain largely absent at all levels of policy formulation and decision-making in natural resource and environmental management, conservation, protection and rehabilitation, and their experience and skills in advocacy for and monitoring of proper natural resource management too often remain marginalized in policy-making and decision-making bodies, as well as in educational institutions and environment-related agencies at the managerial level. Women are rarely trained as professional natural resource managers with policy-making capacities, such as land-use planners, agriculturalists, foresters, marine scientists and environmental lawyers. African women are very vulnerable, and are most likely to be disproportionately affected by the adverse impacts of climate change because they constitute the majority of poor people. Their traditional roles as the primary users and managers of natural resources, primary caregivers, and labourers engaged in unpaid labour, and dependent on livelihoods and resources place them most at risk by climate change.

The Girl Child

Achievements

All African countries with the exception of Somalia have ratified the Convention on the Rights of the Child (CRC) and an estimated 73% of ratifying countries have integrated the Convention into domestic law through legislative and constitutional reforms. Some countries have adopted comprehensive Codes on Children, with a special emphasis on the status of the child as a subject than an object of human rights. All legislative enactments contain clauses on non-discrimination, which seek to enhance the well-being of the girl child. An estimated 65% of countries report that they have eliminated injustice related to inheritance by girl children. As part of the efforts deployed to reduce gender based violence, all countries adopted laws protecting children from violence in general. In this respect, an estimated 88% of countries have enacted and are enforcing legislation to protect girls from violence such as sexual exploitation, and harmful traditional practices.

Eighty Two percent of the countries are also implementing setcoral plans, strategies and programmes targeting children in education, health, protection and juvenile justice administration. An estimated 65% of the countries indicate that they are engaged in ongoing research on the situation of girls. Encouraging efforts have been exerted in developing school curricula, teaching materials and text books to improve the self-image, lives and work opportunities of girls.

Challenges

The economic crisis is causing both male and female youth to engage in business ventures which distract them from attending school. Religious and cultural practices such as early marriages, female genital mutilation, unfair distribution of property of the deceased continue to promote violation of girl child rights. Affirmative action policies are not being strictly implemented and resources are not adequate to monitor compliance.

Areas of renewed commitment

Country progress reports indicate that the twelve critical areas of concern remain relevant to meeting global, regional and sub regional targets aimed at improving the social, cultural, economic and political status of women and girls. In the wake of global conditions such as the economic recession, continued conflict and the new aid environment, renewed measures are required to accelerate implementation. The highlights are as follows:

Women and Poverty

1. The potential of the poor, particularly women, should be recognized. Such disadvantaged groups should be regarded resources and not barriers to economic growth;

2. Undertake and implement MDG-responsive development planning with the active involvement of civil society, in line with the United Nations 2005 MDG evaluation outcomes; and
3. Recognise women's non-market work and advocate for the appreciation and valuing of women's non-market work by engendering national accounts and budgets.

Education and Training for Women

1. Ensure the progression of girls and boys from primary to secondary school levels this can be done by further subsidizing secondary and technical education;
2. Ensure that education matches and is more relevant to the employment conditions of African countries, with the objective that the dividends of education will be realized within shorter periods;
3. Put interventions in place to maximize retention and reverse high rate of drop outs among both girls and boys. This should include the design of girl-friendly initiatives such as the construction of separate toilet facilities, the availability of water in schools, the institution of school feeding programmes; cash transfer programmes (social protection) for poor parents and the training of more female teachers;
4. Reform education to better serve poverty eradication goals especially as education systems are gatekeepers of privilege and opportunity, and therefore need to respond to societal needs;
5. Strengthen participation of civil society organisations in making and implementing policies is essential to build the broad-based support needed for success, and to hold officials and elected representatives responsible for delivering on policy commitments; and
6. Develop and implement accessible community based adult literacy interventions in response to the high illiteracy levels among adult women.

Women and Health

1. Develop strategies to address current high levels of maternal mortality through improved *equity in access and service delivery*, especially with respect to emergency obstetric care;
2. In line with the Maputo Plan of Action, compile and disseminate data on the magnitude and consequences of unsafe abortions, enact and disseminate policies and laws to protect women and adolescents; and provide clear instructions, guidelines and appropriate training to service providers in the provision of comprehensive abortion care services;
3. Address *health financing* as an important catalyst of MDG short, medium and long term implementation within the context of the Maputo Plan of Action and ICPD +15 outcomes; and
4. Address the impact that the shortage of medical staff is having on African health delivery systems, especially at the rural level.
5. Strengthen monitoring and evaluation systems to capture the diversity of women and girls by developing gender-sensitive indicators and collecting sex-and age-

- disaggregated data to better understand the differential impact of HIV on women, girls, men and boys and take appropriate action;
6. Strengthen the prevention of mother-to-child transmission of HIV/AIDS within the framework of maternal and child health care programmes; and
 7. Integrate HIV/AIDS concerns into all reproductive health programmes, with a view to taking account of the gender dimensions of the pandemic, such as the need to increase the use of contraceptives across the sexes.

Violence Against Women

1. Institute measures to prevent violence from occurring and protect victims;
2. *Enhance the capacity* of enforcement agencies responsible for the protection of women and children by providing adequate training on existing laws and policies, and the equipment and mechanisms for effective record keeping;
3. Ensure that awareness-raising on women's rights includes messages that work to reverse the *culture of silence* surrounding violence, in addition to its treatment as a private issue, and the *impunity* with which violence is perpetuated;
4. Work to sustain successful prosecutions of perpetrators and protection of victims of trafficking;
5. Document, disseminate information about and replicate best practices taking place in some countries in the establishment of *specialized institutions* (e.g. police stations, courts and shelters for victims) for the protection and rehabilitation of victims;
6. Implement the Africa Wide Campaign on VAW recommended at the Sixth Africa Development Forum (ADF VI) on Action on Gender Equality, Women's Empowerment and Ending Violence against Women; and
7. Work to ensure that regional, sub regional and inter-country approaches to trafficking are adopted by countries by advocating for and entering into bilateral and multi-lateral protocols of co-operation to strengthen and under-score enforcement regimes.

Women and armed conflict

1. Create awareness about Resolution 1325 at the national level beyond countries in conflict or those emerging out of conflict and put in place plans of action to effectively implement Security council resolution 1325;
2. Place responsibility for implementation of Resolution 1325 in the line Ministry responsible for gender in addition to other Ministries such as Defense, Justice, Home Affairs and others;
3. Provide compensation and psycho-social support to women survivors of sexual crimes;
4. Build and reinforce capacities of women at all levels to effectively participate in peace-making, peacekeeping and peace building/post-conflict reconstruction programmes;
5. Ensure that States parties include women in the designing, planning, implementation and monitoring of peace and security programmes at local, national and regional levels and develop mechanisms to hold State accountable for these measures;

6. Operationalize all the mechanisms in the African peace and security architecture so that they function effectively and include women in all conflict prevention, management and resolution process; and
7. Organize the Dialogue for Peace in Africa to strategise on a lobby for - among other issues - the restricted sales and ban on dumping arms into African countries by weapon manufacturing industries as recommended by the 7th African Regional Conference on Women (Beijing + 10).

Women and the economy

1. Review existing legal frameworks protecting women's access to land with the view to removing discriminatory provisions, which work against their interests;
2. In collaboration with traditional and religious authorities and women's groups, embark upon a comprehensive review of customary and religious norms which serve as barriers to women's equal rights to land;
3. Encourage and provide support to CSOs to increase their assistance to women to seek redress against discrimination in access and control over land and sensitise judges on emerging issues affecting women's land rights; and
4. Design and implement effective linkages with local universities to develop appropriate local technologies that would accelerate the reduction of drudgeries associated with household food processing and transportation of heavy loads by women.

Women in power and decision making

1. Recognise gender equality in political participation as a democratic right and integral to good governance;
2. Increase commitment and action towards the AU Solemn Declaration on Gender Equality (2004) and the African Charter on Democracy, Elections and Governance (2007) which call for gender balance and equality in governance processes;
3. Concretise commitment to affirmative action (CEDAW, Article 4); breaking of gender stereotyping in appointment processes, especially as they relate to positions which are traditionally dominated by men at political party, executive, ministerial, judicial and civil society levels; continuous capacity building programmes for prospective women candidates; public education and sensitization against stereotyping of women's roles in society; and
4. Greater emphasis should be given to supporting an increase in local level participation for women, given that the majority of women are located in rural areas;
5. Develop and implement capacity building programmes to support women aspirants and potential candidates.

Institutional mechanisms for the advancement of women

1. Ensure that responsibility for the advancement of women is vested in the highest possible level of government; in many cases, this could be at the level of a Cabinet Minister;

2. Based on a strong political commitment, create national machineries where they do not exist, and strengthen, as appropriate, existing national machineries, for the advancement of women at the highest possible level of government;
3. Machineries should have clearly defined mandates and authority; critical elements would be adequate resources and the ability and competence to influence policy and formulate and review legislation; among other things, they should perform policy analysis, undertake advocacy, communication, coordination and monitoring of implementation;
4. Establish procedures to allow machineries to gather information on government-wide policy issues at an early stage and continuously use it in the policy development and review process within the Government;
5. Report, on a regular basis, to legislative bodies on the progress of efforts, as appropriate, to mainstream gender concerns, taking into account the implementation of the Platform for Action; and
6. Encourage and promote the active involvement of the broad and diverse range of institutional actors in the public, private and voluntary sectors to work for equality between women and men.

Human rights of women

1. Ratify the OP-CEDAW and African Women's Protocol as a matter of urgent priority for the Governments that have not done so to date;
2. Include in policies and plans specific issues affecting African women as highlighted in *CEDAW* and its *Optional Protocol*, and the *African Women's Protocol* ;
3. Review and reform customary and religious laws in collaboration with stakeholders, such as traditional and religious authorities, to ensure their progressive conformity and harmony with local legislation and international treaties and ensure implementation and enforcement;
4. Give visible attention to the African Women's Protocol as the reference point for the implementation of the gendered aspects of other regional African initiatives, such as NEPAD, by setting high standards of reporting and monitoring of commitments on its provisions;
5. Integrate rights-based approaches in all interventions affecting women and affirm women as holders of rights and consequently equipping them with the tools with which to enforce them; and
6. Integrate Human Rights Education into school curricular at the basic level of education and ensure that it fully mainstreamed into inductions and orientations at higher levels of education.

Women and the media

1. Raise awareness of the importance of giving women access to ICT at both rural and urban levels. This should be based on and backed by appropriate policies, laws, pilot schemes involving the promotion of ICT products such as the use of mobile phones and the internet for productive activities;

2. Put in place policies to address women in the media; and
3. Ensure equal representation of women in decision making positions in all media houses.

Women and the environment

1. Ensure effective women's and gender experts participations in climate change planning and decision-making process as well as in the formulation and implementation of policies and programmes at regional, national and local levels;
2. Ensure gender sensitive checklists and tools are used for researches and evaluations on environmental issues;
3. Ensure provision of timely and updated information and adequate services and resources to women to enable them to make timely decisions and take appropriate actions, including taking effective adaptation measures;
4. Continuous training on integration of gender issues in environment policy formulation, program design are critical for enhancing the knowledge and skill of concerned staff in various institutions;
5. Undertake in collaboration with traditional and religious authorities and women's groups, a comprehensive review of customary and religious norms which serve as barriers to women's equal rights to land; and
6. Move the discourse from the private sphere of family and marriage to the public domain of human rights.

The girl child

1. Review discriminatory religious, cultural and traditional practices which are inimical to the development of the girl child;
2. Strengthen programs and projects which focus on education, health, children's rights and ending violence against women and girls;
3. Strengthen and expand the efforts deployed by different stakeholders in providing various support and services to disabled girls; and
4. Ensure active community involvement in the implementation of the different laws and legislations enacted for advancement of the girl child and the protection of children rights and ensure enforcement of these laws.

Section I: Introduction

At the Fourth World Conference on Women in Beijing (September 1995), the Declaration and Platform for Action was adopted by participating Governments, with the objective of advancing the goals of equality, development and peace for all women everywhere in the interest of all humanity. Five years after the Beijing Declaration, a consensus was reached in New York at the Millennium Summit (2000) that the eradication of human poverty requires fundamental change of development strategies. The Millennium Declaration (2000) reviewed and reiterated the human rights clauses of the UN agreements since 1990, and identified, with focus on Africa and other poor regions of the world, eight quantifiable, time-bound goals (MDGs), that could accelerate development and eradicate poverty. Two of the eight MDGs are directly related to women: MDG 2 is set to achieve universal primary education; its target is to ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling; MDG 3 is set to promote gender equality and empowerment of women; its target is to eliminate gender disparity in primary and secondary education preferably by 2005 and to all levels of education no later than 2015. Also at the global level, the United Nations Security Council (UNSC) adopted Resolution 1820 in 2009 to strengthen the implementation of UNSC Resolution 1325 (2000) which calls on Member States to address issues of gender, peace and security.

At regional level, the AU put in place a Gender Policy in 2009 (REV 2/Feb 10, 2009) with the aim of strengthening gender policy design and implementation at national level and to ensure harmonised delivery for accelerated implementation of gender equality commitments. The AU summit of January 2009 declared an African Decade on Gender to commence from 2010. At the sub-regional level, Regional Economic Communities (RECs) have complemented the global and regional frameworks by integrating various resolutions and commitments into their policies and programmes of action. As a case in point, the Southern African Development Community (SADC) adopted a Protocol on Gender Equality (2008), while ECOWAS has put in place a gender policy to guide its member States in accelerating delivery.

The Beijing Declaration called for commitments at the highest political level for implementing the the Platform for Action and urged Governments to take the leading role in coordinating, monitoring and assessing progress in the advancement of women. Since then, under the auspices of the United Nations Economic Commission for Africa (UNECA), Governments have undertaken periodic reviews of progress; namely in 1999 (Beijing+5), in 2004 (Beijing+10) and the current exercise in 2009 (Beijing+15).

The 1999 (Beijing +5), African national progress reports showed Governments' preoccupation with putting in place national action plans reflecting intentions to redress gender imbalances in line with the BPfA. At the time, many countries also placed emphasis on the fight against poverty within the context of more than half of the population in Africa living below the poverty line and women constituting the bulk. However, this did not yield concrete results as demonstrated by the continued increase in the number of people affected by poverty.

The Beijing + 10 (2004) regional review noted that significant steps had been taken to put policies and legislation in place to achieve gender equality. This was especially noted in the promotion and protection of the human rights of women where emphasis was placed on defining legal and policy frameworks. By this time the AU had adopted the Protocol on the African Charter on the Human and People's Rights (ACHPR) on the rights of Women in Africa (2003), which brought to the fore, issues of Harmful Traditional Practices, including Female Genital Mutilation (FGM/C).

Nevertheless, improvements were evident in the provision of basic education in many countries. Countries reported increased gross and net enrolment ratios for both boys and girls, while others had reached almost 100% enrolment for boys and girls. Public awareness on STIs and HIV and AIDS in Africa grew as a result of advocacy by governments, parliaments, public sector, development partners and Civil Society Organizations (CSOs). Several countries had significantly increased the level of women's representation in parliament, with one country (Rwanda), reaching an impressive 49% and others (e.g. South Africa and Mozambique) over 30%. It was however noted overall that commitments had not translated into significant change in the lives of women.

In March 2010, Governments will assemble in New York to review progress made in implementing the Beijing Platform for Action (BPfA), 15 years following its adoption in 1995. In this context, Africa supported by the United Nations Economic Commission for Africa (ECA), is reviewing its performance in delivering the outcomes agreed upon in 2004 in Addis Ababa at the 7th Africa Regional Conference on Women (Beijing +10). During this review meeting, Member States "renewed commitment to gender equality, equity and empowerment of women and suggested concrete steps to address the gaps between commitment and implementation."¹ African Ministers in charge of gender and women's affairs together with other world Governments further reconfirmed and recognized the importance of the Beijing Declaration and the Platform for Action at the Forty-ninth session of the Commission on the Status of Women (CSW) in New York in 2005, with emphasis on its effective implementation.²

This Beijing +15 review takes place against a backdrop of frameworks put in place to accelerate implementation of commitments to gender equality, equity and empowerment of women. The current review covers the extent to which countries have met their commitments to implementing the BPfA, within the specific context of the twelve critical areas of concern, in addition to status of regional performance of MDG and the International Conference on Population and Development (ICPD) Programme of Action (PoA) +15 commitments. The analysis captures main achievements, obstacles and recommended actions for each area of concern and in the process highlight both collective and individual country experiences.

¹ Seventh Africa Regional Conference on Women *Outcome and Way Forward* (2004)

² Forty-ninth session of the Commission on the Status of Women CSW, UN, 2005

The ICPD +15 Africa regional review of October 2009 noted that overall, progress in implementing both the ICPD PoA and the MDGs in most African countries has been unequal, and generally slow. Considerable efforts have been made in the formulation of national policies and the adoption of continental, as well as global conventions and agreements in virtually all areas of population, poverty reduction and sustainable development, complemented by national programmes. However, the extent of this work in integrated population and development planning is rather limited. Indeed, only a few countries have taken steps to develop Action Plans to implement their population policies. Taken together, there appears to be a wide gap between population and development programming and implementation. To a large extent this explains the rather slow progress made by most African countries in implementing the ICPD PoA and the MDGs.

Accelerating efforts for meeting the ICPD goals would require addressing the challenges within socioeconomic context of each nation. In this respect, the following recommendations are made for the acceleration of efforts for the achievement of the ICPD goals, as well as other development frameworks including the MDGs:

Poverty, Population and Sustainable Development

- a) Accelerate efforts to promote peace and good governance and to resolve conflicts on the continent;
- b) Support strategies for addressing wide spread poverty especially in rural areas and among vulnerable groups;
- c) Put measures in place to address the shortage of critical human resource sectors that are key to the achievement of ICPD goals and the MDGs;

Reproductive Rights and Reproductive Health

- a) Adequately skilled personnel and resources should be available to provide quality integrated services, including emergency obstetric services, STIs treatment and family planning in all communities;
- b) Address adequately sexual and reproductive health needs of men, and design interventions for the enhanced participation in the provision of RH and family planning information and service;
- c) Strengthen partnerships and efforts for the accelerated reduction of maternal morbidity and mortality;

Gender Equality, Equity and Empowerment of Women

- a) Strengthen the implementation/enforcement of policies, laws and programmes that address gender equality, equity and the empowerment of women including those related to the implementation of Beijing Platform of Action, CEDAW and elimination of violence against women;
- b) Strengthen institutional capacities for the systematic and consistent mainstreaming and implementation of gender concerns into policies, laws, programmes, budgets and plans;
- c) Take necessary measures and programmes to address the gender dimension of HIV and AIDS and related reproductive health problems;

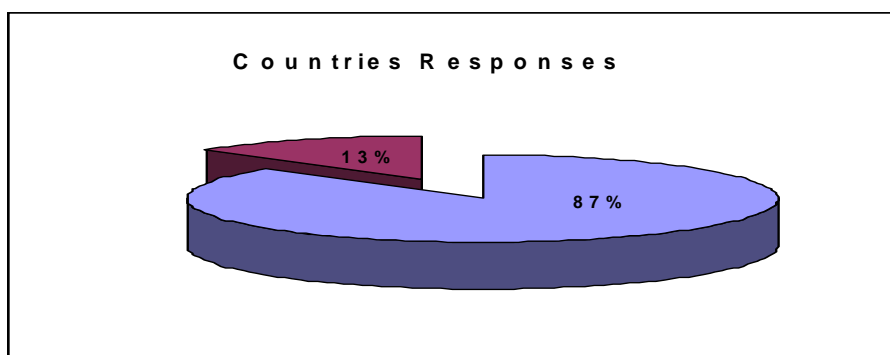
The review methodology

The United Nations General Assembly mandated UN Regional Commissions, including the ECA, to follow-up on the implementation of the BPfA within their respective regions at its twenty-third special session of June 2000. Regional Commissions subsequently carried out reviews and appraisal of progress in the implementation of the Beijing Declaration and Platform for Action adopted during the Fourth World Conference on Women (Beijing, 1995). Regional Commissions were mandated to collaborate with the Division for the Advancement of Women (DAW) of the Department of Economic and Social Affairs in this process.

At a recent meeting of the Committee on Women and Development (CWD) in August 2008, the process for the Africa review of the implementation of the Platform was presented by the ECA to Member States, who subsequently adopted the methodology with suggested amendments. This review of the region's performance is based on responses by Member States to two sets of questionnaires prepared by the ECA and the DAW and administered by ECA. They both sought qualitative and quantitative data and information spanning a period of five years (2004-2009) on key elements of expected achievements under each of the critical areas of concern from Member States.³ It appraisal takes account of previous reviews and their recommendations for action (mainly +10) in addition to the outcomes of the recently held *ICPD +15 review of October 2009* (ECA, 2009 a.) in addition to the recently published *African Women's Report, 2009* (ECA, 2009 b.).

Out of the 53 member States, 46 countries responded, representing 87% of all countries (figure 1.1)

Figure 1.1



³ As previously noted however, the review is also influenced by the outcomes of the recently held *ICPD +15 review of October 2009* (ECA, 2009 a.) in addition to the recently published *African Women's Report, 2009* (ECA, 2009 b.).

In addition to the findings of the questionnaires, a variety of sources of information and statistics were drawn upon. They included State Party Report and consequent Conclusions and Recommendations of the treaty body the Committee on Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the Commission on the Status of Women; global and regional action plans; national reports to regional bodies and the outcomes of expert group meetings and other activities at regional level.

At country level, National Gender Machineries coordinated the completion of the questionnaires across sectors. A substantial number also provided supporting information, with a view to presenting a more comprehensive picture of the status of implementation of policies, programmes and legislation in the area of women's empowerment and advancement in their country.

The completed questionnaires were analysed and subsequently reduced into two separate reports, namely a *synthesis* regional report on Beijing + 15 which will form part of Africa's contribution to the global review and appraisal of the Beijing +15 in addition to this main report.

Section II:

Opportunities and Threats to Gender Equality in Africa

Introduction

Gender equality cannot be achieved in isolation. Its attainment is dependent upon prevailing national and global conditions. The period 2005-2009 has witnessed a worsening of the impact of the financial crisis and climate change on the world at large and Africa in particular. The essence of this section is to capture the essential global and national factors which are presently influencing the BPfA agenda.

Global conditions

The African Development Bank (2009:1) has established that African countries will be faced with four major shocks resulting from the financial crisis and global recession: They cover capital outflow risk, namely private capital reversal and amplified volatility of private capital flows with the resulting impact on the exchange rate and ability to finance the current account deficit; fiscal risk, arising from declining revenue (especially international trade taxes) as well as rising expenditure occasioned by the need to support financial institutions and to meet public debt service commitments; export risk, related to slowing demand and declining prices of export commodities and liquidity risks affecting the domestic banking sector and the government due to the weakening of global financial markets.

The gender specificities

The gender dimensions of the impact of the crisis may be appreciated from both *macro* and *micro* perspectives:

At macro level the impact is felt in terms of government revenue, foreign exchange depreciation and potential decreases in Official Development Assistance.

Reduced government revenues: Decreased exports due to fall in commodity prices and reduced demand for African exports leading to lower export revenues. The most affected commodities include crude oil; minerals such as copper; and agricultural products such as coffee, cotton and sugar. For example, in Burundi, coffee earnings fell by 36 per cent between October and November 2008 whilst in Angola, Cape Verde, Côte d'Ivoire, agricultural export earnings are expected to decline in 2009 when compared to 2008 (UNECA, 2009 c.). Many African countries are highly dependent on export revenue from agricultural, oil and minerals, reduced government revenues will result in government cutting back its budget. Such cutbacks are likely to affect more seriously government activities that have not consistently received enough attention such as those affecting gender inequality.

Depreciation in foreign exchange rates of many African countries: Significant depreciations over 2009 are expected in Ghana (21 per cent), Uganda (22 per cent), Democratic Republic of the Congo (23 per cent), South Africa (27 per cent), Nigeria (27 per cent), Zambia (43 per cent), the Comoros (45 per cent), and Seychelles (84 per cent) (UNECA, 2009). Exchange rate depreciation against the US dollar will impact result in increased costs of imported intermediate inputs, and food. This will impact on the attainment of MDG 1 which relates to reducing hunger and poverty.

Potential decrease in Official Development Assistance (ODA): This is needed for the financing of government programmes that is likely to impact social development programmes that are benefiting women.

At the micro level, major shocks are revealed in relation to reductions in remittances, loss of income due to loss of employment, rising food prices and reduced access to social services.

Reduced household income as a result of reduced remittance inflows: Remittance inflows to sub-Saharan Africa had increased from \$4.6 billion in 2000 to \$20 billion in 2008. Recent data released by the World Bank indicate that the financial crisis will reduce remittance inflows to sub-Saharan Africa by between \$1 billion and \$2 billion dollars in 2009 relative to 2008 (quoted in UNECA, 2009).

Loss of income due to loss of employment: The decreased demand for African export commodities has resulted in significant loss of jobs especially in mineral dependent countries. In Zambia for example, two major mines have closed operations while others have scaled down significantly due to declining demand for copper. This has resulted in the loss of many jobs. In DRC, where artisanal mining was commonly used as an anti-poverty measure; small scale miners have relapsed into poverty because of non-existent demand for their ores. In South Africa, the mining sector has experienced some job losses especially the platinum sector. The volume of rubber exports from Liberia declined from 135,000 tonnes in 2007 to 88,000 tonnes in 2008 and this decline was accompanied by loss of jobs.

Impact on rising food insecurity and poverty: The high cost of food due to the crisis is adversely affecting women and female-headed families more than other groups in society. Women are involved in all the three pillars of food security that include food production, food access and food utilization (IFPRI, 2005). Many studies have revealed that female- and child-headed families are often the poorest in Africa⁴. They have very little income and often do not own land and other assets. Consequently, when food becomes expensive, they fall deeper into poverty. The prices of basic commodities have shot up and have led to an increase in the gap between the rich and the poor, with social programmes including food security and school feeding programmes rapidly becoming a thing of the past and subsequently negatively

⁴ Review of the implementation of the Beijing Platform for Action concluded that the number of women living in poverty was increasing some African countries, especially where women headed families.

impacting on health and education sectors. Due to the lack of explicit subsidies on food and fuel and on price controls, the burden is being relegated to the population.

Women's agricultural activities are not supported by the much-needed equipment, affordable inputs, extension services, agro-processing and trade capabilities. The effects of climate change are also being felt through the declining of soil productivity and unreliable rainfall patterns. Despite the fact that market prices have declined, the production costs are still high thus pushing women further into the margins of poverty. All these exacerbate food shortages and higher prices. If African countries are forced to cut back or delay essential investments in infrastructure, agricultural development and green technologies, there will be long-term repercussions for poverty reduction, and food security. Women's role in securing food security will be affected most.

Impact of health access and quality: The financial crisis is having an adverse impact on women being able to afford health care. Poverty is a major determinant of the lack of access to health services. Increased poverty as a result of the crisis will result in reduced access to health by women. In the time of narrowing national budgets and reduced ODA due to the crisis, there is a risk that funding for family planning services, unwanted pregnancies and preventative care in general, may be discontinued. Maternal mortality remains unacceptably high in Sub Saharan Africa with an average MMR of 900 per 100 000 live births in 2005 (UN, 2008). The reduction in budgets for health that is likely to result from the crisis will make the MDG on maternal mortality more difficult to realize even though proven interventions exist.

Impact on HIV/AIDS treatment: Progress made on Anti-Retroviral (ARV) treatment will be potentially hampered by the crisis. As a result, women who form the majority of those living with HIV will be negatively impacted. The crisis would further make it difficult for women to afford the nutritious food required during treatment, thus weakening their immune systems further.

Impact on access to education: Cuts in social spending also tend to disproportionately affect women's and girls' access to education services. Girls may be withdrawn from schools to help with household work during times of economic crisis, reinforcing gender gaps in education. With acute food shortages, it is becoming difficult for children to go to school and concentrate on learning and thus performances could be adversely affected. Though it must be appreciated that a number of countries have made efforts in the provision of free primary education, the crisis has now made it impossible the advancement of girls into secondary and tertiary institutions that are costly. Fears have been raised that the crisis could lead to girls being given up for early marriage in sacrifice of their education in order for the family to meet their own most basic of needs: food. Unless efforts are made to avoid cuts in social spending, the present crisis will generate similar effects.

Impact on employment: A number of western-affiliated companies (e.g. those involved in mining) are cutting down on the number of employees. The higher cost of production in

comparison to commodity prices has also forced industries to downsize. This has led to a steep reduction in household-level incomes. With men being forced out of employment, women are left with the burden of fending for the entire family on their own. Women, who had managed to get employed, are more likely to work in casual and temporary employment and earn lower wages than their male counterparts. With less job security women are more vulnerable during economic downturns as they are often the first to get laid off as they are mostly less skilled than their male counterparts. For example, the African textile industry where 90 percent of jobs in the sector are taken up by low-skilled and low-educated women is among those that were particularly affected by the economic downturn. Yet the loss of women's income may be more damaging than a similar loss in men's income for the welfare of poor households including in terms of long-term effects because rigorous studies in developing countries including African countries unequivocally show that children's welfare (nutritional status, schooling attendance) in poor households improves more when income is in women's hands rather than in men's (Buvinic, 2009). Many women are also engaged in artisanal mining. The fall of mineral prices due to the decrease in demand for their ores has led to them relapsing into poverty.

Impact on agricultural production and exports: The terms of trade are worsening due to the global impact of the crisis and countries have to contend with a declining market economy and widening current account deficits. With most exports from Africa being agricultural in nature and women forming a majority of the agriculturalists, they are affected by these challenges. In addition, climate change is having a significant impact on fragile soils and traditional farming systems. Small rural farmers and communities simply can no longer produce sufficient quantities of the food needed to sustain their populations.

Potential reduction in micro-credit disbursements: Women represent the majority of clients of micro finance institutions. For example, 85 percent of the poorest 93 million clients in 2006 were women (Buvinic, (2009). Women will suffer from the tightening of microfinance lending and decreasing access to micro credit. As credit dries up their earnings from micro-businesses will drop. This in turns means less income for them, less decision-making power, decreased capability to allocate resources towards health services or health fees, and nutrition both for them and their children.

Aid flow and international economic relations: The UNDP, 2007: xx estimates that Official Aid Assistance to African countries has been diminishing, suggesting that Aid to sub-Saharan Africa, excluding debt relief for Nigeria, increased by only 2 per cent between 2005 and 2006. This is does not reflect the commitments made by donor countries, who pledged to double aid to Africa by 2010 at the summit of the Group of 8 industrialized nations in Gleneagles in 2005.

The 2005 Paris Declaration (PD) and a host of new aid modalities are reshaping development partnerships. The focus on national ownership, harmonization and alignment, mutual accountability and results could frame a partnership between recipient and donor countries that prioritizes implementation and accountability. However, commitments to gender equality

and other globally agreed goals are conspicuously absent from the Paris Declaration framework. An opportunity came with the third High Level Forum held in Accra in September 2008, to review the PD with a view to ensuring the effective gender mainstreaming in the implementation of future aid modalities. The final Accra Agenda for Action (AAA) specifically recognises the need to take gender considerations into account within the overall framework of international human rights. Some observers have noted that although the current framework is a major step forward in the aid agenda, the AAA does not go far enough, because it fails to indentify mechanisms to monitor to what extent the allocation of aid corresponds to national priorities and people's needs, and whether it contributes or not in terms of a positive impact on the agenda of gender equality, human rights and sustainable development (e.g. Craviotto, 2008).

Box 1.1: Relevant Aspects of the Accra Agenda for Action

- Gender equality, respect for human rights, and environmental sustainability are cornerstones for achieving enduring impact on the lives and potential of poor women, men, and children. It is vital that all our policies address these issues in a more systematic and coherent way. (para.3)
- Developing countries and donors will ensure that their respective development policies and programmes are designed and implemented in ways consistent with their agreed international commitments on gender equality, human rights, disability and environmental sustainability. (para. 13 (c))
- At country level, donors and developing countries will work and agree on a set of realistic peace- and state building objectives that address the root causes of conflict and fragility and help ensure the protection and participation of women. This process will be informed by international dialogue between partners and donors on these objectives as prerequisites for development. (para 21 (b))
- Developing countries will strengthen the quality of policy design, implementation and assessment by improving information systems, including, as appropriate, disaggregating data by sex, region and socioeconomic status. (para 23 (a))

Source: Accra Agenda for Action, 2008

Climate change and the food crisis

The link between environmental sustainability and livelihoods cannot be adequately emphasized especially so, when considering the adverse and wide-ranging implications that climate change has on a host of factors essential for sustainable development and poverty reduction, such as food security and health. Some of the current and projected impacts of climate change on Africa's development include exposure to increased water stress and water-related conflicts; desertification, deforestation, food insecurity; energy insecurity; increased risk of disease including malaria, rift valley, cholera and meningitis; and degradation of

coastal areas. The impacts of climate change on rural livelihoods are not gender neutral, they deepen and widen existing gender inequalities. The UNDP asserts that climate change will be one of the defining forces shaping prospects for human development during the 21st Century (HDR, 2007). The nature, scope and dimensions of the climate change, global warming and its constellation of other environmental issues have been sufficiently outlined in the Human Development Report of 2007/2008 (UNDP, 2007).

Food prices have risen sharply across board during 2008 and 2009. The consequences these issues will have on the advancement of women and the agenda of gender equality are profound and must be addressed as a central context within which the BPFA is being implemented in current times. Its implications on delivering on the agenda for gender equality are as follows:

- a) Negative impact on non-wage sectors, especially agriculture, where women dominate. Climate change scenarios point to large losses in productivity for food staples linked to drought and rainfall variation in parts of sub-Saharan;
- b) Increased exposure to coastal flooding, extreme weather events and heightened water insecurity. Droughts and floods are already the main drivers of a steady increase in climate-related disasters. Drought-affected areas will increase in extent, jeopardizing livelihoods and compromising progress in health and nutrition;
- c) The collapse of ecosystems. All predicted species extinction rates accelerate beyond the 2°C threshold, with 3°C marking the point at which 20–30 percent of species would be at ‘high risk’ of extinction.²¹ Coral reef systems, already in decline, would suffer extensive ‘bleaching’ leading to the transformation of marine ecologies, with large losses of biodiversity and ecosystem services. This would adversely affect hundreds of millions of people dependent upon fish for their livelihoods and nutrition; and
- d) Increased health risks. Climate change will impact on human health at many levels. Globally an additional 220–400 million people could be at increased risk of malaria exposure rates for sub-Saharan Africa, which accounts for around 90 percent of deaths, are projected to increase by 16–28 percent;

Box 1.2: The human cost of climate change on some African countries

During the 2002 food crisis in southern Africa, over half of households in Lesotho and Swaziland reported reduced health spending.⁴⁰ Reduced or delayed treatment of diseases is an enforced choice that can have fatal consequences. The results also powerfully illustrate a hidden dimension of human costs associated with climate change. For example, Ethiopian children who were born in a drought year in their district are 41 percent more likely than their counterparts born in a non-drought year to be stunted. For 2 million Ethiopian children, this translates into diminished opportunities for the development of human capabilities. A national

food security vulnerability assessment conducted in Tanzania found that the event and rising food prices had left 3.7 million people at risk of hunger, with 600,000 destitute.

Source: UNDP, 2008

UN reforms: improved co-ordination and technical assistance

Within the context of UN reforms, four agencies and offices will be amalgamated to create a new single entity to promote the rights and well-being of women and to work towards gender equality. The affected entities are UN Development Fund for Women (UNIFEM), the Division for the Advancement of Women, the Office of the Special Adviser on Gender Issues and the UN International Research and Training Institute for the Advancement of Women.

The establishment of a new UN entity for women is believed to strengthen the UN's ability to address gender equality by becoming one entity that has the authority, presence and resources required to orchestrate the multifaceted campaigns for gender equality. The 63rd session of the General Assembly adopted a resolution in September 2009 on improving system-wide coherence within the UN, and the text spells out the support of Member States for a new consolidated body – to be headed by an under-secretary-general – to deal with issues concerning women. This is aimed at strengthening the United Nations' work in the area of gender equality and empowerment of women, as well as in ensuring the effective delivery of its operational activities for development, which constitutes the other key components of the resolution. The Assembly's resolution tasks the Secretary-General to provide Member States with a comprehensive proposal outlining the mission statement, structure, funding and oversight of the new entity so that it can be created as soon as possible.

This recommendation follows three years of extensive consultations on the structure and operational details of the new body and the establishment of one UN agency on women is likely to advance the implementation of BPfA on the basis that it will be better resourced compared to present individual units as they stand in their fragmented forms.

Local conditions

Governance has not been so “good”

Good governance is an imperative for the attainment of gender equality. It serves as a guarantee of human rights and the delivery of basic social services. Some countries have been striving to achieve better economic and political governance and accountability as an essential precondition for achieving gender equality. The African Peer Review Mechanism (APRM) of the AU's NEPAD initiative is striving to enhance women's human rights through the application of social development indicators included in peer review and assessment of the performance of States on good governance. To date 30 countries have acceded to the APRM.

Nevertheless quite a number of countries are experiencing conflict or are in post-conflict situations. In addition the varying degrees and levels of corruption existing across African countries is impacting upon the extent to which resources can be made available to gender equality concerns.

BPfA prioritization

It is instructive that countries are responding to BPfA commitments through the design and adoption of National Gender Policies. These tend to prioritize areas of focus based on local needs. The major areas that the gender policies tend to focus on include: gender equality in health, education and training, employment, access to and ownership of productive resources, environment, agriculture, information and participation in political and decision-making; women and poverty; women's rights and institutional mechanisms for advancing them; gender mainstreaming into all sectoral programmes and projects; and gender-based-violence.

In the assessment of the lessons learned, responding countries highlighted the importance of involving all concerned stakeholders in the design and implementation of the Gender Policy to ensure its success. Countries noted that not all aspects of their gender policies are implemented because of inhibiting factors that include: lack of adequate human and financial resources; weak political will; cultural and traditional factors which perpetuate discrimination against women; and poor coordination of concerned stakeholders. Countries stressed the major facilitating factors for successful implementation of the Gender Policy includes: political will and national ownership; a well structured National Gender Policy; the involvement and wide consultation of all actors; wide dissemination of the policy to all stakeholders; an existing legal framework that support gender equality and fully informed women who are aware of their rights; accurate and reliable sex and gender disaggregated data; and monitoring and evaluation of the policy using clearly defined indicators. Many countries note that collaboration with Development Partners, international and national NGOs greatly facilitated a successful implementation of their respective gender policies.

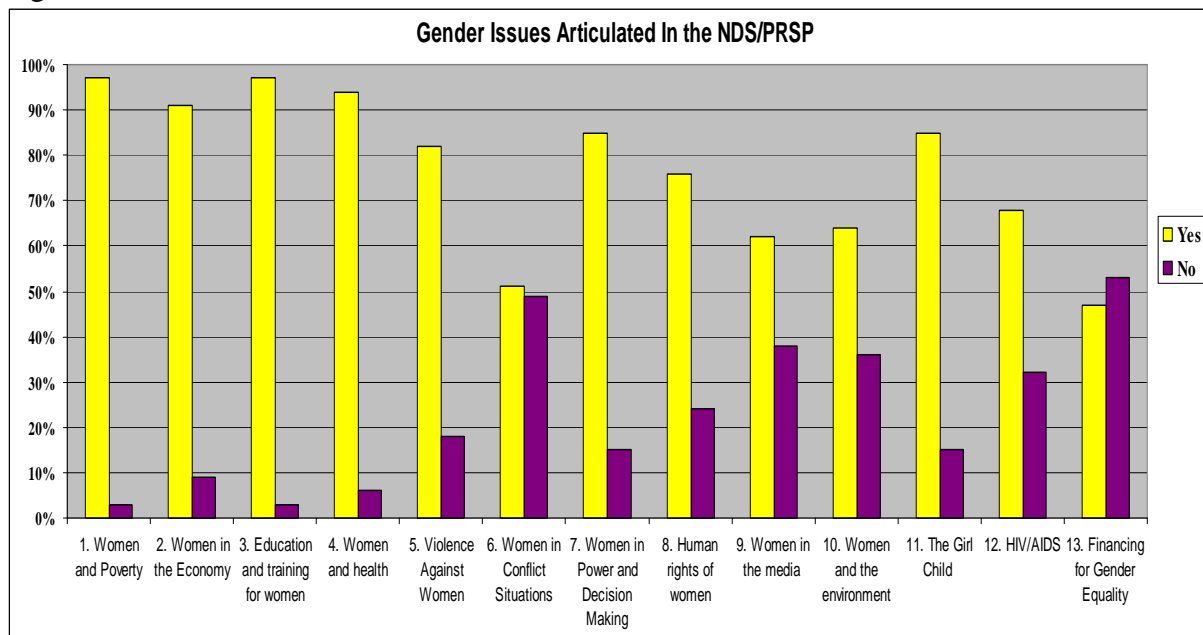
National Development Plans and PRSPs

Most countries reported having formulated, adopted, and/or implemented NDS and PRSP during the period, 2004-2009, with special focus or covering all aspects of development including the integration of gender perspective. Most of the National Development Plans or PRSPs cover a number of BPfA critical areas. For example Libya's 2008-2012 National Plan aims to improve the life standard of women and men and realize their social and economic security without any kind of discrimination. During the formulation of the 3rd National Development Plan covering the period 2007-2012 in Namibia, gender equality was made as a compulsory cross cutting issue and each sector had to plan and budget for gender activities. The Uganda's National Development Strategy 2009–2014 with a theme: "Growth, Employment and Prosperity" possesses gender equality as an integral part of the plan. The

Malawi national gender policy has influenced the formulation of the country's national development plan - the Malawi Growth and Development Strategy (MGDS, 2006).

Responding countries indicated that gender issues are sufficiently articulated in national strategies and plans. Areas that are well integrated include: women and poverty; women in the economy; education and training for women; women and health; violence against women; women in power and decision making; the girl child; and human rights of women. Issues that receive the lowest consideration include financing for equality and women in conflict situations (figure 2.1).

Figure 2.1



Financing of gender equality

Several African countries have adopted gender budgeting as a strategy to accelerate promotion of gender equality and pro-poor, equitable development. South Africa, Tanzania, Uganda, Rwanda, Mauritius, Senegal, Ghana and Morocco are among the countries that have undertaken comprehensive gender budgeting initiatives (ECA, 2008). With the adoption of Gender Responsive Budgeting in Ghana, MDAs are required to budget comprehensively and allocate resources in areas of needs in a disaggregated manner – men, women, boys and girls and other socially disadvantaged groups. Other countries are devising ways to introduce women-friendly national budgets. For example in Benin a common basket to finance gender equality interventions has been created. In 2009, Chad devoted 28% of its national budget to support the formulation process of the Gender National Policy and the Ministry in charge of micro-finance and fighting poverty has been given the mandate to prioritize women's economic activities.

Section III:

Progress in the implementation of the Beijing Platform of Action

Introduction

At the Seventh African Regional Conference on Women (Beijing+10) in Addis Ababa (October 2004), the Ministers renewed their commitment to gender equality, equity and empowerment of women and suggested concrete steps to address the gaps between commitment and implementation. The Outcome Document of the 2004 Ministerial Conference adopted a 'Programme of Action' (Section 3) to be undertaken by Member States in order to accelerate further implementation of the BPfA in the years ahead and agreed to monitor results regularly. This section outlines achievements and challenges of African countries in their implementation of the Beijing Platform for Action, taking into account the 2004 Programme of Action. The presentation is based on each critical area of concern around which specific actions which were expected to be taken by countries are highlighted and analysed.

Area of Concern 1: Women and Poverty

BPfA expectations

The BPfA notes that women's poverty is directly related to the absence of economic opportunities and autonomy, lack of access to economic resources, including credit, land ownership and inheritance, lack of access to education and support services and their minimal participation in the decision-making process. At 2004 Ministerial Conference, it was agreed that measures to mainstream gender concerns into poverty reduction strategies should include gender analysis of macroeconomic policies, as this would expose differential impacts of poverty on women and men and identify constraints on poverty eradication. The Outcome document also suggested that gender equality principles must be incorporated into all budgeting to ensure equitable resource allocation. In addition, processes in the development of poverty reduction plans should be consultative, gender-sensitive and inclusive; and indicators for monitoring the impact of poverty reduction programmes and measures and the MDG target on poverty should be engendered. A programme of training for women should be established in the area of globalization.

A number of measures, such as the review of macroeconomic and social policies, gender analysis of policies and programmes- including those related to macroeconomic stability, employment, markets and all relevant sectors of the economy are expected to be carried out by governments with respect to their impact on poverty and gender inequality among other issues. Government are also expected to restructure and target the allocation of public expenditures to promote women's economic opportunities and equal access to productive

resources and to address the basic social, educational and health needs of women, particularly those living in poverty.

A general situation analysis of poverty in Africa

A mixed picture on the state of poverty in Africa is derived from both ICPD +15 and BPfA +15 sources. The former (ECA, 2009 a.) for instance indicates that some countries have experienced declines in poverty rates. In Tunisia, for instance, poverty levels have reduced from 6.7 percent in 1990 to 3.8 percent in 2005. In the case of Seychelles, it was reported that extreme poverty and hunger are non existence. In the cases of Mozambique, Mauritius, Benin and Burundi, rates of poverty is said to be declining such that they are likely to achieve the Goal through the poverty reduction programmes that are being implemented. In Mozambique, poverty has declined from 69.4 percent in 1997 to 54.1 percent in 2003 and is further expected to reduce to 45 percent by the end of 2009.

By contrast, others are unlikely to achieve the objectives of MDG 1. In the case of Kenya, Zimbabwe, Lesotho, Swaziland, Guinea, CAR, Comoros and Niger the achievement of this goal is judged as unlikely. While the proportion of people whose income is less than \$1 a day is still very high in most of these countries, the situation has actually worsen in some. In Swaziland, the majority of the 69 percent of the population living below the poverty line became vulnerable to hunger when poor rainfall resulted in low productivity of maize causing a hike in maize price. The percentage of people living below the poverty line in Guinea increased from 49.2 percent in 2002 to 53.6 in 2005. The situation is worst in Zimbabwe, where the percentage of people living below the poverty Line increased from 55 percent in 1995 to 72 percent in 2003.

Various sources note that women continue to bear the brunt of poverty in their communities (e.g. ADI, 2009). Section II has outlined how the global economic downturn will have a significant impact on women as more of them lose jobs and are forced to manage shrinking household incomes. Compared to rich countries, where more men than women have lost their jobs, the crisis in Africa is leaving women with ever fewer job choices compared to their male counterparts. This is being manifested in the flower industries of Ethiopia, Kenya and Uganda in addition to the textile industries of Kenya and Lesotho. Declining remittances and tightening of micro-finance lending are further restricting funds available to women to run their businesses and contribute effectively to household budgets. Overall, most countries have taken bold address the gender dimensions of poverty with the aim of enhancing the economic autonomy and empowerment of women.

As illustrated by the above figure, all five criteria are mainly addressed by countries with capacity building and food security being the major initiatives in more than 90 % of African countries. This is followed by the financing gender equality to reduce poverty with slightly more than 70%; the involvement of men and boys as strategy; the use of ICTs, which records above 60% of countries. The lagging area is the channel of Effective Result Based Management mechanism, which hardly reaches the 60% threshold.

Highlights of achievements

National development planning processes

All countries place poverty reduction high on their respective agenda's and continue to heighten their actions and policies to address it through a wide range of strategies, among them being PRSPs. Examples of these include the Plan for Accelerated and Sustained Development to End Poverty (PASDEP, Ethiopia); the Poverty Reduction and Growth Strategy Paper (PRGS of the Democratic Republic of Congo); the National Economic Empowerment Strategy (NEEDS of Nigeria) and its sub national complement the State Economic Empowerment Strategy (SEEDS in Nigeria); the Malawi Growth and Development Strategy (MGDS); and the Tanzanian National Strategy for Growth and Reduction of Poverty (NSGRP) referred to in Swahili as the *Mkakati wa Kukuza Uchumi na Kupunguza Umaskini Tanzania* (MKUKUTA). Reports indicate that in addition to the focus on poverty reduction, strategies include some specific country concerns such as HIV and AIDS (Malawi - MGDS 2006), social protection and post conflict recovery (Sierra Leone PRSP 2005-2007).

Some countries have initiated new programming processes to integrate gender budgeting (Angola) or to mainstream gender in the Poverty Reduction Strategies (e.g. Chad, Liberia and Uganda) and to set up mechanisms of measuring gender equality and analyzing existing projects and activities (e.g. Egypt, Guinea). Some have integrated gender as a criterion for the selection of beneficiaries for development projects (e.g. Uganda). Uganda in particular has ensured a sector-wide integration of gender in its poverty reduction implementation (box 3.1).

Box 3.1: Uganda's approach to gender mainstreaming in development planning

Uganda recognized the need for gender in poverty eradication efforts. During the period 2004-2009, concerted effort has been made by the PEAP Gender Team (PGT) to engender the PEAP through enhanced analysis of the linkages between gender relations and poverty, and prescribing specific interventions to address gender inequality issues in the sectors. Training was also undertaken to equip key policy and decision makers, planners and programme implementers with gender analytical and planning skills.

African Women's Report, 2009

The national development planning method of Egypt integrates gender into the two five-year plans for socio-economic development covering 2002- 2007 and 2007-2012 with the active participation of the National Council for Women (NCW). The 2002-2007 five-year plan doubles appropriations for projects and programmes targeting women compared to the previous national plan. The Government has begun to adopt planning and general budget concepts that integrate gender. Based on its mandates, the NCW monitors the implementation of these programmes, evaluates their impact on the situation of women in Egypt on an annual basis, and submits its remarks to the concerned agencies. Through these processes, it has succeeded in developing gender-sensitive policies and programs, such as the reduction of

female illiteracy, provided greater access to basic social services and improved programs related to women's health.

The revised Poverty Eradication Action Plan (PEAP) of Uganda emphasizes gender as a cross cutting dimension. Progress has been registered in mainstreaming gender in agriculture, road, education, justice, law and order sector and health sectors of the PEAP. Similarly, Ethiopia's poverty reduction programme, the Plan for Accelerated and Sustained Development to End Poverty, incorporates the country's National Action Plan for Gender Equality.

A number of countries are being guided by long term developmental goals in their quest to eradicate poverty. They include Vision 2020 of Malawi, Nigeria and South Africa, 2025 of Tanzania, Benin and Sierra Leone, Namibia's Vision 2030 and Ghana's Vision 2035. Other countries such as South Africa report of refocusing expenditure towards programmes which aim at reducing poverty and socio-economic inequalities, the provision of infrastructure and social services, the creation of employment and economic opportunities for young people and women. Mauritius indicated putting in place structures and a Trust Fund with the objective of eradicating absolute poverty in the country within a span of seven to ten years.

The allocation of public spending

Twenty (20) countries (Angola, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Gabon, Gambia, Ghana, Mali, Mauritania, Mauritius, Mozambique, Namibia, Tanzania, Uganda, Zambia and Zimbabwe) indicate that they have reallocated public spending in favour of programmes and projects aimed at empowering women. Many of these undertook a number of gender-responsive initiatives, programmes and projects which aim at economically empowering women, reducing poverty through income generating activities and capacity building. While the sustainability of these interventions could not readily be ascertained from country reports due mainly to their being in inception stages, some of them demonstrated short term and mid-level results. Coupled with these are what appear to be weak social protection programmes in place in some countries. They include ad-hoc measures such as the distribution of food rations to meet immediate needs (e.g. in Botswana). These tend to be devoid of a broader vision of empowerment for women and society at large. They also suffer from lack of sustainability and effective targeting.

Support to young women has been a visible segment of poverty reduction in some countries. For instance, vocational training is a priority in Algeria, while others such as Burkina Faso, Cameroon, Cape Verde, Congo, Malawi, Mali, Namibia and Tunisia focus on measures to reintegrate girl school drop outs, single mothers and other marginalized women.

Twenty three (23) countries (Angola, Benin, Botswana, Burkina Faso, Cape Verde, Comoros, Congo, Cote d'Ivoire, Djibouti, Eritrea, Gabon, The Gambia, Ghana, Malawi, Mali, Mauritania, Mauritius, Namibia, Sierra Leone, United Republic of Tanzania, Uganda, Zambia and Zimbabwe) indicate that they have designed social protection tools (gender-sensitive safety

nets) in favour of women and girls. These are generally backed by legal and policy regimes which outline the specific target groups and types of interventions in place.

Targeted programmes and initiatives

Social security systems are expanding in a number of countries. The 2006-2007 budget of Mauritius for instance, includes special programmes for unemployed women, the creation of an Empowerment Fund with a provision of Rs 750 m for the current year. In Namibia and South Africa, special social grant systems exist for women and men living with disabilities, the elderly and children. Zimbabwe's support to vulnerable groups include Basic Education Assistance to vulnerable children (most of whom are young girls), Basic Commodities Supply Interventions and food rations to vulnerable groups including public service employees.

Twenty-two countries (22) (Angola, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Eritrea, Gabon, The Gambia, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, Swaziland, United Republic of Tanzania and Uganda) indicate that education and training of women are being addressed in efforts to empower women and reduce poverty.

Empowering women through access to economic opportunities and starting up business is being given high importance in almost all responding countries. Training of trainers and tailor-made training sessions have been organized in different countries, either by the governmental departments and NGOs, or through joint collaborative efforts (e.g. Algeria, Angola Botswana, Cameroon, Chad, Congo, Côte d'Ivoire, Egypt, Mauritania, Mauritius, Nigeria, Swaziland, United Republic of Tanzania, Togo and Zimbabwe). They tend to aim at providing women with skills and financial support to set up businesses. A number of these programmes have benefited marginalized groups such as women in prison as in the case of Mauritius.

A significant number of countries are implementing micro finance schemes for women (e.g. Algeria, Benin, Chad, Comoros, Egypt, Liberia, Mauritania, Mauritius, Niger and Nigeria), while some have created specialized agencies to support these efforts (e.g. Djibouti, Gambia, Ghana, Nigeria (box 3.2), United Republic of Tanzania, Tunisia and Zambia). Access by women to credit has tended to be from sources such as the formal banking system or informal micro-finance institutions such as "rotating credits" in Cameroon. Specific national programmes to support rural women access to credits have been established in Mali, Malawi, Mozambique, Niger, Nigeria, Uganda and Zambia.

Box 3.2: An example of a micro-credit intervention in Nigeria

Nigerian women account for about 70% of the agricultural labour force, contribute up to 80% of the total food production but only about 25% of the micro credit provided by financial and government institutions are accessible to them. Also 25% of women have benefited from loans at low interest rates and waiver of collateral. In direct response to the above constraints, the national women machinery in collaboration with the Bank of Industry in 2007 undertake a Business and Development Fund for Women

project to bridge gender gaps in the credit finance sector. While another project: Women's Fund for Economic Empowerment initiated 2005 in collaboration with Agricultural Cooperative and Rural Development Bank provides loan facility to women cooperatives particularly those at the grassroots.

Source: Nigeria country data, 2009

Some of these schemes have resulted in the advancement of women from small to medium level enterprise status. Some initiatives have been directed towards supporting associations and groups of women, with the intention of facilitating access to information, interchange of experiences, exposure (through channels such as study tours and field visits), counselling and legal assistance (e.g. Cape Verde, Congo, Egypt, Eritrea, The Gambia, Malawi and Uganda).

There appears to be convergence on giving priority to improving access to micro credit and the involvement of civil society as key actors in supporting such efforts especially at community level. These efforts are being compliment by communications, infrastructure, the provision of inputs, and extension services.

Highlights of challenges

The assessment of the first critical area on women and poverty reveals the following challenges:

- a) Monitoring of poverty trends over time is dependent upon the availability of disaggregated data by sex and location which African countries. The use of consumption and income data collected at the household level generally do not provide critical insights into the underlying causes and gendered dimensions of poverty. Another weakness is that such data are not disaggregated by sex and therefore do not capture inequities within households;
- b) The global economic downturn will have a significant impact on women as more of them lose jobs and are forced to manage shrinking household incomes. By arresting capital accumulation by women and drastically reducing African women's individual incomes, women are being crippled in their quest to contribute effectively to the household economy;
- c) While micro-finance credit is useful for addressing immediate household needs, it does not lead to transformative women's economic empowerment. Additionally, small-scale women's businesses tend to be focused on traditional jobs such as embroidery, sewing and the sale of food items, with limited opportunities for expansion;
- d) The impact of the PRSPs and other development plans to reduce women's poverty calls for careful scrutiny, as there is limited evidence to demonstrate that the said gender-aware policies and strategies have resulted in curbing poverty among in Africa; and

- e) Needs of specific groups, vulnerable populations and at risk groups are indeed addressed, among them single mothers and other needy women, but no information was given about refugees, people in crisis or post crisis situation. The countries report failed also to highlight the important role of the UN agencies, International Development partners as well as the local civil society, since all these actors are more and more supporting the efforts to deal with poverty eradication and food security.
- f) ICPD+15 review revealed that high fertility in sub Sharan African countries sets a limit on active participation of women in the labour force, endangers their health and exacerbates poverty; implementation of effective reproductive health programme, including family planning would contribute to significant reduction in fertility, maternal mortality and free women to participate more effectively in the labour force, thereby reducing poverty.

Recommended actions

- a) The potential of the poor, particularly women, should be recognized. Such disadvantaged groups should be regarded resources and not barriers to economic growth.
- b) Undertake and implement MDG-responsive development planning with the active involvement of civil society, in line with the United Nations 2005 MDG evaluation outcomes.
- c) Effective monitoring and evaluation of the gender dimensions of all National Development Strategies and document their outcomes with a view to taking timely and appropriate action.
- d) Recognise women's non-market work and advocate for the appreciation and valuing of women's non-market work by engendering national accounts and budgets.
- e) Address the disproportionate time burdens on women in non-productive work through the provision of appropriate services and facilities, especially at rural level, including improvements in transport, water sources, day care centres and health facilities.
- f) Design and implement effective linkages with local universities to develop appropriate local technologies that would accelerate the reduction of drudgeries associated with household food processing and transportation of heavy loads by women.

Area of Concern 2: Education and training for women

BPfA expectations

The BPfA recognises that education is the nexus around which most of the principles and other critical areas of concern can be attained. Governments therefore committed to among others: provide universal access to basic education; close the gender gap in primary and secondary school education by the year 2005; provide universal primary education in all countries before the year 2015; and eliminate gender disparities in access to all areas of tertiary education by adopting positive action when appropriate. In order to accelerate progress in achieving the BPfA objectives in education and training, the Outcome document of the 2004 Ministerial Conference in Addis Ababa urges countries to institute and strengthen affirmative action measures including scholarships at all levels for female students; distance and non-formal education and literacy programmes for women; innovative and aggressive strategies to redress the under-representation of women and girls in the sciences, mathematics and technology-related disciplines and careers, including the promotion of science among children in general and young girls in particular. In addition, women's access to professional training should also be strengthened. In addition, the main financial partners of African education systems should show their firm commitment to the female population in their interventionist policies (UNECA, 2004; para 27).

A general situation analysis of women, education and training

Educational systems have been reformed in many countries to enhance the delivery of quality education and address national challenges through the creation of enabling school environments. As a major achievement, primary/basic education is being widely implemented across a substantial number of African countries and that at this level education is generally free and compulsory. Functional and skills education training are also being developed as to provide alternative recourses and second chances for girls and boys. Training of women is also given high priority through different plans and programmes.

Nevertheless the education sector is being confronted with its inability to ensure the steady progression of both girls and boys beyond primary to secondary and tertiary education. This implies therefore that Africa may be facing the challenge of human capital formation for critical areas of their respective economies in the medium to long term.

Highlights of achievements

Achievements in general enrolment

Education represents one of the successes of Africa. This is largely attributable to the institution of free and compulsory primary basic education by many governments. The Africa Economic Outlook (2009) notes that 67.9 per cent of countries have already reached the gender parity target. According to the 2009 MDG report (UNECA, AU and AfDB, 2009) net enrolment ratios increased from 58% in 2000 to 74% by 2007 in sub-Saharan Africa. Some countries such as South Africa, Tunisia and Zambia have already attained parity at primary level. The African Women's Report (ECA, 2009 b.) also indicates that parity is imminent in some countries (e.g. Cameroon, Egypt, Ghana, Madagascar, Mozambique, United Republic of Tanzania and Uganda). In Uganda girls' share of enrolment improved from 47 per cent in 1997 to 50 per cent in 2005. In the case of Ethiopia, the Gross Enrolment Rate (GER) for girls at the primary level increased from 53.8 percent in 2002/03 to 85.1 percent in 2006/07, while the same rate for boys increased from 74.6 to 98.0 during the same period. In 2006/07 secondary level GER for girls was 28.6 percent compared to 45.7 percent for boys.

Countries such as Lesotho, South Africa and Tunisia present unusual scenarios in which more girls compared to boys are enrolled in school. The country report of South Africa notes specifically that although at primary school level, the ratio of girls to boys has remained consistently close to 1 from 1999 to 2006, at the secondary school level the picture is reversed with more girls than boys enrolled throughout the same period.

In Morocco enrolment for both sexes at both primary and secondary levels are nearly equal with girls accounting for 47 percent of enrolment. However, like other countries, disparities exist at sub national levels where by 2007, the Gross Enrolment Rate for girls 12-14 years in rural areas was 43 percent compared to a national average of 75 per cent. The country report of Ethiopia indicates that disabled women and girls are more disadvantaged than their male counterparts and that disabled girls, particularly the visually impaired, generally miss out on Early Childhood Education. In the case of Sudan, primary school completion rate in 2006 for disadvantaged girls, especially those from poor households was 2.1 percent.

In nearly all reporting countries, Governments have made attempts to eliminate barriers that hinder boys and girls' access to education. The most commonly applied of these measures is the provision of free and compulsory education at the level of primary education (e.g. Algeria, Angola, Chad, Egypt, Gabon, Lesotho, Malawi, Liberia, Libya, Mauritius, Mauritania, Morocco, Nigeria, and Tunisia). Such measures have been undertaken by abolishing school fees at primary level (for e.g. Burundi, Comoros, The DRC and The Gambia). Chad, Nigeria and Tunisia report of mechanisms in place to operationalize gender equality legislation, with Chad having in place a specific declaration on girls' education. While Côte d'Ivoire approved a Strategic Plan for Girls Education in 2006, Liberia reports of the creation of a scholarship scheme, specifically aimed at encouraging girls to go to school. So far 2000 girls have benefited from this scheme (box 3.3).

Some countries, such as Ghana and Uganda are also implementing School Feeding Programmes, while in almost all countries, education is constitutionally guaranteed as a universal basic right. Other countries are also implementing alternative Basic Education Programmes, which are witnessing growing enrolment rates for girls. In Ethiopia for example, female enrollment in alternative basic education is growing with an average annual growth rate of 11.6 per cent higher than boys' enrollment which is increasing by 10.5 per cent. This program has helped to narrow the gender gap. The 2009 assessment of progress being made in achieving the MDGs by African countries recognizes the progress that Ethiopia has made in increasing net primary enrolment (UNECA, AU, AfDB, 2009).

Box 3.3: An example of a post-conflict intervention in Liberia

Education: education interventions have been successful, as the Government of Liberia in collaboration with local and international partners, formulated and launched the Education Law (2001), the National Girls Education Policy (2006) and the Free Compulsory Primary Education Policy (2006/2007). It introduced the Accelerated Learning Program (ALP), a parallel intervention designed to address the basic education needs of young adults who missed out on education. This program seeks to improve enrolment, attendance, and retention through its school feeding program, with support from the World Food Program.

Source: Liberia country data, 2009

In 1996, Botswana reviewed its Education Policy (1996) and following that, built schools closer to communities. This led to a reduction of average distance to 5km for primary schools and 10km for junior secondary schools. In several countries, laws have also been reviewed to eliminate barriers that hinder access to education with special attention to rural areas in most countries where urban/rural disparities are very obvious. A number of countries have also instituted measures to reduce the drop out rate, narrow enrolment disparities in primary and secondary education and promote innovative teaching approaches (e.g. Chad) or apply school feeding programs to enhance the enrolment rates (e.g. Liberia). Some Governments realize the need to educate and train women and have therefore set up scholarship schemes that will directly benefit women by increasing their enrolment in vocational and academic institutions. These have been enhanced by educational aid distribution systems such as school supplies, food and public transportation.

The progression from secondary to tertiary education

Compared to the general impressive progress being made at primary level, a mixed picture is created with respect to the attainment of gender equality at secondary and tertiary levels (box 3.4). Evidence is yet to be obtained to show that any African country has attained parity at both secondary and tertiary levels, although the African Women's Report, 2009 notes that six countries (Cameroon, Egypt, Madagascar, South Africa, Tunisia and Uganda) show promising signs of doing so. At tertiary level, Cape Verde, Libya, Namibia, South Africa and Tunisia are noted to have more females than males enrolled, while Cameroon, Egypt and Madagascar show signs of being close to parity. However, the report notes that actual gross enrolment figures for both sexes create more of a dismal picture as it shows marked reduction of numbers of both sexes from primary

to the higher levels of education. This is the case for the majority of countries identified as almost achieving parity at secondary level (Egypt, Madagascar, South Africa and Tunisia) in addition to those who do not demonstrate it (Benin, Burkina Faso, Ethiopia, Ghana, Mozambique, Tanzania and Uganda).

Box 3.4: Retrogression of gender equality in education in Africa

Girls' primary school enrolment rate increased more than boys' between 2000 and 2006. Despite these gains, girls still account for 55 percent of the out-of-school population in the region. Gender parity in primary education has been achieved in a large swathe of countries. However, the gender gap widens in secondary education and is widest in tertiary education.

Source: MDG Progress Report on Africa (2009)

A similar picture is painted for tertiary education, although South Africa and Tunisia have attained parity and Cameroon, Egypt and Madagascar are close to doing so. The overall picture of enrolment must be given sufficient attention. This includes where improvements in enrolment have been accompanied by declines in male enrolment rates. Klasen (2006:10) demonstrates that such a situation signals a decline in overall human capital and is therefore not a desirable outcome.

These barriers notwithstanding, governments are becoming increasingly conscious of the importance of encouraging girls and young women to attend and achieve tertiary level education. The proliferation of universities in most of countries is a testimony of commitment to contribute towards the elimination of gender disparities, given that this affords a greater opportunity to both males and females to access to tertiary education. In support of female tertiary education, campaigns are being organized in Burkina Faso and the Republic of Congo to sensitise citizens on the need to eliminate discrimination between men and women in tertiary education and to promote equal access to education including to university. Gender sensitive measures have been part of strategies used in Malawi, Zambia and Zimbabwe to increase enrolment of women, using a 40% threshold in government universities.

The promotion of girls' education

Several innovative approaches are implemented to increase enrolment rates through reinforcing school and family partnerships in many countries. This has led to sustained social mobilisation campaigns, such as in Ghana where efforts have been made to create girl-friendly school environments through sanitation programmes which have led to improvements in access to toilet facilities, water and hand washing facilities.

In Guinea, Liberia, Mauritius, Namibia, and Nigeria, policies have been adopted to promote girls education, through the elimination of gender stereotypes in school textbooks and the creation of relevant national institution such as National Commissions for Basic Education or Girls Education Units as in Ghana. Challenges being faced by categories of young females such as teen mothers are also being addressed in Malawi. These measures are impacting positively on school enrolment and retention: In Burkina Faso girls'

enrolment increased from 42% in 2000 (box 3.5) to 56% in 2005, while in Libya, it increased from 47.2% in 1988 to 48.9% in 2005.

Box 3.5: Burkina’s response to low completion rates through the “Threshold Program”

Millennium Challenge Corporation's (MCC) Board of Directors approved up to \$12.9 million in Threshold Program assistance for Burkina Faso's Threshold Country Program that focuses on improving performance on the “Girls' Primary Education Completion Rates” indicator. It is a pilot program that seeks to improve access to, and the quality of, primary education for girls in 10 provinces that have historically achieved the lowest levels of girls' primary education completion rates. Some of the intervention components include:

- Construction of new schools in provinces that lack sufficient schools so that more girls will be able to attend primary school;
- Construction of day care centres in these schools so that school-age girls will be relieved of the responsibility for caring for younger children and will thus be able to attend school;
- Providing take-home dry rations to girls who maintain a 90% school attendance rate as an incentive for parents to keep their girls in school;
- Constructing separate girls' and boys' bathrooms in the schools, institutionalizing female mentoring programs, conducting social awareness campaigns and offering financial merit rewards to the best female teachers in the targeted region. This is to encourage girls to attend schools, mitigate factors that presently deter girls' school attendance, and provide needed reassurance to parents that their daughters will be best-served attending school;
- The evaluation component of the program will enable the government determine which activities of the program are most effective in increasing girls' enrolment and attendance in school so they may consider expanding those activities to other parts of the country.

<http://www.mcc.gov/countries/burkinafaso/threshold.php>

There is some evidence to show that the rate of girl’s enrolment in secondary schools and universities has also increased, some times to the extent of exceeding boys’ enrolment rates in most countries.⁵ Twenty-two (22) countries (Angola, Botswana, Burkina Faso, Cape Verde, Chad, Congo, Cote d’Ivoire, Djibouti, Eritrea, Gabon, Gambia, Ghana, Malawi, Mali, Mauritania, Mauritius, Namibia, Sierra Leone, United Republic of Tanzania, Uganda (box 3.6), Zambia and Zimbabwe) report of measures in place to increase tertiary enrolment and retention of women and girls, especially in sciences, mathematics and technology-related disciplines. They same number have targets in place to eliminate gender disparities in all areas of tertiary education by 2015.

Box 3.6: Case study of initiatives being taken by Uganda in tertiary enrolment

In a bid to promote science education as well as encourage girls to take practical courses like computer science, electrical and mechanical engineering, a female scholarship scheme with 70% of the awards reserved for science was initiated at Makerere University to increase female enrolment in science. To date out of the 233 female students who have benefited from the scheme, 150 pursued science related subjects.

Source: Uganda country data, 2009

⁵ This point needs further investigation and analysis. These should extend to the nature of courses being read by males and females at this level.

Affirmative action measures are being implemented in a number of countries (e.g. Burkina Faso, Cameroon, Egypt, Ethiopia, Ghana, Mozambique, Madagascar, Tunisia, United Republic of Tanzania and Uganda). Numerous countries provide student scholarships and loans, with specific quotas for girls. A number of countries are constructing universities with a view to enhancing access especially at decentralised levels. In some countries, girls are given preferential treatment in the allocation of university accommodation than boys. Affirmative action measures have seen an increase from 10% to 30% enrolment for girls in Eritrea because of the 30% quota system in place. The United Republic of Tanzania is promoting gender equality in access to education, through a Community- Based Education for Girls initiative within the context of its Education Sector Development Programme (1996) to encourage public and private investors to build girls' hostels and boarding schools. As a result of this effort, among others, enrolment increased from 99,402 and 109,336 in 1998 to 189,198 and 212,400 for girls and boys respectively in 2004. Enrolment of girls in 'A' level secondary education was 6,072 in 1998 and increased to 10,765 in 2004.

To remedy the low presence of girls in sciences and mathematics disciplines, Mali has established a monitoring system in basic and high schools. In Cameroon, teachers are trained on how to mainstream gender into the sciences and technology instruction. The Gambia, Ghana, Uganda and Zimbabwe have invested in science and maths clinics or camps to encourage girls' to gain interest in these subjects. Namibia has also designated science and maths compulsory up to Grade 10 and in the United Republic of Tanzania, the Government has lowered the cut off point to allow girls who did not meet the criteria to enrol in science and maths related disciplines. This is in addition to the provision of remedial classes covering a period of eight weeks.

In Chad, the Ministry of High Education established the Excellence Prize for girls who obtain high marks in scientific subjects at the end of secondary education. The result is that more girls have gained an interest in attending in the last decade, and more specifically in the last 5 years, girls have become more visible in areas which have been categorised at traditional male preserves. Between 2005 and 2009 for instance, some countries have witnessed significant increased in female enrolment in some fields, with Tunisia noting 65% in agronomy, 46.6% in chemistry and 40.7% in engineering. It is also on record that some of these efforts have been supported by civil society.

In countries such as Angola, Botswana, Burkina Faso, Cape Verde, Republic of Congo, and Côte d'Ivoire, girls are targeted as a special group with specific needs to be addressed. These Governments consider that no barriers should prevent pregnant adolescents from continuing with their education and therefore have plans in place to ensure the achievement of this objective. Readmission of teen mothers is ensured after delivery, and some countries take protective measures to not count the pregnancy year in school records. In addition, laws related to the protection of minors are being amended and laws on the age of marriage are being harmonized with the international standards in countries.

Female adult literacy

Twenty four (24) countries indicate that they are taking steps to eliminate gender gaps in basic functional literacy. The countries concerned are Angola, Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Eritrea, Gabon, The Gambia, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, United Republic of Tanzania, Uganda and Zimbabwe. National strategies have been adopted in Algeria, Angola, Botswana, Burkina Faso, Ghana, Mozambique, South Africa, Uganda and Zimbabwe. National programmes have been launched in many of these countries and teachers trained to deliver good quality education to achieve basic functional literacy.

Structures and institutions have been created in support of adult literacy interventions. In addition to centres devoted to basic literacy created in the majority of the countries, some governments established mechanisms such as the Chad State Secretariat in charge of Literacy. Village associations were involved in these efforts in Comoros, while in Liberia adult literacy programs have been located in market centres to encourage women to take advantage of the opportunity to become functionally literate. More recently, in 2007 the Handbook on the training modules on topics related to gender equality for non-formal education was developed in Côte d'Ivoire, and women are largely benefiting from these programs. In Eritrea, women constitute 90% of all beneficiaries of functional literacy initiatives.

Gender studies and research

A significant number of countries are providing opportunities for gender studies and research. In furtherance of this, institutions, centres of research on gender and women have been created in countries such as Algeria, Angola and Egypt. Others such as Algeria, Botswana, Gambia, Ghana, Sierra Leone, Zambia and Zimbabwe have integrated such studies into their university systems. Studies related to gender issues have been conducted in Burundi, Chad, Congo, Côte d'Ivoire, Lesotho, Malawi, Eritrea, Mali, Namibia, and Zambia, highlighting the persistence of profound gender disparities in education, at the work place and in communities. These studies have embraced different categories of women, such as women in business, women in public life, victims of violence, the benefits of time use studies and gender budgeting.

As a sub regional initiative Governments of the Great Lakes Region of Africa have arrived at a consensus to establish a centre of excellence that would deal, among other issues with gender and women's rights. Ministers in charge of Gender and Women's Affairs of the eleven countries of the Great Lakes region met in Kinshasa, in August 2008, to specifically explore the establishment of a Research and Documentation Centre. This envisaged centre would among others, assist in documenting in a systematic manner, the contributions by Governments, bilateral and multilateral agencies in addressing gender inequality in the Region.

Training kits and tools in gender awareness and mainstreaming have been produced by many countries (e.g. Botswana and South Africa) for target groups such as school teachers and Civil Society Organisations to improve their capacity to take gender into account in their work and also to support gender friendly learning environments (e.g. Zimbabwe). Training programs have been provided to high level civil servants and decision makers in different governmental institutions, as well as representatives from private and public sectors and political parties in Gabon. Exchange of North-South and South-South experiences have also been made possible in Burkina Faso and other countries which are benefiting from donor support.

Highlights of challenges

- a) Although country reports indicate that gender disparities in enrolment and literacy are narrowing in every country, more remains to be done to ensure equality between the sexes in the sector. For instance, although the gap between male and female enrolment rates at primary school level has considerably narrowed in the United Republic of Tanzania, it widens progressively and becomes more pronounced at the secondary and tertiary levels. Thus, while by 2006 an estimated 48 percent of the students enrolled in Form I was female (a near gender balance at entry) after Form IV, there is a substantial drop in the enrolment of girls to about 30 percent at the tertiary level.
- b) In many countries illiteracy rates among women remains high and disparities between men and women persist. While the numbers of males and females benefiting from literacy programmes are increasing significantly, gaps still remain.
- c) Dropout and repetition rates in primary schools are still high. This is largely due to financial constraints at the household level, lack of interest, poor health and long distances to school. Extra charges and fees imposed by schools namely, examination fees, interview fees, building funds and milling inhibit access to primary education in some countries.
- d) Preferential treatment to boys as opposed to girls in accessing education promoted by a traditional, social and cultural setting is also partly responsible for some girls dropping out of school prematurely.

Recommended actions

- a) Ensure the progression of girls and boys from primary to secondary school levels though further subsidization of secondary and technical education
- b) Ensure that such education matches and is more relevant to the employment conditions of African countries, with the objective that the dividends of education will be realized within shorter periods.

- c) Explore the adoption of additional strategies, such as affirmative action for children of poorer communities, the creation of day care services for infants (so that girls can attend school without looking after their younger siblings), enhancing boarding facilities and night schools.
- d) Put interventions in place to maximize retention and reverse high rate of drop outs among both girls and boys. This should include the design of girl-friendly initiatives such as the construction of separate toilet facilities, the availability of water in schools, the institution of school feeding programmes; cash transfer programmes (social protection) for poor parents and the training of more female teachers.
- e) Develop and implement accessible community based adult literacy interventions in response to the high illiteracy levels among adult women.
- f) Ensure that adult literacy programmes are adaptable to the peculiar situation of women, especially those in rural areas who tend to face extreme situations of time poverty due to multiple domestic, reproductive and productive tasks, exacerbated by the absence of appropriate technology.
- g) Literacy programmes should be run creatively and responsively (e.g. on a shift basis) to ensure women's effective participation, retention and completion in such programmes.

Critical Area 3: Women and Health

BPfA expectations

The BPfA affirms that women have the right to the enjoyment of the highest attainable standard of physical and mental health. The enjoyment of this right is vital to their life and well-being and their ability to participate in all areas of public and private life. Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. Nevertheless, women tend to have different and unequal access to and use of basic health resources, including primary health services for the prevention and treatment of childhood diseases, malnutrition, anaemia, diarrhoeal diseases, communicable diseases, malaria and other tropical diseases and tuberculosis, among others. They also have different and unequal opportunities for the protection, promotion and maintenance of their health. In many developing countries, the lack of emergency obstetric services is also of particular concern.

Within this context, Governments are required to support and implement commitments made in the Programme of Action of the International Conference on Population and Development, as established in the report of that Conference and the Copenhagen

Declaration on Social Development and Programme of Action of the World Summit for Social Development 14/ and the obligations of States parties under the Convention on the Elimination of All Forms of Discrimination against Women and other relevant international agreements, to meet the health needs of girls and women of all ages.

The 2004 Conference of Ministers (UNECA, Addis Ababa, 2004) agreed that in order to reach MDG 6 and ICPD targets on reducing maternal mortality and morbidity, Governments in collaboration with parliaments, NGOs and the private sector must provide accessible sexual and reproductive health care services and education for women and girls in accordance with the legislation in force in each country. Preventive interventions to curb the spread of malaria, cardiovascular diseases, cancer that affect women, as well as HIV/AIDs and TB particularly among women and girls, should be supported. In addition, processes and programmes to achieve the MDG target of reducing child mortality should also be engendered (UNECA, 2004: para 28).

A general situation analysis of women's health in Africa

The ICPD +15 regional review of Africa (ECA, 2009 a.) reveals that inadequacies in access to reproductive health services in Africa is an issue serving as a major threat to women's health. Among the major regions of the world, Africa has the highest records of maternal mortality. Globally, there were 529,000 maternal deaths per year, 48% of which occur in Africa (WHO, UNICEF, and UNFPA, 2003). For each maternal death, it is estimated that 30 to 50 morbidities, including temporary and chronic conditions (UNFPA, 2004). In the developed regions of the world, maternal mortality ratio was as low as 20 per 100,000 live births; but in Sub-Saharan Africa, the ratio was 920. More recent estimates of maternal mortality ratios indicate that the condition might be deteriorating in quite a number of African countries. As shown in Figure 5.1, a number of African countries have maternal mortality ratios in excess of 1,500 per 100,000 live births (Angola, Sierra Leone, Malawi, Niger and United Republic of Tanzania). The worst case is the record of 2,000 by Sierra Leone, not surprising given the generally high level of maternal mortality in West Africa. Most of the countries in the lower bound of the distribution are Southern and Northern African countries with maternal mortality ratios under 100 per 100,000 live births (Libya, Egypt, Tunisia Algeria, Morocco, South Africa, Namibia and Botswana).

Of concern in some countries is the reported fluctuating trends in maternal mortality ratios; for instance in Namibia where the ratio seems to be rising, from 227 in 1992 to 271 in 2000 and to 449 in 2006. South Africa's maternal mortality also increased for a while from 64 in 1999 to 78 in 2001, but dropped to 73.1 in 2002. Similarly, Ghana's maternal mortality declined from 250 in 1999 to 186 in 2006 but picked up again to 230 in 2007. Perhaps one of the most dramatic increases yet recorded is that of Sudan, from 509 in 1999 to 1,107 in 2007. Both Mauritius and Seychelles (see box 3.7) report very low levels of maternal mortality, justifiably so given their strong health infrastructure and management capacity. Yet the a case example form Seychelles indicates that it is possible to reduce maternal mortality in Africa.

Box 3.7: Low maternal mortality ratio. From words to action in Seychelles
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“Noticeable progress has been made in increasing life expectancy and reducing maternal mortality ratio. With almost all pregnancies and births handled by trained personnel, mortality rates are low compared to other developing countries. Seychelles has maintained a low maternal morbidity and mortality rate over the past ten years. Five maternal deaths were recorded between 1992 and 2004 and none for the last two years. All deaths were due to direct obstetric causes”.

Source: Seychelles. 2008. ICPD + 15 Country Report

ICPD +15 data show clearly that for some countries, only a small but increasing proportion of babies born are delivered in health facilities or with assistance of skilled health personnel. In Ethiopia, only 5.6 percent of deliveries in 2000 had assistance of skilled health personnel, and in 2005 it increased slightly to 6.0 percent. Based on the latest records reported, African countries with lower than 50 percent of skilled health personnel-assisted deliveries include Niger (20 percent in 2007), Burundi (31.4 percent in 2007), Ghana (49.7 percent in 2007), Sudan (49.2 percent in 2007), Tanzania (43.0 percent in 2004) and Kenya (42.0 percent in 2003). The list could have been much longer but many countries did not provide information on the subject. Quite a number of African countries have shown appreciable increases in the proportion of women with access to skilled health personnel at the time of delivery, including: Morocco (from 31 percent in 1999 to 59.4 percent in 2003), Egypt (from 60.9 percent in 2000 to 78.9 percent in 2008), Senegal (from 49.0 percent in 1999 to 51.9 percent in 2007), Swaziland (from 49.0 percent in 1999 to 74.1 percent in 2007), Sao Tome (from 52.0 percent in 1999 to 94.6 percent in 2007), and Mauritania (from 56.9 percent in 2000 to 75.4 percent in 2008).

The ICPD +15 country report for Malawi indicates that there is inadequate accessibility by community to MNH services due to distance, cultural practices and transport; and for that country the proportion of births attended by skilled health personnel is shown to have declined from 55.6 percent in 2000 to 54.0 percent in 2006. In a few countries, skilled attendance at deliveries is near universal; namely, Mauritius (95.0 percent in 2007), and Sao Tome (94.6 percent in 2007). In Seychelles, according to the country report, most deliveries are conducted in hospitals and 100 percent of births are attended by health care professionals.

In addition, postnatal care is extremely low in most SSA countries. Complications arising from unsafe abortions also contribute significantly to maternal mortality in the continent, but hard data are difficult to find. In addition, poverty reduces access to and balanced nutrition, a factor that is critical to the health and the survival of the child. Effective family planning programmes could go a long way in reducing fertility and thereby reducing the risk of high overall maternal mortality in the population. In addition, the widespread practice of female genital mutilation in many African countries could also have negative effects on the health of women.

UNAIDS (2008) has observed that the HIV/AIDS pandemic in sub-Saharan Africa appears to have stabilized, although mostly at very high levels, particularly in Southern Africa. In a growing number of countries, adult HIV prevalence appears to be falling (Botswana, Zimbabwe, Malawi, Zambia) while rising in Lesotho and Mozambique. For the region as a whole, women are disproportionately affected in comparison with men, with especially stark differences between the sexes in HIV prevalence among young

people⁶. This assertion is echoed in the 2009 MDGs Progress Report on Africa which notes that women and girls aged between 15-49 account for 60 % of prevalence and new infections, reinforcing the gender dimension of HIV and AIDS, together with its social and economic impacts⁷.

The overall maternal situation is worsening in Africa due to low proportions of deliveries assisted by skilled health personnel, high prevalence of HIV/AIDS and shortage of skilled personnel.

Highlights of achievements

Reproductive health and rights initiatives

Twenty-three (23) countries (Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Eritrea, The Gambia, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, United Republic of Tanzania, Uganda, Zambia and Zimbabwe) have designed and are implementing and monitoring gender-sensitive health programmes, including affordable sexual and reproductive health care services and education for women and girls, and increase resources for women's health. In all of these countries, health programmes have been designed, to include sexual and reproductive health care services and education for women and girls and increase resources for women's health. Such programmes include sexual and reproductive health issues such as maternal health and safe motherhood, pre- and post natal care. Botswana involves males in sexual and reproductive health interventions whilst Ghana extends family planning services and reproductive health education to all community hospitals. Mali, Burkina Faso, Cape Verde, Congo, Chad, Mauritania, Gambia, Comoros, Mozambique, Sierra Leone and Uganda have formulated national strategic plans and established directorates on sexual and reproductive health education.

Twenty four (24) countries (Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Eritrea, Gabon, The Gambia, Ghana, Lesotho, Malawi, Mali, Mauritius, Mozambique, Namibia, Sierra Leone, Swaziland, United Republic of Tanzania, Uganda, Zambia and Zimbabwe) are taking measures to reduce maternal morbidity and mortality. They specifically deal with health impacts of unsafe abortions ensure that girls have continuing access to necessary health and nutrition information and services, and address harmful traditional practices that harm women and girls' health including female genital mutilation. Malawi has recorded a downward trend in maternal, infant and child mortality rates. Tanzania provides pregnant women and children under five with treated mosquito nets, in addition to providing free maternal and child health service which are also provided in Mauritius. Burkina Faso adopted a maternal national strategic plan in 2004 aimed at reducing maternal mortality. Namibia provides adolescent friendly health services in addition to conducting gender and reproductive health workshops. Cote d'Ivoire rehabilitated its structures offering emergency obstetric care,

⁶ <http://www.unaids.org/en/CountryResponses/Regions/SubSaharanAfrica.asp>

⁷ Millennium Development Goals Report 2009

and equipped 135 medical structures with reproductive health facilities. Since 2006 Lesotho has been providing training and free services to survivors of sexual abuse by collaborating with doctors and magistrates. Botswana, Ghana, Sierra Leone, and Mozambique introduced various programs to ensure safe motherhood, by taking maternal mortality audits in hospitals, introducing effective sexual reproductive health education and designing strategies for the reduction of maternal deaths whilst The United Republic of Tanzania, Namibia, Uganda, Eritrea, Lesotho, Zimbabwe, Mali and Cape Verde are enforcing sexual offences legislation and conducting research into harmful traditional practices and providing emergency obstetric care services and training to nurses and midwives.

Co-ordinating their national efforts, countries are working on improving upon the provision of infrastructure such as health centres and hospitals in addition to the creation of specialized institutions such as ministries, directorates and departments, resulting in improved provision of affordable sexual and reproductive health care services. For instance, in Algeria, the maternal mortality rate decreased from 96.5 /100000 live births in 2005 to 86.9 in 2007; the follow up care of pregnancies attained 89.4% in 2006 ; deliveries by skilled attendants was 96.5% by 2006 and 62.5% of women use contraceptives.

Since 2005, Malawi has also been experiencing downward trends in maternal, infant and child mortality rates, as well as increases in life expectancy. Fertility rates in Cape Verde have decreased from 4 children per woman to nearly 3 while Mali's demographic growth is reported to be at 3 %. Population growth rate in Mauritius has declined from 3.1% in the 1960s to less than 1% at present. Cape Verde and Congo report of reduced infant mortality and fertility rates and increased use of contraceptives.

Significant improvements have been registered in sexual and reproductive health services where male participation is evident in some countries (e.g. Botswana) and Sexual and Reproductive Health Programme have been expanded to include men's responsibility for their own reproductive health as well as that of their partners. In the Comoros and Côte d'Ivoire, a number of new projects are supporting the prevention of gender based violence.

The data reveals that most countries are taking steps to reduce the impacts of unsafe abortions, while ensuring that girls have continued access to necessary health and nutrition information and services. They also address Harmful Traditional Practices committed against women and girls' including practices such as Female Genital Mutilation. Maternal Health and Safe motherhood, pre- and post natal follow up care as well as neonatal care are among priority areas in many countries like Algeria, Botswana, Burkina Faso, Côte d'Ivoire, Guinea, Mali, and Mozambique. Some countries like Botswana are conducting maternal mortality audits in hospitals while others like Burundi have instituted fee exemptions mothers, a measure which has contributed to the reduction of maternal mortality. The proportion of deliveries at home is declining in countries such as Libya and Tunisia, while the provision of family planning products has also increased, thereby reducing the numbers of unplanned pregnancies, maternal mortality and neo natal deaths.

The data reveals that all countries have put in place required mechanisms to monitor the delivery of the various health initiatives such as trainings, social protection measures such as the free provision of ARVs and nutrition supplements, and the establishment of information management systems.

The management of other diseases

Internationally agreed development goals such as the MDGs, Maputo Plan of Action and BPfA have contributed to inducing support to interventions that aim at curbing the spread of malaria, cardiovascular diseases, STIs and cancers that affect women. As such 23 countries (Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Gabon, The Gambia, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, United Republic of Tanzania, Uganda, Zambia and Zimbabwe) support interventions to curb the spread of malaria, cardiovascular diseases, STIs and cancer that affect women, including the provision of free and subsidized reproductive health care services. In addition 11 countries report that their Medical School mandatory courses in areas affecting women's health. The countries concerned are Chad, Congo, Gabon, The Gambia, Lesotho, Malawi, Mozambique, Namibia, Sierra Leone, United Republic of Tanzania and Uganda.

Malaria is being addressed through national coordinated efforts. Improvements in malaria treatment and prevention are evident in Botswana, Burkina Faso, Burundi, Cape Verde, Chad, Comoros, Congo, Côte d'Ivoire, Gabon, Gambia, Mali, Namibia, Sierra Leone, the United Republic of Tanzania, Togo and Uganda with specific focus on pregnant women and children under 5 years old. Malaria has already been eradicated in some countries such as Algeria, Libya and Tunisia. Cote d'Ivoire reports that screening for breast and cervical cancer is provided by the State, while other countries such as Ghana have set up special committees to oversee the treatment of cancers (e.g. cervical, breast and prostate). Guinea is also deploying efforts to fight against gynaecologic cancers, and has adopted guidelines and standards and similar to Lesotho where girls aged 9 to 18 years are being vaccinated against cervical cancer.

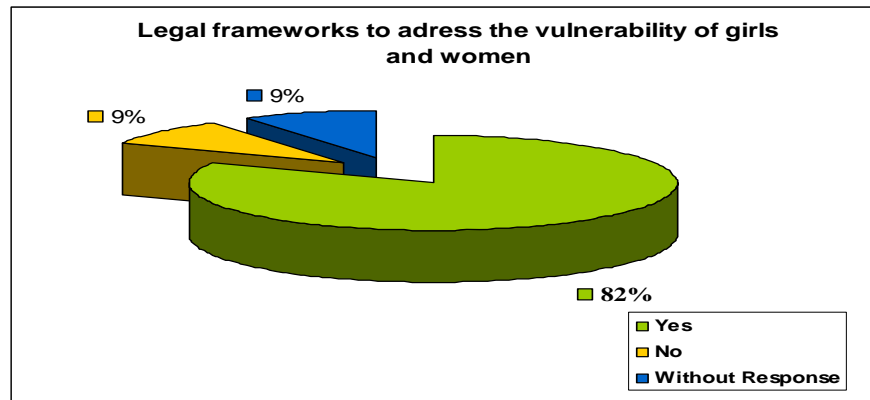
IEC campaigns and advocacy to combat unsafe abortions and pregnancies are being carried out in Cape Verde, Comoros, Congo, Mauritius, and Nigeria. This is being coupled with counselling services to mothers, girls and youth. Training of midwives and knowledge and skills upgrading are also continuing in most countries.

Combating and reversing HIV/AIDS

Twenty one (21) countries (Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Eritrea, Gabon, Gambia, Ghana, Malawi, Mali, Mauritania,

Mauritius, Mozambique, Namibia, Sierra Leone, United Republic of Tanzania, Uganda and Zimbabwe have institutional, legal and policy (one or more) frameworks to address HIV/AIDS. (See Figure 3.1 in respect of legal frameworks).

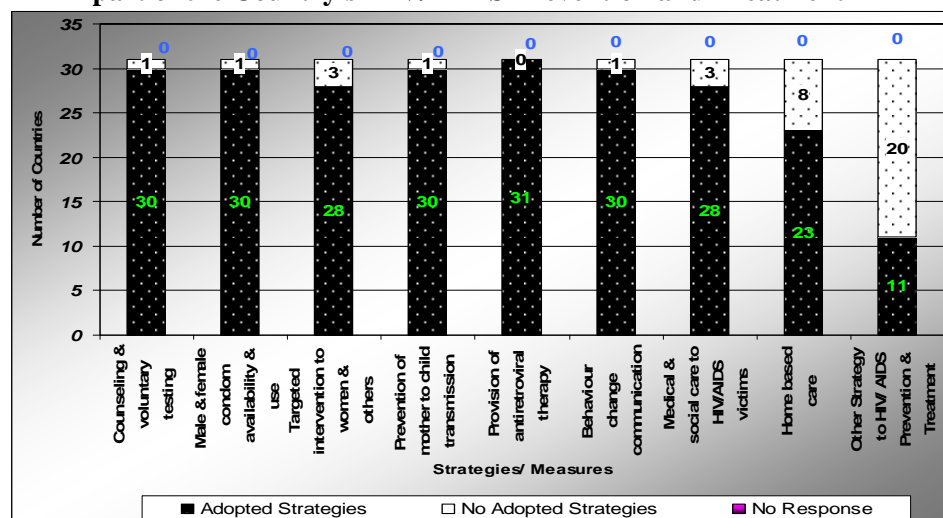
Figure 3.1



Botswana has enacted a Domestic Violence Act in 2008 to protect women and girls from the effects of HIV-related crimes. Burkina Faso, Niger and Côte d'Ivoire have also adopted laws to protect People Living with HIV and AIDS, taking into consideration the vulnerability of women and girls. Counselling and voluntary testing are available in 23 countries (Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Gabon, The Gambia, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, United Republic of Tanzania, Uganda, Zambia and Zimbabwe).

Botswana, The Gambia, Ghana, Guinea, Nigeria, United Republic of Tanzania and Uganda have plans in place to address the gender dimension of HIV/AIDS. Countries also cooperate with international institutions and development partners in the fight against HIV and AIDS. They actively engage in awareness creation to prevent occurrences of stigmatization and discrimination, in addition to the importance of protective measures such as male and female condom use. Male and female condom availability and use are noted in 22 countries (Botswana, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Gabon, The Gambia, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, Swaziland, United Republic of Tanzania, Zambia and Zimbabwe). While free provision of male condoms is cited by many countries, only a few countries like Botswana, Uganda and Zimbabwe provide female condoms free of charge. Zambia reports that female condoms are inaccessible to poor women due to lack of affordability. In Cape Verde condom distribution points have been expanded. By 2005, More than 71 % of population aged 15 to 49 years old declared using a condom with non regular partner. Figure 3.2 below highlights the major HIV/AIDS interventions in responding countries.

Total Number of Countries that adopted Recent Strategies or Measures as part of the Country's HIV/ AIDS Prevention and Treatment



Targeted programmes and other initiatives

A substantial number of countries have designed and are implementing programmes in favour of vulnerable groups such as children and people living with HIV/AIDS. Programmes targeted at orphans (e.g. Botswana, Côte d'Ivoire and Malawi) tend to be in the majority. Burkina Faso, Niger and Côte d'Ivoire have adopted laws for the protection of PLHIVs, Ethiopia, Namibia, Cape Verde and Sierra Leone have reviewed national laws to ensure equal access to services, care and treatment to all vulnerable groups.

In Algeria, Botswana, Burkina Faso, Chad, Burundi, Congo, Gambia, Guinea, Côte d'Ivoire, Malawi, Mauritania, Mali, Mauritius, Niger, Sierra Leone, Tanzania, Togo, Tunisia, Uganda, Zambia, Zimbabwe counselling and voluntary testing are being undertaken through centers, departments and mobile clinics. Namibia reports that approximately 62% women and 61% men seek counselling and treatment for STIs at private clinics and public hospitals.

To mitigate some of the social burden of HIV-AIDS victims on families, the Governments of Botswana, Gambia, Guinea, Mali and Zimbabwe support home based care programmes. In Burundi home visits are made by NGOs and in countries like Uganda, government supports CSOs efforts. In Algeria, Burundi, Mauritania, Namibia Niger, Sierra Leone, Tanzania, Togo, Tunisia, Uganda assistance is provided to people living with HIV/AIDS and their families in the form of medical, material, psychological and social care. In Lesotho the 'Flying Doctors - Partners in Health' render services in rural areas, targeting groups such as herd boys. Namibia trains youth as peer educators and condom use promoters, resulting in an estimated 64% per cent of the 15-19 age group using condoms at the first sexual intercourse.

All available means of communication and mass media are currently being deployed to popularize and disseminate the slogan: “Abstain, Be Faithful and Condomise” to countries. The efforts made to reduce child marriage, human trafficking and sex abuse are also one of the cornerstones to attain the expected results.

Training of health personnel

Some countries are finding innovative means to address the shortage of health personnel in their respective countries. In response to the shortage of medical personnel, three African countries: Tanzania, Mozambique and Malawi have initiated a capacity enhancement programme involving the use of Non-Physician Clinicians (NPCs). These are health personnel who are trained to engage in health procedures which would normally be carried out by a qualified doctor (e.g. caesarian sections). An evaluation of the programme has demonstrated its cost-effectiveness, sustainability and therefore potential to increase maternal health services to women as such personnel tend to remain in their rural locations (Bergström, S. 2009).

Mandatory courses related to women's health are a major cornerstone of health delivery. In countries such as Congo, Gabon, The Gambia, Lesotho, Malawi and Mozambique, gender equality related issues are integrated in medical school curricula. In Lesotho for instance, general nursing and midwifery programs were reviewed to include gender-related issues.

These efforts and related results have been reported by all countries and just to mention some of the countries like Angola, Chad, Ghana, Malawi, Mozambique, Sierra Leone, Lesotho, Zambia Congo, Mauritius, Namibia, and Tanzania. As for introducing intensified monitoring and evaluation mechanisms Cape Verde, Eritrea, Ethiopia, Comoros, Gambia, Ghana, Malawi, Uganda, Burkina Faso and Cote d'Ivoire continue efforts to mainstream gender dimension and human rights based approach in the provision of the health services.

Countries reported that they have adopted national strategies, plans or programmes, and ensured the synergies between the different components, but the disparities between countries, as well as within the same country are still visible and even if some results are being registered and presented, no details are provided on the monitoring and evaluation systems or the mechanisms set to collect and analyse data.

Highlights of challenges

- a) As noted in the situation analysis progress in addressing women's suffers from enormous challenges. It is in this light that the 2009 MDG progress report on Africa (ECA, AU and AfDB), notes "health goals present a serious challenge for Africa."
- b) Despite commitment to health and specific targeted action on reproductive health, maternal mortality in Africa remains the highest in the world.
- c) Poverty is negatively influencing women's empowerment and is closely linked to low education levels. Being poor and with low level of education contribute to a person's vulnerability, especially if they are not aware of their human rights.
- d) High levels of illiteracy resulting in the inability of women to read and write hinder access to information and services related to sexual and reproductive health including HIV/AIDs awareness and prevention.
- e) Socio-cultural resistance to change and to the participation of women and persistence of cultural dispositions including stereotypical attitudes as well as pressures on women also jeopardize progress towards equality and fighting against HIV-AIDS.

Recommended actions

- a) Develop strategies to address current high levels of maternal mortality through improved *equity in access and service delivery*, especially with respect to emergency obstetric care;
- b) In line with the Maputo Plan of Action, compile and disseminate data on the magnitude and consequences of unsafe abortions, enact and disseminate policies and laws to protect women and adolescents; and provide clear instructions, guidelines and appropriate training to service providers in the provision of comprehensive abortion care services;
- c) Address *health financing* as an important catalyst of MDG short, medium and long term implementation within the context of the Maputo Plan of Action and ICPD +15 outcomes;
- d) Mitigate the impact that the shortage of medical staff is having on African health delivery;
- e) Enhance research, prevention methods and access to post-exposure prophylaxis drugs;
- f) Translate national programs and policy frameworks on HIV/AIDs, TB, malaria

and other communicable diseases into reality to address the gaps between policy and practice;

- g) Strengthen the prevention of mother-to-child transmission of HIV/AIDS within the framework of maternal and child health care programmes and integrate HIV/AIDS concerns into all reproductive health programmes, with a view to taking account of the gender dimensions of the pandemic, such as the need to increase the use of contraceptives among both sexes;
- h) Allocate adequate human and financial required resources and ensure oversight bodies are established to address issues of accountability so that proper utilization of resources earmarked for HIV/AIDS programs;
- i) Address the gender dimension of HIV/AIDS and enhance and popularize free access of female condoms and vigorously campaign for awareness creation and mitigation of discrimination against those living with HIV/AIDS.

Area of Concern 4: Violence Against Women

BPfA expectations

The BPfA notes that violence against women is an obstacle to the achievement of the objectives of equality, development and peace, violating, impairing or nullifying the enjoyment by women of their human rights and fundamental freedoms. In all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and culture. The low social and economic status of women can be both a cause and a consequence of violence against women. Violence is exacerbated by social pressures, notably the shame of denouncing certain acts that have been perpetrated against women; women's lack of access to legal information, aid or protection; the lack of laws that effectively prohibit violence against women; failure to reform existing laws; inadequate efforts on the part of public authorities to promote awareness of and to enforce existing laws; and the absence of educational and other means to address the causes and consequences of violence.

Among other measures, Governments are required to enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society; provide women who are subjected to violence with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm they have suffered and inform women of their rights in seeking redress through such mechanisms; and create, improve or develop as appropriate, and fund the training programmes for judicial, legal, medical, social, educational and police and immigrant personnel, in order to avoid the abuse of power leading to violence against women and sensitize such personnel to the nature of

gender-based acts and threats of violence so that fair treatment of female victims can be assured.

The Outcome document of the 2004 Conference of Ministers makes reference to violence against women and girls in conflict situations, and urges Governments to put in place functional mechanisms and intervention programmes for the protection of women and girls in refugee and IDP camps against violence and all forms of sexual abuse. In addition, humanitarian interventions must pay attention to the health needs, especially reproductive and sexual health, of women and girls in conflict, refugee, and IDP situations (UNECA, 2004; para 32).

A situation analysis of women as victims of violence

Violence against women remains a persisting problem in Africa (box 3.8). Occurrences of domestic violence, sexual abuse, trafficking in women and children and harmful traditional practices are common to the majority of countries. The ICPD regional review (ECA, 2009 a.) reveals that although different causes and patterns of violence exists across countries, countries agree that it is rooted in unequal power relations between women and men, exacerbated by customary norms and practices. Armed conflict was cited by CAR, Congo and Sierra Leone as a major factor that tends to aggravate the occurrence of especially sexual violence against women and girls.

Acts of violence bear some common features. They include the lack of willingness of victims and their families to report; limited capacity of law enforcement agencies to deal with these issues as crimes; and lack of awareness of rights and obligations afforded under the law among the general population.

Box 3.8: Some Harmful Practices existing in Benin

Among the types of violent acts committed in Benin: sexual violence; economic exploitation; forced marriage; degrading widowhood practices; and female genital mutilation are the most familiar practices based on custom and perpetuated by tradition. Action abductions, bartering girls against their will, early marriage, as well as other similar forms of marriage, are practiced without the use of violence among some Adja, Toffin, Otamari, Berba, Gnindé, etc. These practices, where they persist, constitute one major obstacle to girls' school attendance. Even where the parents are willing to send their daughter to school, she may be taken out of the school system at any moment to join the husband chosen for her. A father who has already received bride price in species or in kind lives in dread of his daughter escaping to marry the man of her own choice.

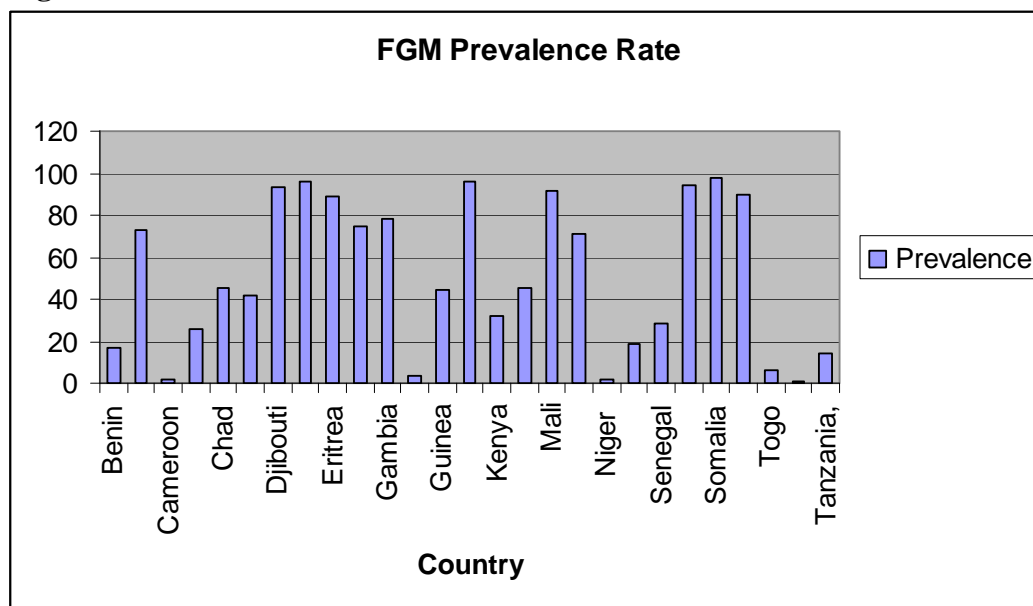
Source: Benin State Party Report to CEDAW, 2002. Paras. 5.1 and 5.3

All countries recognise domestic violence as a continuing violation of women's rights. The reports of Benin, Burkina Faso and Cameroon cite the persistency of expectations of women's docility, submissiveness and silence towards men, especially at the domestic level, as conducive factors for domestic violence. In the wake of limited economic autonomy, women tend to be overwhelmed by the potential realities of deprivation by

opting out of violent relationships. Women are also handicapped by inadequate co-ordinated support systems and the fear and stigma associated with reporting.

The continuation of harmful cultural practices remains a daunting challenge in Africa. Results from the 2008 DHS of Egypt show that the practice of female circumcision is virtually universal among women of reproductive age (15-49 years) and that the country has a prevalence rate of 95.8 per cent. This is comparable to other African countries, e.g. Burkina Faso (72.5 per cent), Djibouti (93.1 per cent), Eritrea (88.7 per cent), Ethiopia (74.3 per cent), Gambia (78.3 per cent), Guinea (95.6 per cent), Mali (91.6 per cent), Mauritania (71.3 per cent), Sierra Leone (94 per cent), Somalia (97.9 per cent), and Sudan (90.0 per cent).⁸

Figure 3.3



The review outcomes show that generally, laws are not given full meaning due to the lack of effective planning for sustained interventions, especially for victims. In general, policies, plans and targets tend either not to be in place or are in their infancy in situations of trafficking. Institutional mandates, financial and human resource allocation, civil society involvement, information dissemination and monitoring and evaluation score low across all countries. Communication strategies also fail to take account of the peculiar circumstances of disadvantaged groups in both urban and rural settings. On the whole, there is evidence of the need for African countries to invest more financial and human resources at national and provincial levels to ensure effective implementation and monitoring of government policies and to enact laws to protect children especially from exploitation. It is also important that the governments pursue participation of parents and communities in the planning of interventions in areas that are more disposed to trafficking and prostitution of children.

⁸ This data was obtained from: Eliminating Female Genital Mutilation. An Interagency Statement (WHO, 2008). Figures for Sudan relate only to the northern part of the country.

Many countries have counselling and legal assistance centres. Even with counselling and rehabilitation centres, this remediation method does not seem to yield much as it leaves perpetrators out of the mainstream.

Highlights of achievements

Enactment of legislation combating various forms of violence

An estimated 14 African countries (Botswana, Cameroon, Ghana, Kenya, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Nigeria, Rwanda, South Africa, Uganda and Zimbabwe) are either in the process or have completed law reform processes in the domestic violence. Malawi introduced its Domestic Violence Act in 2008, providing for protection orders for the safety of victims and survivors of domestic violence. The importance of enacting specific legislation dealing with issues of domestic violence is underscored by the experience of those without such measures in place, their concern being that general penal legislation is incapable of responding to the multifaceted issues associated with gender-based crimes. In the short term therefore, countries which have not succeeded in enacting specific domestic violence laws have reformed existing law as an interim response. For example, in 2004, Ethiopia amended its general Penal Code to include a specific provision on domestic violence.

Box 3.9: Case studies on how rape is being addressed in selected countries

The penal provisions of **Ethiopia** currently carry a penalty of imprisonment of between 5-20 years for the offence of rape. Before their revision, there existed a situation in which when a marriage was concluded between a rapist and the victim, the former would not be charged under the law. Under the revised law, marriage can still be concluded if the essential ingredients of a marriage, such as age and consent, are met. However, in this instance, the criminal charge against the perpetrator will not be dropped.

In **Mozambique**, intra-family rape (incest) is very common, but nevertheless a taboo subject which is hardly reported. Hospital gynaecologists have treated numerous cases of incest and rape of young girls by male relatives, often without the parent's knowledge. However, no research has been done to assess the extent of the problem.

Egypt notes that rape is a controversial issue, due to prevailing cultural taboos. However, the Association for the Development and Enhancement of Women has set up the House of Eve Shelter Programme which is open to all women and children, as well as offers housing, counselling and life skills.

The **South Africa** Department of Justice, has elaborated a comprehensive framework of commitments in its 'Justice Vision 2000'. This includes the review of the substantive and evidentiary laws of rape, the legal procedures, as well as provides services to victims. The framework sees the needs of vulnerable groups as central. To this end the Department has established a Specialized Sexual Offences Court.

Sources: African Women's Report,
2009

Ghana, Uganda and South Africa have also enacted legislation to combat human trafficking. In addition to the penal codes that criminalise sex trafficking, many countries ratified or signed the UN Convention against Transitional Organised Crime and its three protocols, as well as the UN convention against Human Trafficking e.g. Algeria and Namibia. Egypt notes that it is a transit country for subjects of African and Southeast Asian countries, the former Soviet Republics, and Eastern European countries and that most of the victims are women. It is making efforts to counter these practices through tight control of all border crossings and other routes (such as the Suez Canal), the creation of a specialized anti-trafficking police agency, and cooperation with border countries, Interpol and tourist agencies to exchange information and effect action.

South Africa has strengthened its measures aimed at combating trafficking in women and children through a three-pronged strategic response. This involves strengthening international relations, especially with neighbouring countries and the prosecution of traffickers using existing legal provisions and administrative mechanisms, including asset forfeiture and law reform aimed at creating an integrated and holistic legal framework that facilitates the fight against trafficking.

To combat various forms of exploitation of children, Ghana has domesticated the provisions of the CRC and the African Charter on the Rights and Welfare of the Children through its Children's Act of 1998 (Act 560) and the Criminal Code (Amendment) Act of 1998 (Act 554). Tunisia notes that there are specific laws "related to the involvement of children in armed conflict, and the use of children in trafficking, prostitution, and pornography. The Children's Act, 2005 (Act 38 of 2005) of South Africa repeals the Children's Act, 1960 (Act 33 of 1960), providing greater protection of the rights of children. It also creates the National Child Protection Register, which is a data base of situations of abuse and deliberate neglect of individual children in addition to the interventions made in their favour (see box 3.10).

3.10: Case studies on child protection legislation

The Sexual Offences Law of 1998 in **Tanzania** does not contain clauses on pornography and sexual exploitation. There is presently no government policy concerned with trafficking of children and sexual slavery. Civil society groups concerned with violations of the rights of children are confronted with such great distrust and hostility that they cannot effectively act in most child exploitation situations. **Madagascar** has strict laws in place to protect girls from sexual violence and against pornography in general. Yet the effect of these laws is minimal, as law enforcers either turn a blind eye to violations of children's rights or do not regard them as a priority. In addition to numerous laws created to protect the child, **Tunisia** has instituted two institutional mechanisms to protect children in all 24 governorates: special budgets for officers in charge of protecting children, and an Observatory for information, training, documentation and research.

Source: African Women's Report, 2009

Penal legislation to address various forms of sexual offenses are also in place in a substantial number of countries (e.g. Burkina Faso, Ghana, Madagascar, Mozambique, South Africa, Tanzania and Tunisia). Of these Madagascar and South Africa include marital rape in their definition of rape.⁹ Tanzania has enacted a Sexual Offences (Special Provisions) Act of 1998 to deal with acts of violence against women and children.

Sexual harassment is penalized in Algeria, Egypt, Morocco, South Africa and Tunisia. South Africa has various laws in place to protect workers and apprentices from sexual harassment. These include the Employment Equity Act 55 of 1998, the Employment of Educators Act 53 of 1998 and various guidelines and codes of good practices. The Uganda Employment Act (Act 6), 2006 is also explicit on sexual harassment at the work place, while the Public Service Code of Conduct provides guidelines on how to address the issue in Public Office. In the absence of distinct provisions on sexual harassment with the legal framework of Ethiopia, the provisions of the Penal Code are inadequate to prohibit sexual advances and sexual exploitation of categories of persons such as employees. Recent decrees such as the Civil Service Proclamation of 2002, and the Labour Proclamation revised in 2003 failed to take the issue into account. However, Ghana has set a target to mandate all workplaces, educational institutions and other bodies to develop codes of conduct to prevent sexual harassment. Despite this Government commitment in Ghana, only one case of sexual harassment has been successfully prosecuted.

Twenty four (24) countries (Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Cote d'Ivoire, Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Ethiopia, The Gambia, Ghana, Guinea, Guinea Bissau, Kenya, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, United Republic of Tanzania and Togo) have also enacted legislation to combat FGM/C. The United Republic of Tanzania has in place a National Plan of Action (NPA) to combat FGM/C (2001 to 2015) to provide guidance on the elimination of Female Genital Mutilation. The 1st of February of each year is a national FGM/C day, used to sensitize the community on its harmful effects. In implementing the NPA on FGM/C various activities have been undertaken which include: training of school teachers to integrate the knowledge in schools' curricular; sensitization of communities through campaigns, media programmes, seminars, workshops, drama, books, and leaflets on the harmful effects. The Government also provides awareness raising on the existing laws against FGM/C. In addition, a number of NGOs undertake training and sensitization activities on the legal and human rights aspects of FGM/C. They also participated fully in developing the NPA on FGM/C. As a result of a 'Stop FGM/C' drive, some mutilators have been sensitized to the extent that they have laid down the tools they used to perform FGM/C, and have joined the campaign of educating the community to stop the harmful practice. Further, some parents and elders, who were hitherto advocates of FGM/C, come out to denounce the practice in public.

Institutional arrangements and facilities for victims

⁹ Ghana has also included marital rape through a separate judicial reform process.

Law enforcement agencies (police, immigration, social welfare departments, customs and the courts), national machineries for women constitute the main institutional arrangement for the combating and treatment of violence in countries. Only a few countries (Ghana, Lesotho, Mozambique, Namibia (box 3.11), South Africa, Swaziland and United Republic of Tanzania) have created specialised institutions in place to ensure that victims of abuse receive holistic services. Countries such as Ghana, South Africa and Tanzania, have experienced yearly increases in reporting due to improved information dissemination, justice delivery and the creation of specialised institutions to deal with situations of violence. Swaziland has invested in the establishment of child friendly corners in police stations and private interviewing rooms for survivors of human rights and assault violations; the establishment of a Children's Court in the High Court of Swaziland; the use of intermediaries in courts and the establishment of the Royal Swaziland Police Gender Network in the Police Force.

Box 3.11: The creation of a women and children's specialised unit in Namibia

Women and Child Protection Units (previously known as Women and Child Abuse Centers) were established to provide temporary safety shelters, counseling services and legal advice for abused women and children. In 2004, 15 Units were established to deal with issues of domestic violence and abuse in all 13 regions. These units handle and investigate cases relating to rape, attempted rape, incest, indecent assault, sodomy, abduction and physical abuse of women and children. The WCPU is steered by a Committee consisting of Government, Non-Governmental and Community Based Organizations, women organizations and the human rights organizations that offer services ranging from counseling, shelter, health, law enforcement, education and training. Most of the Units are situated close to hospitals and/or clinics in order to ensure that access to such facilities are available to victims of violence. The Units multi-disciplined in that they are run by the police, social workers and medical doctors. The victim of domestic violence after being counselled by the social worker can then lodge a case with the police. All the members of the Unit are especially trained to deal with cases of domestic violence. The medical doctor is on a call roster for the Unit to readily attend to the victims.

Source: Compendium of Best Practices response to ECA, 2009

The specialized institution of Mozambique affords opportunities for women victims of VAW to receive information on their rights. Other services include counselling, legal, medical and psychosocial assistance. In Lesotho, a national coordination mechanism for national response to GBV prevention and management has been established. It revolves around three levels of implementation: Thematic groups, Technical Group and The District Gender Based Violence Committee (made up of the Community and the Village Gender Based Violence Committees).

As noted by the BPfA, shelters are also important instruments for the protection of survivors of violence. Some countries (e.g. Algeria, Botswana, The Gambia, Ghana, Lesotho, Mauritius, Namibia, Nigeria, Sierra Leone, united Republic of Tanzania, Tunisia, Uganda and Zimbabwe) have acted jointly with NGOs to open shelters and have further allocated regular budgets for them for them to operate.

Sensitization, training and research

A number of countries (e.g. Benin, Burkina Faso, Cameroon, Egypt, Ghana, Mauritius and Zambia) have national plans and programmes in place to build the capacity of law enforcement agencies. All responding countries indicate that they have invested in public awareness and sensitization programmes as a means of breaking the taboo and the wall of silence surrounding VAW and enlightening society to view it as a social problem. All countries engage in sensitization activities and campaigns in the areas of violence against women through such channels as television and radio.

In some countries such as Chad, Republic of Congo, Ghana, Namibia and Tunisia, studies have conducted research into various exploitation issues such as trafficking and prostitution. In the process, risk zones have been mapped out in Namibia and the Republic of Congo for purposes of tracking perpetrators and protecting victims. In Zimbabwe, the *Red Light Campaign*, sponsored by Women and Law in Southern Africa (WLSA) Zimbabwe branch has helped in reducing the potential risks raised by the 2010 World Cup, in terms of increased exploitative sex work and trafficking of women, and abuse. Similarly, Zero Tolerance Clubs have been set up with a view to empowering the community to act as watchdogs to ensure that their locality is violence free in Mauritius. To date, five Zero Tolerance Clubs have been set up at and monthly activities are organized to sensitize the public at large on issues related to domestic violence.

The involvement of men and boys

An estimated 20 countries have taken initiatives to involve men and boys in their efforts to combat domestic violence. In Uganda for instance, men's groups have been incorporated into activities to prevent violence against women in the several projects to prevent violence against women and so far a total of 900 men have been mobilised to form male action groups.

With assistance from UNIFEM, several countries (e.g. Cameroon, Gambia, Ghana, Namibia, Rwanda, Lesotho, Nigeria, South Africa), have undertaken training and capacity building in the field of gender equality and women's advancement for agencies with a high male labour force.¹⁰ The security forces (especially the police force) of various African countries, have benefitted immensely from a range of training and sensitisation in issues of violence against children and women. In some countries (for example, Ghana and Nigeria), training sessions have involved personnel of the highest level, including heads of the police force

There are on-going initiatives to involve men and boys in combating violence and in sexual and reproductive health. Representing southern, eastern and central Africa, the Sonke Gender Justice Network works with men, women, youth and children to achieve

¹⁰ Such interventions do not condone the lack of equal gender representation in these organizations. On the contrary, they seek to reinforce the need to take every opportunity available to sensitize men on concerns affecting the sexes.

gender equality, prevent gender based violence and reduce the spread of HIV and the impact of AIDS. The *One Man Can Campaign* is Sonke's flagship project and it has the aim of supporting men and boys to take action to end domestic and sexual violence and to promote healthy, equitable relationships.¹¹ Among other things, the campaign encourages men to work together with other men and with women to take action. With the aid of a special tool kit,¹² the organization seeks to forge a movement, to demand justice, to claim our rights and to change the world.

Additionally, the *Stepping Stones Project* in South Africa, which uses participatory learning to build more gender-equitable relationships between men and women, found that both men and women reported increased condom use, less transactional sex, less substance abuse and greater communications among couples.¹³

Protection afforded to women with disabilities

Interventions in favour of women with disabilities have included NGO counselling support centres in Algeria, Angola, Ghana, South Africa and Namibia; the creation of special councils in Egypt; the creation of a specific ministry in Malawi and a directorate in Togo. These bodies are charged with delivering information and lead efforts in sensitizing women with disabilities about VAW/GBV issues. In Chad, a specific law was adopted to protect people living with disabilities and Guinea has ratified the Convention related to persons living with disabilities.

Data collection and research

Surveys and studies have been conducted in many countries providing information and data to reinforce advocacy efforts and policy making and planning, including in Algeria, Burkina Faso, Botswana, Cape Verde, Congo, Gambia, Egypt, Ghana, Cote d'Ivoire, Mauritius, Morocco, Niger, Tunisia as well as in other countries. Specialized centres of studies on GBV and VAW were created in Angola and Egypt. However most countries have no systems in place, for example, Algeria, Angola and Togo are working towards the creation of such operational systems and will join few countries which reported the set up of such systems. In Namibia, a national GBV database system was established and launched in 2006, with financial assistance by UNDP. The system is now being modernized to strengthen the efforts of the Ministry and its stakeholders in combating GBV. The database is expected to capture the data and have facilities for online query and business intelligence data mining or reporting. The data can also be used for interpretation, analysis, running tables and graphs and compile report.

¹¹<http://toolkit.endabuse.org/BuildPartnerships.html> and <http://www.genderjustice.org.za/onemancan/> for more information.

¹² Tool kits consist of stickers, music, clothing, video clips, posters and fact sheets.

¹³ ICRW (2007). Engaging Men and Boys. How can we Build on What we Have Learned? Page 1.

The involvement of the media

There are signs of increased interest of the media in efforts to combat violence against women and the fight against gender stereotyping. In Algeria and Ghana, the media was active in creating awareness of the GBV national strategy and legislation respectively. The process served as opportunities for the capacity of journalists to be built in the fields of gender, human rights and gender based violence.

Angola established a Women Journalists' Nucleus against Gender Based Violence and Gender Focal Persons have been located in some media houses in Botswana. Training of media professionals to promote gender equality has also been carried out in Cote d'Ivoire, Namibia and Swaziland. Communication strategies have been developed in Djibouti and Gambia to combat various forms of violence against women, such as female genital mutilation, while media campaigns on the same issue have been held in Egypt, Morocco, Uganda, and Zimbabwe. Efforts on this issue however, seem to gain momentum and feature more prominently in the media, during the 16 days of activism against violence.

Highlights of challenges

- a) In most countries, domestic violence is still regarded by society as a whole, as well as by enforcement agencies, as a private concern.
- b) Attitudes of both men and women to the criminality of domestic violence could be impeding prosecution for such acts (box 3.12).

Box 3.12: Case studies of male and female views on wife beating

The 2006 DHS of Uganda gathered information on male and female attitudes towards wife beating as a proxy for determining male and female perceptions of women's status. Seven in 10 women and 6 in 10 men agreed that at least one of the reasons which the UDHS listed as a possible justification for wife beating was sufficient cause to do so. The DHS made the important observation that these perceptions could serve as a barrier to health-seeking behaviours among women, as well as affect their attitude towards contraceptive use and negatively impact their general well being.

In **Egypt**, 39 per cent of women agreed that wife beating would be justified in at least one of the specified circumstances. The reasons women most often agreed justified wife beating were going out without telling their husbands and neglecting children (reported by 32 and 29 per cent of women, respectively).

Sources: Uganda DHS, 2006:250 and Egypt DHS, 2008:43

- c) Implementing institutions lack the requisite financial and human resources, to be able to execute their functions and programmes effectively.
- d) Some issues of violence such as sexual harassment suffer from limited visibility, reporting and prosecution, accentuated by a paucity of related research and data. It is as such rare to find sexual harassment cases that have been prosecuted.

- e) Countries also lack the requisite data and research to assess the scope and extent of the problem and to embark upon effective monitoring.

Recommended actions

- a) Enhance the capacity of enforcement agencies responsible for the protection of women and children by providing adequate training on existing laws and policies, and equipment and mechanisms for effective record keeping.
- b) Ensure that awareness-raising on women's rights includes messages that work to reverse the culture of silence surrounding violence, in addition to its privatization and the impunity with which violence is perpetuated.
- c) Work to sustain successful prosecutions of perpetrators and protection of victims of trafficking.
- d) Document, disseminate information about and replicate best practices taking place in some countries in the establishment of specialized institutions (e.g. police stations, courts and shelters for victims) for the protection and rehabilitation of victims.
- e) Ensure that regional, subregional and inter-country approaches to trafficking are adopted by countries by advocating for and entering into bilateral and multilateral protocols of co-operation to strengthen and under-score enforcement regimes

Area of Concern 5: Women and Armed Conflict

BPfA expectations

The BPfA specifically calls on Governments to “increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation.” The Beijing+10 outcome document recommends that measures that affirm the role and rights of women during the negotiation, transition and reconstruction phases should be upheld and mechanisms for their implementation and monitoring should be strengthened at regional and international levels. In addition, the trauma of rejection of female refugees on account of the consequences of rape and other forms of gender based violence must be addressed. Support to women in political processes in countries emerging from conflict must be increased so they can influence conflict prevention, peace building and reconstruction. It further recommends full implementation of the UN Security Council Resolution 1325 and the AU Protocol on Women's Rights. (UNECA, 2004; para 32).

A general situation analysis of women and conflict

Responses to questions on this critical area of concern was limited in view of the fact that most countries considered themselves unaffected by conflict. An assessment undertaken in 2007 by ECA in collaboration with the Office of the Special Adviser on Gender Issues and the Advancement of Women (OSAGI) on the national implementation of UNSC Resolution 1325, notes nevertheless, that the level of awareness of the Resolution is still relatively low in Africa and that women largely remain excluded from issues related to peace and security. The chaos and anarchy of open conflict means that women and girls continue to be vulnerable to attacks, especially to sexual based violence¹⁴. Côte d'Ivoire reports that 52% of women have been displaced by war and that of these 21% heads of households.

Highlights of achievements

Participation of women in peace and reconstruction processes

There has been a significant increase in commitment to implement United Nations Security Council Resolution (UNSCR) 1325 in the last five years notably in countries experiencing conflict. Nine (9) countries (Chad, Congo, Cote d'Ivoire, Ghana, Malawi, Mali, Namibia, United Republic of Tanzania, Uganda and Zimbabwe) are implementing the provisions of UNSC Resolution 1325. Three countries (Côte d'Ivoire, Liberia and Uganda) also have Action Plans in place to operationalize the Resolution. Eleven (11) countries indicate that they are training women in conflict resolution, reconciliation and tolerance. The countries concerned are Chad, Congo, Cote d'Ivoire, Ghana, Malawi, Mali, Namibia, Sierra Leone, United Republic of Tanzania, Uganda and Zimbabwe. Eight (8) countries (Congo, Cote d'Ivoire, Ghana, Malawi, Namibia, United Republic of Tanzania, Uganda and Zimbabwe) also report that they have integrated gender perspectives into all aspects of conflict resolution initiatives. Women have participated in peace processes in Burkina Faso, Malawi, Ghana, Guinea, Liberia and Mali. In Uganda women have been included in negotiation teams aimed at ending the 20 year conflict in the northern part of the country. The DRC has also included women in mediation structures, while Zimbabwe has incorporated women in peace keeping missions in Sudan.

In 2005, Burundi introduced a training module on human rights and peaceful resolution of conflicts into its university curriculum. Trainings of several stakeholders (medical, legal, police and soldiers) have been organized in Cote d'Ivoire, Guinea, Malawi, Niger, Sierra Leone, Togo and Zimbabwe. With support from UNDP, A National Action Plan for the implementation of UNSCR 1325 is in place in Cote d'Ivoire and the number of personnel trained in 2006 was 68 including 58 women and in 2007 45 people including 19 women.

In Congo and Cote d'Ivoire, women are participating in the sensitization campaigns organized on culture of peace and tolerance. In Uganda, government in partnership with United Nations and international organizations, as well as local humanitarian agencies have since 2006 resulted in gender violence prevention and response interventions in Northern Uganda districts.

Box 3.13: Women's Involvement in the Peace Process in Burundi

A breakthrough was reached for the "Group of Associations and Feminine NGOs of Burundi", "Women's Network for Peace and Non-Violence" and the "Women's Association for Peace" of Burundi, when UNIFEM and the Mwalimu Nyerere Foundation sponsored the All-Party Burundi Women's Peace Conference, held between 17 and 20 July 2000 in Arusha, Tanzania. As requested, each of the 19 Burundi parties represented at the peace negotiations sent two women delegates: more than 50 Burundi women and observers participated in the event. The women's proposals were presented at a meeting with former South African President Nelson Mandela, the facilitator for the Burundi peace negotiations. All the women's recommendations were accepted by the 19 parties and were integrated into the final document of the peace accord – with the exception of a clause requesting a 30 per cent quota to promote women's representation at all decision-making levels. It took almost four years of persistence for the Burundi women to have their voice heard in the peace process. Source: Puechgirbal, 2004

In Burundi demobilized women and girls combatants who participated in armed conflict have been integrated in national army and police and their specific needs are taken into consideration (box 3.13). In Sierra Leone the country's Truth and Reconciliation and demobilisation and disarmament processes, actively involve women and women's groups. In Uganda, women negotiators are also represented in peace negotiation conflict and specific recognition is given to women's crucial role in conflict resolution and post conflict reconstruction. In 2008 Namibia integrated the UN SCR 1325 into the revised National Gender Policy which has one chapter on Peace Building and Conflict Resolution and Natural Disaster Management.

Tackling acts of violence and exploitation by security personnel

Six (6) countries (Congo, Cote d'Ivoire, Ghana, Namibia, United Republic of Tanzania and Uganda) indicate that they investigate and punish policy, security and armed forces involved in acts of VAW. In all countries, Court Martials and regular criminal courts are vested with jurisdiction to deal with such acts. Cote d'Ivoire reports of 11 448 cases of violation of human rights including several cases of rape, assault and kidnapping involving women, which have been dealt with by the Military Court.

Safety and integrity of women refugees

Seven (7) countries (Chad, Congo, Cote d'Ivoire, Malawi, Mali, Namibia and United Republic of Tanzania) indicate that they have mechanisms in place for the protection, safety and integrity of women refugees. Eight (8) countries (Chad, Congo, Cote d'Ivoire, Ghana, Malawi, Mali, Namibia and United Republic of Tanzania) train military officials on the human rights of women and measures to assist women refugees deal with the trauma of rape and rejection.

Chad has initiated a project to assist women victims of GBV in the conflict zones, while Mali has allocated a budget to the benefit of women refugees through the creation of camps for purposes of humanitarian assistance as well as support and protection. Congo and Namibia report of the presence of police authorities who are take sanctions against perpetrators of violence. Special units created in Côte d'Ivoire and Togo support women refugee and displaced.

Burundi, DRC, Mali, Namibia and Sierra Leone, are finalizing it. Ghana launched a sensitization program on peacemaking and conflict prevention and set up a monitoring mechanism and early warning systems. In Chad, Congo, Côte d'Ivoire, DRC, military officials including gendarmerie and national police forces have been trained in human rights including women's rights and gender. These topics have been integrated in the military curricula in Malawi, Togo and Mali.

Highlights of challenges

- a) Gender-based violence remains one of the most pernicious consequences of armed conflict. It continues to be used as a weapon of war in the Democratic Republic of the Congo, Somalia, Darfur, Guinea and other countries.
- b) Despite progress, obstacles to strengthening women's participation in conflict prevention, conflict resolution and peace-building remain. The first critical point is that women and children are the first to be affected by armed conflict due to disruption in social services and the dislocation of protective structures and institution.
- c) The threat of post-conflict violence remains one of the most persistent obstacles to women's full and equal participation in post-conflict peace-building and reconciliation as cessation of hostilities do not guarantee an end to violence. This is exacerbated by the fact that women's security is rarely a priority in post-conflict reconstruction efforts.

Box 3.14: The challenges of implementing UNSCR 1325 in Uganda

Challenges experienced in ensuring women's participation include a limited understanding of UNSCR 1325 (2000) at all levels. Experience from the previous rehabilitation programme – the Northern Uganda Social Action Fund (NUSAF) showed that there is a tendency for women to lose the status they have acquired during the times of conflict and return to a more subordinate status. Women are not sufficiently consulted nor involved in decision-making processes on the

various resettlement programmes. This is aggravated by women's low literacy levels and the cultural norms on women's position; and inadequate co-ordination of women initiatives at the grassroots level.

Source: Uganda CEDAW State Party Report, 2009:33

- d) Traditional views regarding the roles of women in society affect their effective participation in conflict resolution and peace-building processes. As such women continue to be considered as victims and not key partners in addressing and resolving situations of armed conflict. Efforts to address the gender dimensions of armed conflict thus focus heavily on protection and treatment of women victims and not stakeholders.

Recommended actions

- a) Awareness creation on the existence and contents of UNSCR 1325 in all countries, whether or not they are involved in conflict;
- b) Put in place plans of action to effectively implement UNSCR 1325. Responsibility for implementation of the Resolution should not lie with ministries responsible for gender but also others such as defense, justice and home affairs;
- c) Provide compensation and psycho-social support and recovery to women survivors of violence;
- d) Build and reinforce capacities of women at all levels to effectively participate in peace-making, peacekeeping and peace building/post-conflict reconstruction programmes. In this respect, ensure that women are included in the designing, planning, implementation and monitoring of peace and security programmes at local, national and regional levels and develop mechanisms to hold countries accountable for these measures; and
- e) Operationalize all the mechanisms in the African peace and security architecture by ensuring that they function effectively.

Area of Concern 6: Women and the Economy

BPfA expectations

The Platform for Action recognises that women are active in a variety of economic areas, which they often combine, ranging from wage labour and subsistence farming and fishing to the informal sector. However, legal and customary barriers to ownership of or access to land, natural resources, capital, credit, technology and other means of production, as well as wage differentials, contribute to impeding their economic progress. Women contribute to development through both remunerated and unremunerated work. They participate in the production of goods and services for the market and household consumption, in agriculture, food production or family enterprises. Though included in the United Nations System of National Accounts and in international standards for labour

statistics, this unremunerated work - particularly that related to agriculture - is often undervalued and under- recorded.

The 2004 Outcome document notes that it is imperative that urgent steps be taken to enhance the gender-analytic capacity of macroeconomists at all levels and in all institutions so as to redefine concepts, approaches and methodology that underpin the generation and collection of data. This includes the development of technical capacity and tools for further advancing the inclusion of women's unpaid work into the systems of national accounts. In addition, the document underscores the need to mainstream gender analysis into economics and involve gender experts in the formulation of macroeconomic policies, so that economic policies support women's paid activities in the subsistence and the care economies; the development of gender-aware social security and pension systems, which should be extended to all women and; establishment and implementation of national programmes creating opportunities for decent jobs and working conditions for women and men, in order to improve women's position in the labour market (UNECA, 2004, para 25).

General situation analysis of women and the economy

Women's participation in the market economy has increased, especially in the informal sector where they dominate in cross boarder, internal trade and marketing, agriculture and food processing. Women's roles in domestic and reproductive activities also remain significant across Africa time-use studies have shown that women in both urban and rural areas work longer hours than men, when both market and non-market activities are taken into account. This is especially true for poor women who do not have resources to hire additional labour to assist with household responsibilities as they engage in market activities. Migration is also an important emerging issue as more and more women are looking for opportunities outside their countries, and are facing hardship and discrimination. Female migration therefore impinges on conditions of work and family responsibilities.

Despite these increased roles, country reports demonstrate show that gender differentials still exist. Women remain visible in low paying jobs and are more likely to be among the working poor and without any protection. Female employees in non-agricultural wage employment increased from 25% to 31% between 1990 and 2006 in SSA, while in Northern Africa the proportion remained at 21% during the same period (ECA, 2008). Additionally, female unemployment rates are higher than male rates in North Africa but lower in the rest of Africa. In 2007, women in Morocco accounted for only 20.7 percent if salaried employees compared to 79.3 percent for men. Although the share of South Africa's women in wage employment in the non-agricultural sector is said to have increased, large disparities in wages earned by women and men still persist. About 56 percent of women have a monthly wage lower than 1,000 ZAR (South African Rands) compared to 35 percent for men. Only 13.8 percent of women compared to 86.2 percent of men in Morocco are self-employed. The country report for Ethiopia indicates that 42 percent of rural women (aged 10 years and above) are

economically active mostly in the agricultural sector. Also, 65 percent of persons engaged in informal sector activities are women mainly engaged in small businesses such as street vending that required limited funding and management skills. According to the country report for Sudan, women's participation in economic activities is increasing, with their contribution to household income amounting to about 41 percent. Nevertheless, the majority work in rural areas in very low paying jobs and have little control over household income and spending decisions.

In the agricultural sector, where the majority of men and women dominate in all 12 pilot countries tends to encounter the lowest income levels for both males and females. Mozambique, for example, notes the persistent inability of its Trades Union movement to impress upon government the strong need to narrow down the salary difference between agro-cattle workers and those of industry and services. Duncan (2009) observes that the reasons for gender disparities in agricultural incomes stem from segregation of farm labour. This tends to congregate women in the farm tasks of planting and weeding, whereas men are generally responsible for the more physically demanding tasks of land clearance, which attracts higher daily wages. In some countries such as Egypt (see Box 3.15) and Ethiopia, the majority of female agricultural workers are unpaid family members who are deployed during peak agricultural seasons (Ethiopia DHS, 2006:44; Egypt DHS, 2008:37). Cameroon notes that a stereotyped image of women exists in the agricultural sector is becoming less apparent. This has been due to the fact that the drop in prices of cash crops (cocoa, coffee) has led to the development of new crop-growing practices among men, who are switching to the formerly female preserve of food crops.

Box 3.15: Case study of women in agriculture in Egypt

Women working in agricultural occupations are much less likely than other working women to be paid for the work they do (56 percent and 98 percent, respectively). This can be explained by the fact that most women who work in an agricultural occupation are assisting their husbands or another family member; around two-fifths of ever-married women who were employed in agricultural occupations are working for a family member compared with only 3 percent of working women who were involved in non-agricultural occupations year-round. Seasonal work is more common among women working in agricultural occupations than among women employed in non-agricultural occupations (27 percent and 3 percent, respectively).

Source: Egypt DHS, 2008:37-38

Women's earnings in this occupation therefore invariably tend to be lower than that of men or do not exist in most countries.

By 2006, more female headed households in Uganda depended on transfers as a source of income compared to male heads of households. Additionally, while more women than men depended on wage earnings, an overwhelming percentage of men than women derived their incomes from household enterprises. Due to their dominance in the informal sector, women are the principal beneficiaries of micro finance institutions in countries such as the Benin, DRC and Morocco and Benin, where they constitute two-thirds of the total number of beneficiaries. Opportunities for accessing credit are also evident in Ghana, Mozambique, South Africa, Tunisia and Uganda. In Benin a special Ministry in charge of micro finance was created in 2006.

The African Women's Report, 2009, makes use of case studies of how men and women use their time for leisure, productive and non-productive work in Benin, South Africa and Madagascar. The results indicate that in Madagascar and South Africa, men play a more dominant role in economic activity, compared to Benin where time allocated to this by men and women tends to be proportionate. Time that women allocate to both non-market or unpaid and domestic work, also tends to be higher in the case of women for all three countries. However the implication for Benin is that women tend therefore to work more hours on both SNA and non-SNA activities. In its analysis of these three countries' time use data, the World Bank (2006:17, 47) arrived at the similar conclusions by noting that in Benin, South Africa, Madagascar women allocate a lower percentage of their time per day to productive work (53.0 per cent, 33.5 per cent and 44.2 per cent) compared to men (77.8 per cent, 71.7 and 86.1 per cent). The burden on women's time affects their ability to make positive contributions to growth and poverty reduction.

There is evidence to suggest that men and women tend to be on the same salary levels for doing the same category of work within the civil service, although work segregation tends to be the case. This is reflected in the gender composition of the civil service of most countries, in which it is seen that women form the majority of those occupying positions with lower qualification requirements, especially within low-paying clerical areas. Although the General Statute of Permanent State Employees (Act No. 86-013, 1986) of Benin ensures equal access to State employment for men and women, Article 12.3 empowers organizations to restrict access to certain posts to specific sexes on the basis of special requirements.¹⁵ In many countries, women also tend to be more visible in the social sector segment of the civil service, compared to the economic.¹⁶ Mozambique also notes that women tend to be paid less than men "because they are usually integrated into lower categories and have more difficulty receiving promotion in professional careers" (African Women's Report, 2009).

Egypt distinguishes between the private and public segments of the formal sector, noting that "females on average earn less than males and the wage gap is larger in the private sector." Burkina Faso also notes that the greater pressure on the private sector to meet

¹⁵ See CEDAW/C/BEN/1-3/2002. Para. 11.2.

¹⁶ For example, in Burkina Faso, women account for 49.5 per cent of staff in the Departments of Health and Social Welfare whereas in other departments they account for just 30 per cent of the staff. See CEDAW/C/BFA/2-3/1998, page 13.

targets constrains employers from hiring women, because of childbearing and perceived obstacles having to do with their conjugal or motherhood status.¹⁷

In Madagascar, more than seven out of ten women are house helpers. The average annual salary of women in such occupations is Ariary 750,000¹⁸ against Ariary 1,147,000 for men. In addition 50.4 per cent of women are victims of part-time work against 36.4 percent for men, 47.3 per cent of women hold an employment that is not adequate against 39.3 per cent of men. Factors that account for this situation include: 1) Heavy housework load for women; 2) A lesser level of education and qualification; 3) Preference among employers to hire men rather than women; and 4) Under valuing of women's capacity to perform.

The absence of regulatory frameworks and effective inspectorates to protect informal sector actors not only prevents effective data collection, but also tends to expose them to different forms of economic exploitation. Ethiopia notes that women are more likely to be paid in cash if they are employed in the nonagricultural sector. An estimated three-fourths of those employed in this sector are paid in cash (Ethiopia DHS, 2006:44). Although it is generally perceived that women are the dominant force in the African informal sector, this is not true of some countries such as Tunisia, where men dominate in informal trading activities.

Women are not accessing productive resources (land and credit) to the same extent as men in many countries. The under utilization of women in agriculture, due for example, to their having little or no formal control over land, reduced access to fertilizer, credit and other vital inputs have been proven to increase women's poverty (Klasen, 2006: 8, 10). Some countries are however recording impressive gains in land access. For example in Ghana, over 50 per cent of plots of land are owned by women in communities which practice the matrilineal system of property distribution, as is the case in the Ashanti Region).

Reports show that since 2005 some progress has been registered in the participation of women in the economy, either as employees or employers. The measures taken by Governments have aimed at improving the legal framework; creating an enabling environment; strengthening capacities; adopting and implementing policies, programmes and projects; introducing institutional changes, developing indicators as well as monitoring and evaluation tools. It is also worth noting that a few countries (e.g. Namibia, South Africa, Tanzania and Uganda) have commenced initiatives in gender-sensitive budgeting as a means of ensuring that public resources benefit women and men equally, and promote gender equality.

The involvement of the private sector in improving the role of women in the economy is also highlighted in reports. Twenty six (26) countries (Angola, Benin, Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Eritrea, Gabon, The Gambia, Ghana, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, Swaziland, United Republic of Tanzania, Uganda, Zambia and Zimbabwe)

¹⁷ See CEDAW/C/BFA/4-5/2004. Para. 2.9.

¹⁸ One USD is equivalent to MGA2 000 on average

indicate that they provide services (training, legal services, credit) to women for purposes of commencing business.

Highlights of achievements

Adoption of laws that guarantee equal access to employment and social protection

Twenty one (21) countries have enacted laws to guarantee equal access to employment opportunities and social protection benefits. They are Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Gabon, Gambia, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Swaziland, United Republic of Tanzania, Uganda and Zimbabwe.

Most countries stress that the right to equal access to employment opportunities and social protection benefits are guaranteed by the principle of equality between women and men entrenched in their constitutions and labour laws. During the review period, some countries have adopted measures to ensure compliance of these legal provisions and/or improve the protection of women's rights. For example, Tanzania adopted a Gender Responsive Employment Policy as a complement to its 2004 National Employment and Labour Relations Act and the Non Discriminatory Law; Uganda integrated specific provisions in its 2006 Labour Law, including references to a) Prohibition of sexual harassment in employment and requirement for employers to put in place measures to prevent it; b) Prohibition of child labour; c) Increase of maternity leave period from 45 to 60 days; and d) Provision of 4 days paternity leave; The 2003 Labour Code of Morocco recognises the inclusion of the principle of equality between women and men in employment and pay and adopts provisions to address sexual harassment at the workplace; Cape Verde has an affirmative action strategy for women economic empowerment in 2006 and 2007 in place in addition to legal measures to encourage women's economic participation, in partnership with civil society organisations; in Tunisia, the Women and Development Commission of the 11th Plan (2007-2011) sets a target of 30% for women's employment; while Lesotho adopted a Codes of Good Practice Act in 2002; a Legal Capacity of Married Persons in 2006; the Labour Code Wages Amendment Act in 2008, and the Minimum Equal Age for Employment and Remuneration.

All reporting countries have registered an increase in women's economic participation either in the formal or informal market, as employees or employers. For example, in Algeria, women's participation grew to 16.9% in 2007; while in Namibia, women entrepreneurs increased by 38% between 2005-2009 as a result of the measures taken under the Affirmative Action Act and Employment Act of 2005.

Equal access to capital and trade opportunities

Twenty (20) countries (Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Djibouti, Gabon, Gambia, Lesotho, Malawi, Mali, Mauritius, Mozambique, Namibia,

Sierra Leone, United Republic of Tanzania, Uganda, Zambia and Zimbabwe) ensure equal access to capital and trade opportunities.

Progress is being made in the number of enterprises owned by women at both formal and informal levels. Special programmes and projects have been initiated by Governments and other stakeholders such as employer's organisations to promote women entrepreneurship through training, technical and managerial support, access to finance, access to markets, improvements in quality and productivity, and strengthening women's entrepreneurs' organisations. Some of these interventions target at young and vulnerable women. In Liberia, informal sector women in addition to women farmers are being provided with technical and financial support within the framework of the Joint Program for Gender and Women Economic Empowerment in support of MDG3 implementation. In 2007, Comoros established a Division for the Promotion of Female Entrepreneurship.

Build capacity in gender-sensitive economic policy making

Eighteen (18) countries (Botswana, Burkina Faso, Cape Verde, Chad, Congo, Cote d'Ivoire, Gambia Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, Tanzania, Uganda and Zimbabwe) are building capacity in gender-sensitive economic analysis.

The period under review has witnessed innovative steps being taken to integrate gender perspectives into economic policy making. Reports show attention being given to analysis of national budgets to ensure that public resources support and promote gender equality and women's empowerment. Almost 40% of reporting countries have engaged a gender analysis of their respective national budgets (e.g. Morocco, Malawi, South Africa, and United Republic of Tanzania). Initiatives commenced in 2007 in Algeria and Egypt to adopt Public Expenditure Frameworks that are sensitive to the needs of both men and women. Some gender budgeting analyses have been sector-specific as in the case of Mozambique where it has been introduced in the health sector. Mali has established technical and monitoring and evaluation committees in support of health and education.

Other country examples which show case the incorporation of gender perspectives into economic analysis, include a gender-audit of the National Monitoring and Evaluating System in Botswana and time use budgets in Mali and Tunisia. Measures have also been taken to train gender focal points in sector ministries, parliaments, the private sector and Civil Society Organizations in gender budgeting and gender analysis in development policies, plans programmes and projects as in the cases of Congo, Cote d'Ivoire, Egypt, Namibia, Niger Zimbabwe and The Gambia among other countries. Zambia has implemented a Public Service Training Policy which advocates for affirmative action in favour of women in terms of skills training, employment and promotion in the public service.

Ratification and implementation of relevant treaties

In addition to the ratification and implementation of CEDAW and the African Women's Protocol, ILO Convention 100, 111 and 183 which deal with wage discrimination, employment discrimination and maternity protection are also central to the attainment of women's economic empowerment.

A total number of 50 African countries (Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Democratic Republic of the Congo, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea-Bissau, Guinea, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Niger, Nigeria, Papua New Guinea, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, South Africa, Sudan, Swaziland, United Republic of Tanzania, Tunisia, Uganda, Zambia and Zimbabwe) have ratified Conventions 100 and 111. Only Mali is on record however to have ratified the Maternity Convention (183).

A substantial number of ratifying countries have undertaken partial or full domestication of the Convention. Legal frameworks generally cover non-discrimination with respect to employment opportunities, recruitment, and remuneration, strike and union rights, and compensation.

Egypt has established equal opportunity units in all its line ministries to affirm women's exercise of their right to constitutional equality and to challenge any discriminatory practices against women in the work place. Thirty-two units were established in 29 ministries and three were established in the administrative apparatus. These units deal with problems of discrimination against women in the work place. Problems, however, remain with the convention's implementation within private-sector establishments where compliance tends to be low. Some field research findings based on the experience of Egypt show that female workers in some private-sector establishments earn wages equal to 70 per cent of men's wages.¹⁹

The Developmental Social Welfare Policy (1996) of Benin states that all efforts shall be made to eliminate all forms of discrimination against women in respect to access to technical training, formal sector employment, working conditions, access to health care services and to protect them from all social and cultural pressures to which they are subjected on account of their sex. The National Women's Policy (1993) also addresses this issue being addressed by outlining measures for modifying or abolishing laws that aggravate discrimination against women; ensuring that gender-based discriminations are removed; and taking appropriate measures to ensure that women are made beneficiaries on an equal basis with men of equal pay for equal work and in other work-related benefits and opportunities are the three provisions contained in the Policy.

¹⁹ CEDAW/C/7/2008:8, 48.

Lack of ratification of ILO Convention 183 notwithstanding, laws and policies on maternity protection are in place in most countries due as stated to the earlier influence of previous Conventions.

Five countries (Benin, Ghana, Madagascar (box 3.16), Mozambique and Uganda) report of functional institutional mechanisms dealing with the issue. Seven countries - Benin, Ghana, Madagascar, Mozambique, South Africa, Tanzania, Tunisia and Uganda - have various levels of budgetary allocation in place, while only 2 (Madagascar and Tunisia) demonstrate full human resource capacity.

Box 3.16 Maternity protection in Madagascar

To protect women from discrimination due to maternity, the Labour Code, Act No. 2003-044 of 28 July 2004, Article 94, provides that a female applicant for employment need not reveal that she is pregnant. “A pregnancy shall not be grounds for termination of an employment contract during the probation period.” Article 95 further provides that no employer shall cancel the employment contract of a female wage earner whose pregnancy has been medically established.

For maternity leave, Article 97 of the Labour Code provides that at the time of her delivery, any woman has the right take fourteen consecutive weeks off work, including eight weeks after delivery, such interruption of service not being regarded as cause for termination of her contract. During this period the employer cannot dismiss her.

For breast-feeding, article 98 provides that for a period of fifteen (15) months after the birth of the child the mother is entitled to breaks for the purpose of breast feeding. The total duration of these breaks, which are paid at the employee’s regular hourly rate, cannot exceed one hour per working day. During this period, the mother may break her contract without notice and without therefore having to pay an indemnity for breach of contract.

Source: CEDAW/C/MDG/5/2008:71

The performances of countries also appear weak with respect to the development of plans, targets, research, involvement of civil society, information and dissemination, and monitoring and evaluation. Eight countries (Benin, Burkina Faso, Cameroon, Egypt, Ethiopia, Tanzania, Tunisia and Uganda) indicate the absence of plans and clear targets of implementation.

High lights of challenges

1. Data gaps in critical areas with respect to women’s contributions in the economy affects effective planning, monitoring and evaluation of the gendered impacts of economic and social policies;
2. The persistency of customary views of the extent to which women can access productive resources, particularly land, remains a barrier to their effective access,

control and utilization for productive purposes. Tanzania's most recent State Party Report to the CEDAW Committee (2008) sets the tone for appreciating the besetting challenges that women face in their quest to access productive resources:

Box 3.17: The underlying causes of inequitable access to resources in Tanzania

In Tanzania gender relations are reflected in household structures, division of labour, access and control over resources and power relations. Most communities in Tanzania are essentially patriarchal, whereby traditional norms, practices and attitudes are centred on male domination. In this context, men continue to dominate power, ownership and control of productive resources. Women continue to have unequal access and control of major productive resources.

Source: Tanzania CEDAW State Party Report, 2008: Para. 25

3. The under utilization of women in agriculture, due for example, to their having little or no formal control over land, reduced access to fertilizer, credit and other vital inputs have been proven to increase women's poverty.
4. Although Convention 100 has been ratified without reservations by all countries, its effective implementation is facing many hurdles. Country studies show that wage discrimination against women persist, with major constraints to effective implementation identified as being the lack of financial and qualified human resources and the non-existence of national classification system of work categories. Other obstacles to ensuring equal remuneration for women and men are gender gaps in professional skills, educational attainment and occupational segregation, with a predominance of women in seasonal employment.
5. Country studies show that wage discrimination against women persist, with major constraints to effective implementation identified as being the lack of financial and qualified human resources and the non-existence of national classification system of work categories.
6. Other obstacles to ensuring equal remuneration for women and men are gender gaps in professional skills, educational attainment and occupational segregation, with a predominance of women in seasonal employment.

Recommended actions

- a) Review existing legal frameworks protecting women's access to land with the view to removing discriminatory provisions, which work against their interests.
- b) In collaboration with traditional and religious authorities and women's groups, embark upon a comprehensive review of customary and religious norms which serve as barriers to women's equal rights to land.

- c) Strengthen institutions responsible for implementing land reform programmes and provide them with the capacity to appreciate gender concerns associated with customary land distribution (e.g. customary inheritance practices).
- d) Encourage and provide support to CSOs to increase their assistance to women to seek redress against discrimination in access and control over land and sensitise judges on emerging issues affecting women's land rights.
- e) Advocate for the appreciation and valuing of women's non-market work by engendering national accounts and budgets and address the disproportionate time burdens on women in non-productive work through the provision of appropriate services and facilities, especially at rural level, including improvements in public goods: transport, water sources, day care centres and health facilities.
- f) Design and implement effective linkages with local universities to develop appropriate local technologies that would accelerate the reduction of drudgeries associated with household food processing and transportation of heavy loads by women.

Area of Concern 7: Women, governance, power and decision making

BPfA expectations

The BPfA asserts that achieving the goal of equal participation of women and men in decision-making will provide a balance that more accurately reflects the composition of society and is needed in order to strengthen democracy and promote its proper functioning. Women's equal participation in political life plays a pivotal role in the general process of the advancement of women. It is not only a demand for simple justice or democracy but also a necessary condition for women's interests to be taken into account. Without the active participation of women and the incorporation of women's perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved.

At the 2004 Ministerial Conference, Governments agreed that political/governance bodies must institutionalize policies that guarantee gender equality. In addition, the AU 50:50 gender parity principle must be replicated and implemented at all levels of national, subregional and regional governance, including through affirmative action and set timelines. The document further recommends that women's access to elected positions (municipal and parliamentary) must be supported to reach these targets; that leadership training programmes for women, especially young women, should be developed and supported to enable them to exercise responsibilities at all levels and; that women's organizations should be encouraged and supported, including the reorganization of and revitalization of the Pan-African Women's Organization (UNECA, 2004; para 29).

A general situation analysis of women in decision-making

The growths of constitutionalism and democracy have created new avenues for increasing women's access to political power. The election of Ellen Johnson-Sirleaf of Liberia as the first female African Head of State in 2005 was a milestone in women's representation at the highest level of national decision-making. Some countries (e.g. Mozambique, South Africa, Rwanda and Uganda), have reached the BPfA target of 30 per cent or more of women's representation in Parliament. Rwanda has made even more significant moves with a record level of 48.8 per cent (in the lower house), surpassing the Scandinavian average of 40 per cent. The Government of Mozambique uses a quota system (30 per cent minimum at all levels) to ensure fair representation of women in politics. Mozambique is as such a test case of substantial progress, with their representation in Parliament at 38 per cent in addition to their female occupancy of the offices of Prime Minister and Vice-President of the Parliament respectively.

Similarly in numerous African countries women hold or have held positions traditionally regarded as male preserves. This has been the case in Mozambique (Prime Minister and Foreign Affairs); The Gambia (Vice President); Uganda (Vice-President and Finance Minister); Zimbabwe (Vice-President); Ethiopia (Deputy Speakers and Assistant Whips); South Africa (Deputy President); Ghana (Attorney General, Chief Justice, Trade Minister, and Speaker of Parliament); Nigeria (Ministers of Finance, Drug and Narcotics, Foreign Affairs); Liberia (Finance, Foreign Affairs and Trade); Niger (Foreign Affairs); and Senegal (Trade).

In South Africa, the representation of women in cabinet has steadily increased over the years. By 2008, women constituted 42.8 per cent of Ministers, which was a 200 per cent increase from 1997. Overall there has been a three-fold increase in the number of women Ministers appointed from 1997 to 2008, a number of them holding critical cabinet portfolios historically associated with men. They include: Foreign Affairs, Public Works, Land and Agriculture, and Justice and Constitutional Development. By 2008, women were also the holders of 40 per cent of deputy minister positions.

Despite these developments, gender equality and equity principles are yet to be fully integrated into democratization processes, structures of power and decision-making.

Box 3.18: Obstacles facing women in political party participation in Niger

The political parties engage in their activities on the basis of the laws regulating them. Although every citizen, irrespective of their sex, is free to set up a political party, none of the 24 political parties existing in the Niger has been founded or led by a woman. In most of the political parties, women hold the post of officer in charge of women's affairs or officer in charge of organization. And yet it must be noted that women do much of the work of campaigning and making practical arrangements. Thus women have played an important role in the institution of a multiparty system. They have joined political parties and contributed their

dynamism to them. The rank and file now comprise as many women as men. Generally speaking, very few women have found their way into decision-making bodies, but the effective application of the law on quotas should remedy the situation in time.

Although it is sometimes perceived that it is women themselves who do not take the initiative to enter into politics, trends in some countries (e.g. Ghana) demonstrate the lack of priority given to gender balancing (e.g. compared to ethnic balance) in electioneering processes. Three election seasons in Ghana, show that only 32.2, 17.6 and 7.9 per cent of women who stood for parliamentary elections during the 1996, 2000 and 2008 electoral years obtained seats in the legislature and that the main considerations in the selection processes were ethnic, economic and political.²⁰

The African Women's Report (2009), notes the strong involvement of NGOs in political participation of women. An NGO-led campaign for 50/50 representation in government has for instance been prominent in South Africa. In Burkina Faso, a broad coalition on the rights of women fought for 40 per cent representation of women in high positions in the major parties for the 2007 Parliamentary elections and insisted on the same percentage in local councils and Parliament. Tanzania is making a conscious effort to involve civil society in the campaign to enhance women's participation in Parliamentary and other high-profile positions. It has established a Women's Parliamentary Caucus and collaborates with the women's wings of political parties. In several countries, such as Ethiopia, Ghana, Tanzania, South Africa and Uganda, women's groups have produced *Women's Manifestos* that call for increased political participation of women among other demands.

Highlights of achievements

Regional and country dimensions

By the inception of the 2005 review (Beijing +10) some positive trends in the area of governance were manifested through the consolidation of democracy and the increasing number of countries that had conducted peaceful democratic elections in the previous decade. The creation of regional instruments such as the African Peer Review Mechanism (APRM) as well as that of the creation of a Gender and Civil Society Sector within the New Partnership for Africa's Development (NEPAD) were documented as positive and promising initiatives. Several countries had significantly increased the level of women's representation in Parliament, with Rwanda attaining an impressive 49 per cent and South Africa and Mozambique over 30 per cent (see box 3.18). Women had also been elected and/or appointed into powerful decision-making positions in the civil and public services.

Box 3.18: Case studies of 30 per cent quotas

²⁰ See CEDAW/C/GHA/3-5/2005. Para. 70.

Rwanda reinforced its position at the top of the leader board by electing more than 56 percent women members to its lower house in September 2008. This is the first single/lower house in history where women hold the majority of seats. It improved on the previous record it had set, when in its first post-conflict elections held in 2003 it elected nearly 49 percent women. *Rwanda* is joined by *Angola* (37.3%), *Burundi* (30.5%), *Mozambique* (34.8%), *South Africa* (33%), *Tanzania* (30.4%) and *Uganda* (30.7%) as the seven African countries to have reached the target in single/lower houses. *Angola* was a newcomer to the list in 2008, electing more than 37 percent women in its first election since 1992, signaling the return to a democratic process. In *Angola*, *Burundi*, *Mozambique*, *Rwanda* and *South Africa*, post-conflict settlements afforded the opportunity to incorporate special measures into electoral rules or party practices increasing women's representation in a short period of time. In *Tanzania* and *Uganda*, women's increased access to parliaments has been incremental.

Source: Inter Parliamentary Union. Women in Parliament. *The Year in Perspective*, 2008

By 2009, further transformations are seen in the level of female participation, demonstrated by the numerous women who hold or have held positions traditionally regarded as male preserves. Particularly so has been the election of Ellen Johnson-Sirleaf of Liberia as the first female African Head of State in 2005, depicting a milestone in women's representation at the highest level of national decision-making.

The SADC Declaration on Gender and Development, to which Lesotho is a signatory, calls for at least 30 per cent representation of women at political and decision-making levels by 2005. In an attempt to achieve this, the Local Government Act of 1997 was amended in 2004 to ensure that 30 percent of the community councils were earmarked for competition between women only in the 2005 Local Government Elections. As a result, 58 percent of females were elected as councillors in Lesotho.

Country reports indicate that, there has been a steady increase in women's political participation and representation in key decision making organs in almost all African countries. Affirmative action has been used to promote women's participation in politics at all levels. In the legislature, Rwanda holds a global record of 57% of female members of parliament. In several other African countries, female representation is above 30%. Such countries include Mozambique, South Africa, and Namibia. South Africa has already surpassed the SADC Declaration on Gender and Development, which calls for 30% representation of women in decision-making structures in the SADC community of nations.

Currently, South Africa's Parliament is ranked 10th out of 130 Parliaments in the world in terms of women's advancement in governance. A recent study shows that women constitute 19.8% of executive managers and 10.7% of directors of the 372 companies surveyed. These figures are an improvement on last year's comparable figures of 14.7 percent and 7.1% respectively. However, considering that 41.3% of the working population is female, these figures still leave much room for improvement.

In Uganda the proportion of women MPs increased from 25 percent in 2003 to 29.2 percent in 2007. In Local Government Councils, the share of women leaders/Councillors has also grown

from 6 percent in 1990 to 45 percent in 2007. In South Africa, about a third of Members of Parliament and 43 percent of the Cabinet are women. Currently, South Africa's Parliament is ranked 10th out of 130 Parliaments in the world in terms of women's advancement in governance. In Mauritius, although women presently hold only 9 percent of ministerial level positions and occupy 17 percent of parliamentary seats, they account for 51 percent of persons in decision-making position in the public sector. This has been achieved through empowerment legislation and effective advocacy.

To address the limited participation of Egyptian women in political life, the NCW has established the Centre for the Political Empowerment of Women. The centre provides an intensive training programme for women wishing to participate in political life with assistance from the UNDP and the Government of the Netherlands. It also cooperates with a number of NGOs in ongoing campaigns to educate Egyptian society in general. The NCW holds an ongoing dialogue with the political parties and women's committees in the labour unions and federations to encourage the participation of women in public life.

Support to conduct evidenced-based research

Twelve (12) countries (Angola, Botswana, Burkina Faso, Chad, Cote d'Ivoire, Gambia, Ghana, Malawi, Mali, Namibia, United Republic of Tanzania and Zambia) have supported research to help identify adequate ways and means to politically empower women.

With assistance from international partners and UN agencies, most countries have embarked upon research in partnership with Universities, specialized centers, governmental departments and civil society organizations for a better appreciation of the barriers and challenges to female participation and to identify appropriate ways and means to empower them politically. Countries which have undertaken research include Algeria, Angola, Botswana, Burkina Faso, Egypt, The Gambia, Mali, Namibia, Niger and the United Republic of Tanzania. Research Centers include those of the Centre of Information, Training and Operational research on women in Burkina Faso and the Centre of Information, Documentation and Research in Algeria.

Highlights of challenges

- a) There are indications that fewer women than men are presented for electoral processes in situations where political parties do not have gender-sensitive policies especially in nominating candidates for elections.
- b) Some electoral systems do not support the election of women, especially in societies where strong gender biases against women occupying decision-making positions persist. It has further been demonstrated that the murky nature of the

political terrain, characterized often by cut-throat and “dirty linen” attacks on political figures, tend to stifle women’s effective participation.

- c) Politics is an expensive process often times requiring substantial financial and human outlays which women tend not to have. Finally, women often simply have less time than men to devote to the networking required to build a political career due to their family and care responsibilities.
- d) Although women participation as electors is significantly increased, the representation of women in key positions and elected bodies remains far from the parity. The number of Women ministers remains low in most countries.
- e) Despite progress being made in the appointment of women to traditionally male-dominated areas kind of Ministries headed by women when compared to men remains the same. Women as such, continue to be traditionally appointed to Ministries that are considered ‘soft’, such as health, education, social services, gender and human resources and rarely are they appointed to ‘hard’ ministries such as defence, justice, foreign affairs, economy, finance, trade and energy
- f) In addition to the above, political parties continue to operate gender-biased appointment policies and procedures which tend to focus more on ethnic, geographical and political leanings rather than gender.

Recommended actions

- a) There should be increased and visible commitment to the AU Solemn Declaration on Gender Equality (2004) and the African Charter on Democracy, Elections and Governance (2007) which call for gender balance and equality in governance processes.
- b) There should be firm commitment to affirmative action (CEDAW, Art. 4); breaking of gender stereotyping in appointment processes, especially as they relate to positions which are traditionally dominated by men at political party, executive, ministerial, judicial and civil society levels; continuous capacity building programmes for prospective women candidates; public education and sensitization against stereotyping of women’s roles in society.
- c) Governments and civil society organisations should give greater emphasis to supporting an increase in local level participation for women, given that the majority of women are located in rural areas and it is at this level that issues affecting vulnerable groups and access to productive resources are most critical
- d) Governments, civil society organisations, UN and donor agencies should develop and implement capacity building programmes to support women aspirants and potential candidates.

- e) Governments should support nurturing programmes to females at all levels of education, at which they should be encouraged to assume leadership and representative roles in their institutions.
- f) UN and donor agencies and institutions should offer incentives that would encourage countries to implement affirmative action policies that can be supported and implemented.
- g) Countries with impressive ratings could be selected to host important regional and global meetings.
- h) Regional and international institutions need to support ways to promote women as successful role models in the political and leadership arenas, such as the Regional Economic Communities, using strategies such as the issuing of common postal stamps with the images of successful women politicians; bill boards of such women at border points and use of these images on common currencies.

Area of Concern 8: Institutional mechanisms for the advancement of women

BPfA expectations

The importance of establishing institutional machineries was underscored during the 1980 Third World Conference on Women, and reaffirmed at the 1995 World Conference. Paragraph 196 of the BPfA acknowledges progress being made with the establishment of national machineries by member states with a view to ‘inter alia, design, promote the implementation of, execute, monitor, evaluate, advocate and mobilize support for policies that promote the advancement of women’. The Special Session on the Beijing +5 process added impetus to this by reaffirming the importance of establishing strong, effective and accessible national machineries for the advancement of women. It reconfirms the need to establish strong national machineries. The national machinery ‘should have clearly defined mandates and authority; adequate resources and the ability and competence to influence policy and formulate and review legislation.’

the Beijing+10 Conference outcome also underscores the point that an important ingredient for accelerating delivery of the BPfA is strengthening institutionalization of gender equality and equity through the provision of adequate resources, technical expertise and sufficient authority. It calls for the execution of the strategic objectives and actions identified, with national machineries and gender units providing oversight and facilitation of gender responsive delivery of development programmes (UNECA, 2004; para 38). The strategic areas cover policy development and review; responsibility and accountability; capacity building; coordination; advocacy and; monitoring and evaluation.

A general situation analysis of institutional machineries

Twenty seven (27) responding countries indicate that they have institutional mechanisms for the advancement of women in place. They are Angola, Benin, Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Djibouti, Eritrea, Gabon, Gambia, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, Swaziland, United Republic of Tanzania, Uganda, Zambia and Zimbabwe. An equal number of countries indicate varied constraints in their operation of their respective mechanisms. They cover, inadequate financial and human resources; negative attitudes and perceptions which lead to resistance of gender and development issues; lack of appreciation of the concept of gender by a cross section of the populace; inadequate skills in the use of Information Communication and Technology (ICT); limited equipment; inadequate gender disaggregated data; inadequate capacity for accounting gender mainstreaming activities; lack of effective monitoring and evaluation systems and tools in place to properly and follow up on the implementation. Limited capacity in terms of gender analysis, planning and implementation of gender programmes across sectors; limited coordination between stakeholders; undermining of the roles of Gender Focal Points; and the absence of national policies that deal with equality between men and women.

Twenty three (23) countries (Angola, Benin, Botswana, Burkina Faso, Cape Verde, Comoros, Congo, Cote d'Ivoire, Djibouti, Gabon, The Gambia, Ghana, Lesotho, Malawi, Mali, Mauritius, Mozambique, Namibia, Swaziland, Tanzania, Uganda, Zambia, Zimbabwe) suggest that they have undertaken appropriate sub-regional level policy or strategy and actions taken at country level.

Different levels and categories of institutional mechanisms exists across countries. In Lesotho for instance, they cover the following:

- a) Gender Focal Points (GFP): These have been drawn from the line ministries, parastatals, University and Civil Society Organisations. Their specific role is to propose appropriate and effective gender mechanisms within their respective institutions and to provide support and direction for taking gender concerns into account in all aspects of planning and programming;
- b) Gender Caucus Group (GCG): This body supports the Ministry responsible for Gender to sensitise policy makers and traditional leaderships on current and emerging gender issues. Members of GCG are selected on the basis of their expertise on thematic gender issues.
- c) The Basotho Women's Parliamentary Caucus (BWPC) has been established. It is made up of the members of Parliament. The BWPC discusses gender and development issues across party lines. The objective of the caucus is to enable members to present, discuss and analyse issues from a gender-sensitive perspective.

In Mauritius, the Ministry works towards implementation of gender mainstreaming in policies and programmes of the Government. The Gender Unit has adopted a two pronged approach to development, namely through: Outreach activities undertaken at grass-root level through the 15 Women Centers, the National Women Council, the National Women Entrepreneur Council, the National Women Development Center and some 1200 Women's Associations with respect to capacity building, service delivery and sensitization campaigns for the empowerment of women; and Gender mainstreaming at policy, programming and output level with Ministries/ Departments and other stakeholders in line with the National Gender Policy Framework and the recent reform towards effective public financial management systems.

Box 3.18 : South Africa's experience in gender mainstreaming

South Africa instituted the strategy of gender mainstreaming following the adoption of the Beijing Platform for Action in 1995. Under its National Gender Policy the responsibility for the advancement of women and mainstreaming gender in all governance processes is that of all government officials and the political leadership in government, including the Presidency, Executive, Parliament and similar structures in the Provinces and at local government level. A training programme on gender mainstreaming in the Public Service has been developed by the Public Administration Leadership and Management Academy, with a mandate to provide leadership training across the Public Service, including training on gender mainstreaming for senior management.

Source: African Women's Report, 2009

Benin reports some good practices in relation to collaboration between its National Committee for Women's Advancement and CSOs, consisting of women opinion leaders, religious groups, and representatives of women's associations. Several country reports indicated that the women's machineries have limited geographical coverage (mostly urban) and outreach.

The majority of countries have either fulfilled or are in the process of fulfilling the basic requirement of having guidelines in place for mainstreaming gender. In some countries, governments have created an enabling environment for specific government sectors to develop their own policies. In Ghana, for example, the Ministry of Food and Agriculture had in place a Gender and Agricultural Development Strategy (2004) which seeks to mainstream gender into all its policies and programmes before the national gender policy was formulated.

The presence of national machineries and Gender Focal Points (GFPs) in almost all countries is an indication of commitment to sector gender mainstreaming. But this has not been without difficulty. Tunisia conducts seminars for top-level personnel in various Ministries on gender mainstreaming, but notes that 'many departments are not quite convinced of the need to integrate the gender approach into their work'. Madagascar has started paying attention to gender issues in several Ministries, but cautions that the effort is largely donor-driven.

Highlights of challenges

- a) Although most countries have established gender machineries in compliance with international obligations, they have largely been “ineffective” due to limitations in human and financial resources to enable them implement their mandates.
- b) Persons who are appointed as gender focal persons tend to play other routine functions and therefore neglect their gender mainstreaming tasks which they consider as secondary. Other challenges associated with implementation of this indicator include the tendency to select personnel from lower ranks, the lack of or inadequate systems of accountability and reporting, lack of political will to implement gender mainstreaming and a general lack of knowledge and understanding of gender concepts and gender mainstreaming in most departments and across all levels.
- c) The naming and placing of national machineries can also be significant. Some are aligned to under-funded sectors, such as Family, Youth or Social Development, an indication that gender issues have yet to be given primary consideration in their own right.
- d) Many machineries also lack clear focus and possess broad or ambiguous mandates and low funding levels have a direct impact on the other variables, such as collaboration with civil society, research and information dissemination.

Recommended Actions

- a) Ensure that responsibility for the advancement of women is vested in the highest possible level of government; in many cases, this could be at the level of a Cabinet minister;
- b) Based on a strong political commitment, create national machineries where they do not exist, and strengthen, as appropriate, existing national machineries, for the advancement of women at the highest possible level of government;
- c) Machineries should have clearly defined mandates and authority; critical elements would be adequate resources and the ability and competence to influence policy and formulate and review legislation; among other things, they should perform policy analysis, undertake advocacy, communication, coordination and monitoring of implementation;
- d) Provide staff training in designing and analysing data from gender perspectives;

- e) Establish procedures to allow machineries to gather information on government-wide policy issues at an early stage and continuously use it in the policy development and review process within the Government;
- f) Report, on a regular basis, to legislative bodies on the progress of efforts, as appropriate, to mainstream gender concerns, taking into account the implementation of the Platform for Action; and
- g) Encourage and promote the active involvement of the broad and diverse range of institutional actors in the public, private and voluntary sectors to work for equality between women and men.

Area of Concern 9: Human Rights of Women

BPfA expectations

The Platform for Action, under the critical area of concern “human rights of women”, identified three strategic objectives: to promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women; to ensure equality and non-discrimination under the law and in practice; and to achieve legal literacy.

The outcome document emanating from the Africa Regional Conference on Women (Beijing +10) of 2004 recommends that a gender-sensitive and human rights-based approach should inform planning, implementation, monitoring, and evaluation of PRSPs, MDGs, national priorities, annual plans and expenditure frameworks. Harmful and/or discriminatory practices that sustain gender inequality and inequity must be eliminated, and social, cultural, traditional and religious norms and values that sustain equality, equity and justice must be promoted. Partnership between women and men in addressing practices which have a negative impact on gender equality should be developed. It also expects that the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women will be signed and ratified by all countries by the end of 2005. Governments are also expected to domesticate and implement all the international and regional instruments on women’s rights and gender equality and equity which they have ratified, and to ensure their implementation.

Situation analysis of women's human rights

All African countries, except Sudan and Somalia, have ratified CEDAW and in 2009, Morocco withdrew reservations made in 2003 upon ratification of the Convention. Seventeen African countries have ratified the CEDAW Protocol and²¹ in addition, 27 have ratified the Protocol to the ACHPR on Women's Rights.²²

Ten African countries (Algeria, Egypt, Libya Mauritania, Morocco, Niger and Tunisia) and in Southern Africa (Lesotho, Malawi and Mauritius) have entered reservations in respect of CEDAW. Although Ethiopia has expressed a reservation in respect of Article 29, which concerned with the settlement of disputes, and does not relate to the principal objects of the Convention. Malawi and Mauritius withdrew their reservation respectively in 1991, 1998 and Egypt is in the process of reconsidering its CEDAW reservations, although in respect of Article 16 it has raised concerns that the withdrawal of reservations would diminish the rights of women under Islamic and Egyptian law.²³

Several countries report of integrating CEDAW into their respective legal texts and constitutions. However, continued discrimination against women despite the existence of h anti-discriminatory clauses. This persistence has been due to such factors as negative perceptions and practices towards women's advancement; the absence of enabling legislation to give effect to constitutional provisions; the existence of laws which are inconsistent with the constitution; and judicial misinterpretation of laws which promote gender equality.²⁴

Despite these major set backs, some countries are making remarkable progress towards reversing discrimination through the interventions of their constitutional courts. Recent developments in the constitutional courts of Benin, South Africa and Uganda in particular demonstrate the potential role of African courts in the enforcement of equality provisions.

²¹Status as at 17-10-2009 (<http://treaties.un.org/>)

²² Status as at 12/02/2009 ([http:// www. Africa- union .org](http://www.Africa-union.org))

²³ See CEDAW/C/EGY/7/2008, pp 11 and 76.

²⁴ This situation is evident in the field of family laws and will be dealt with under the next variable on Article 16.

Article 26 of the 1990 Constitution of Benin recognizes the principle of equality before the law as well as that of equality between men and women. Out of character with most constitutional systems of African Franco-phone countries, individuals are permitted to bring cases to the Constitutional Court in accordance with Article 122 (see Box 2.4).

The Constitutional Court of Uganda has declared the discriminatory provisions of the Marriage and Divorce Act, the Penal Code Act, and the Succession Act unconstitutional on the basis that they contravene constitutional principles of non-discrimination and equality between the sexes. The Marriage and Divorce Act for instance required women to prove two grounds when petitioning for divorce, while a man was required to prove only one (State Party Report of Uganda, 2009:14-16).

Box 3.19: Abrogation of polygamy by the Constitutional Court of Benin

On 24 June 2004, a Member of Parliament filed a petition to the Constitutional Court on the ground that the Family Code, which authorized men to have more than one spouse, was contrary to the principle of equality between men and women enshrined in article 26 of the Constitution, as it did not allow women to have more than one husband. The court found that the Family Code was contrary to the Constitution and as a result, polygamy has been outlawed in Benin.

Source: African Women's Report

A substantial number of landmark court decisions by the Constitutional Court of South Africa have fundamentally advanced *de jure* and *de facto* equality between women and men in areas such as customary and inheritance laws and women's access to land. The results show further that gender policies have been adopted or are in the process of being adopted in all countries, and that processes of mainstreaming gender into sector policies and programmes are also underway. However, nine countries (Benin, Burkina Faso, Cameroon, Ghana, Mozambique, South Africa, Tanzania, Tunisia and Uganda) policies have received the assent of their respective legislative bodies and, therefore, that broad strategies on gender equality are in place. Specific gender policies represent a form of horizontal guideline within government. However, most countries are also ensuring that gender concerns are reflected and integrated vertically in other development plans and policies.

Compliance with treaty requirements and recommendations

Twelve (12) countries (Angola, Burkina Faso, Cape Verde, Congo, Gambia, Malawi, Namibia, Sierra Leone, United Republic of Tanzania, Uganda, Zambia and Zimbabwe. Report on schedule to the Committee on CEDAW. A substantial number indicate the participation of civil society in the preparation of reports.

Nineteen countries (Angola, Benin, Botswana, Burkina Faso, Cape Verde, Comoros, Congo, Djibouti, Gabon, Gambia, Lesotho, Malawi, Mali, Mauritius, Namibia, Sierra Leone, United Republic of Tanzania, Zambia and Zimbabwe publicize information on national, regional and international mechanisms for seeking redress of human rights abuse. Most countries have also published international conventions which they ratified in National Gazettes, media or in "Journal officials" (e.g. Burkina-Faso, Morocco, Lesotho).

A total of 27 countries (Angola, Benin, Botswana, Burkina Faso, Cape Verde, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Eritrea, Gabon, Gambia, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe) indicate that they have undertaken additional work on CEDAW implementation since the 2004 evaluation. Many of these have related to the enactment of legislation to reflect CEDAW and other treaty-related provisions.

Other country efforts since 2004 include measures to accelerate implementation of Affirmative Action to enhance participation of women in decision making (Ghana); Sensitisation and awareness- raising on the Convention and the preparation and submission of periodic reports on CEDAW (Sierra Leone); Gender policy design and development and gender budgeting (Zimbabwe); the creation of networks to support victims of gender based violence and the creation of offices of specialized supports of the police for the attention of the victims of gender based violence (Cape Verde); the design and implementation of the national action plan for the implementation of Resolution 1325 of the Security Council on Women, Peace and Security (Cote d'Ivoire); the creation of a national committee of human rights (2006); and the creation of a committee of monitoring of recommendations of CEDAW (Mauritania).

Incorporation of the principle of equality into national constitutions and legislation

Twenty six (26) countries (Angola, Benin, Botswana, Burkina Faso, Cape Verde, Chad, Comoro, Congo, Cote d'Ivoire, Djibouti, Gabon, Gambia, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Sierra Leone, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe) indicate that they have embodied the principle of the equality of men and women in country legislation and strengthened programmes to protect the human rights of women. In 2007, Morocco reformed the Nationality Code allowing Moroccan women to pass their nationality on their children. Uganda amended the Land Act in 2004 to include sections that protect the rights of women to own, use and inherit land. Mauritius adopted an equal opportunity Act in December 2008 and efforts have also been made to address the unequal relations between men and women within the national gender framework and strategies to fight violence against women (e.g. Algeria, Botswana, Cameroon, Congo Côte d'Ivoire, Malawi, Mauritius, Morocco, Namibia, Nigeria, and Tunisia).

The Ministry of Justice of Ghana has made proposals for new property arrangements between spouses and cohabitants under the Spousal Property Bill (2006). In Madagascar, the Family Law is being revised to ensure that the lawful age of marriage for both sexes is made 18 years in substitute for 14 years for girls and 17 years for boys, as provided in the present Ordinance no. 62-089. Similar to Uganda, Madagascar is also undertaking reforms to ensure that the rules pertaining to adultery apply equally to both men and women (see discussions under Article 2). Previous legislation permitted a man convicted of adultery to pay a fine, whereas a wife was liable to imprisonment. In addition the

revised Family Code of Ethiopia (2000) contains detailed provisions on common and shared responsibilities of both spouses in relation to the upbringing of their children.

Eighteen (18) countries (Botswana, Burkina Faso, Cape Verde, Comoros, Congo, Cote d'Ivoire, Djibouti, Gambia, Lesotho, Malawi, Mali, Mauritius, Namibia, Sierra Leone, Swaziland and Tanzania) have translated CEDAW into user-friendly formats. Several countries such as Botswana, Burkina Faso, Gambia Namibia and Niger have translated and popularized regional and international instruments (CEDAW, AU protocol) into local languages with the support of national NGOs and other regional and international organizations.

Highlights of challenges

- a) While several examples of reviews of discriminatory legislation are taking place throughout the region in an effort to eliminate discriminatory laws, enforcement remains the most serious problem facing African women notably in the area of family law.
- b) The challenge of operation of mixed legal traditions affects the effective implementation of Article 16. In Uganda for instance, the current process of reforming the law on marriage has been stifled by difficulties of harmonizing the interests of persons who adhere to Christian, Islamic, Hindu, Bahai and customary law.
- c) Implementation of women's rights is being hampered by persisting negative attitudes and perceptions of society towards gender equality and women's empowerment.
- d) Although national gender machineries have overall responsibility for monitoring and advocating for the implementation of the Protocol, they face major shortcomings in implementation due to the inadequacy of human, financial resources and limited capacity to deal with issues contained in the Protocol.
- e) In some cases, the law is not implemented due to the resistance of judges in others, religious and customary practices undermine women's rights. The contradictions between customary law, religious law and codified law undercut women's rights. Harmful practices which threaten the physical integrity of women and girls are still occurring. In many African countries, FGM is still practiced and girls marry from the onset of puberty, while women remain vulnerable to highly discriminative practices such as property dispossession.
- f) The majority of those whose rights are violated lack the necessary financial resources to obtain the required legal services and are further repelled by the cumbersome legal procedures.

- g) Legal aid and counselling support provided by members of civil society organizations play an important role but are not sufficient.
- h) Reporting to the CEDAW committee has been fraught with gaps such as lack of tangible information on the implementation of the provisions of some articles, some reports are silent on the real conditions of women; and Statistical data tends to be incomplete.

Recommended actions

- a) Address the specific issues affecting African women highlighted in CEDAW and its Optional Protocol, and the African Women's Protocol in policy, planning, and implementation related to gender equality in African countries.
- b) If they have not done so to date, African countries are to ratify all relevant Protocol and Conventions related to women's rights as a matter of urgent priority.
- c) Back the relatively impressive performance with regard to the design of policies and laws by implementation and allocate adequate human and financial resources to relevant institutions for execution in an effective, coordinated and timely manner.
- d) In collaboration with NGOs, the media, and traditional leaders, raise awareness on the rights of women and girls through appropriate messages that would accelerate changes in attitudes and practices that currently negatively affect their advancement in society.
- e) Take steps to review and reform customary laws in collaboration with stakeholders, such as traditional authorities, to ensure their conformity and harmony with local legislation and international treaties.
- f) Enforce the rights of women set out under Articles 2 and 16 of CEDAW and work to repeal laws that discriminate against women in marriage and property rights.
- g) In line with the African Women's Protocol, set the minimum age of marriage at 18 for both men and women and abolish all forms of forced and early marriages through related legislation and judicial action.
- h) Give visible attention to the African Women's Protocol as the reference point for implementation of the gendered aspects of other regional African initiatives, such as NEPAD, by setting set high standards of reporting and monitoring of commitments on its provisions.
- i) Integrate rights-based approaches in all interventions affecting women. This requires an appreciation of women as holders of rights and consequently equipping them with the tools with which to enforce them.

- j) Affirm provisions proscribing discrimination in all constitutions and legislative texts.
- k) Pay particular attention to enforcing women's rights as set out under Articles 2 and 16 of CEDAW. This should include protecting the rights of women in existing polygamous marriages while also taking legal and social measures to ensure that consideration is given to monogamy as the national standard across all African countries.
- l) Facilitate opportunities for sharing the progressive experiences in constitutional judicial reforms in countries such as Benin, South Africa and Uganda.

Area of Concern 10: Women and the media

BPfA expectations

The continued projection of negative and degrading images of women in media communications - electronic, print, visual and audio - must be changed. Print and electronic media in most countries do not provide a balanced picture of women's diverse lives and contributions to society in a changing world. In addition, violent and degrading or pornographic media products are also negatively affecting women and their participation in society. Programming that reinforces women's traditional roles can be equally limiting. The world-wide trend towards consumerism has created a climate in which advertisements and commercial messages often portray women primarily as consumers and target girls and women of all ages inappropriately.

The 2004 Ministers Conference on BPfA in Africa underscored the importance of communication and the speed with which information and communication technology (ICT) evolves, and recommends that it is important that the region adopts and implements gender-aware media policies. In addition, there is a need to: improve women's access to media and new ICTs; support women's press and communication initiatives; and, encourage the use of media and new ICTs to promote women's activities, project positive images and fight against stereotypes and discrimination. In this regard, the Conference stressed the importance of the World Summit on the Information Society scheduled for November 2005 and called upon the international community to actively participate in the work for this summit, with a view to reducing the current digital divide.

General situation analysis of women and the media

The overall assessment from national reports suggests the Media remains a male-dominated institution. Their presence in key decision making positions within media institutions is also very low. Lesotho reports that women's views and voices are grossly under-represented in the media and that only an estimated 21% of news are from female sources. Liberia also reports of the lack of visibility of women in leadership positions in

the media. The Republic of Congo even suggests that reports emerging from female journalists are not considered newsworthy and therefore are not widely publicized and exposed in media. The participation of women in mass media remains underdeveloped in Côte d'Ivoire given the lack of measures and actions taken by the Government to ensure effective participation of women in the field.

Benin, Egypt, Mozambique, Tunisia, South Africa and Uganda have ICT policies in place to bridge gender gaps in access to technology. Benin's policy implementation has resulted in the creation of an agency for the promotion of new technologies which provides ICT training for women at subsidised rates. Following a request from the National Council on Women in Egypt, the Ministry of Information and Communication established an independent centre to address common gender concerns and ensure they are mainstreamed into all ICT development plans. Uganda has developed an ICT Policy²⁵ and a draft Telecommunications Sector Policy that recognizes the importance of gender mainstreaming and access to information by disadvantaged groups.²⁶ Similarly, Mozambique has adopted an information policy that seeks to mainstream gender into ICT in addition to harnessing the potential of ICT to bridge gender gaps in various areas, including access to business opportunities and training. The Information and Communication Technology Policy of Ethiopia (2002) makes special references to women and to the use of ICTs for capacity development and empowerment of women.

Highlights of achievements

Research into women's access to and role in the media

Thirteen (13) countries (Angola, Burkina Faso, Comoros, Congo, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, United Republic of Tanzania, Uganda, and Zimbabwe) have conducted research into women's access to and their role in the media. The same number of countries report on efforts to engender media at policy and practice levels; as well as eradicating all forms of gender stereotyping in the media to convey dignified images of women.

Some research activities are being spearheaded by national institutions. They include The Centre of Information, Training and Research Action on Women in Burkina Faso, the Ministry of Information in Tanzania, the Ministry responsible for ICT in Uganda the ministry of women and family affairs in Algeria, the Ministry of Information in Ghana. These initiatives have been supported by advocacy activities in Namibia and Malawi, through the Gender and Media Southern Africa Network (GEMSA), which promotes mainstreaming of gender in the work of the media in addition to the incorporation of gender into training curricula.

²⁵ Ministry of Works, Housing and Communications (2003) National Information and Communication Technology Policy

²⁶ Ministry of Works, Housing and Communications (MoWHC), 2003, pp 33 and Uganda Communications Commission (UCC), 2005, pp 89 respectively, quoted by the AGDI Ugandan report.

Some national women's machineries are contributing to these efforts. In Namibia research results show that the Media fails to adequately cover issues of HIV and AIDS. Only 4% of stories in all media have focussed on or mention HIV and AIDS. Themes which have gained visibility include women's access to ICT and communication and their access to decision-making positions in the media.

Specialized bodies have been created to meet BPfA objectives. They include the Women's Journalists Nucleus in Angola, and the Media Women Associations in Ghana, Uganda, Burundi and Zimbabwe. Others such as the DRC and Niger have established high councils for freedom and communication, whilst Togo reports of the setting up of an Observatory for women's image in Media. Capacity building activities for media professionals were organized in countries like Burkina Faso, Cape Verde and other countries, with the support of different partners; the Gender and Media Southern Africa Network, is also reported active in advocating and promoting mainstreaming of gender in the media.

The design of gender-aware media policies

Fifteen (15) countries (Burkina Faso, Cape Verde, Chad, Congo, Gabon, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Tanzania and Uganda have adopted strategies or policies to enhance women role in media and several have implementing strategies and plans of action in place. The Gambia, Ghana, Lesotho, Tanzania, Uganda and Tanzania have developed Plans of Action to promote the recruitment of women at all levels of media institutions and organs. Others such as Congo, Ghana, Mauritius, Madagascar and Nigeria have organized capacity building activities for journalists in gender and human rights and how to engender media production.

Recognition and support to women's media networks

Fifteen (15) countries (Burkina Faso, Chad, Congo, Cote d'Ivoire, Gabon, Ghana, Lesotho, Malawi, Mali, Mauritania, Mozambique, Namibia, Tanzania, Uganda and Zimbabwe) indicate that they support and recognise women's media networks.

Women Media and journalists associations and networks have been very active for several years in many countries (e.g. Algeria, Burundi, Egypt, Lesotho, Gabon, Mali, Mozambique, and Uganda). Country reports also cite networks which were created recently. They include the Women Algerian Journalists²⁷, set up in 2009, the Chadian Women Professionals of Communication²⁸, the Network of Women Journalists of Côte d'Ivoire, created in July 2006 and the Women Journalists Network to fight against AIDS and the network of Gender & Development Communicators²⁹ in Togo. Case studies of Uganda and Botswana are cited below.

²⁷ "Réseau des journalistes algériennes"

²⁸ Association des Professionnelles de la Communication (APC)

²⁹ Réseau des Communicateurs Genre et Développement (RECOGED)

Box 3.19: Case studies of how some countries are promoting women and the media

The Government of *Uganda* promotes and recognises women's media networks, such as Uganda Media Women Association which has a community Radio Station for purposes of mainly communicating information that promotes women's and children's welfare. The Women of Uganda Network and the Uganda Journalists Association are other organisations in which women participate actively. In *Botswana*, workshops and press briefings for media houses are held on different gender issues. This has increased proper reporting and some media houses are now vigorously writing on Gender issues. Gender Focal Persons have also been located in some media houses.

As with Botswana Gender Focal Points have been established in media houses of some countries with a view to positively impacting the media coverage of women issues. At sub regional level, the *SADC Gender Justice Barometer* has been set up and is being run by Gender Links to monitor the role of women in the media within the sub region.

Some countries are experiencing an increase in women's participation in decision-making positions in the media. In countries such as Algeria, Burkina Faso, Chad, Egypt, and Namibia, they are occupying positions of responsibility such as directors, editors in chief, and heads of radio stations.

The participation of women in the development of professional guidelines and codes of conduct

Fifteen (15) countries (Chad, Congo, Cote d'Ivoire, Gabon, Ghana, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Tanzania, Uganda and Zimbabwe encourage the participation of women in the development of professional guidelines and codes of conduct for media. These same countries indicate that women are present in decision-making positions within bodies in charge of elaborating rules and guidelines for the media at national level and sub regional levels. For example, a media code of conduct on reporting Child Sexual Abuse and Exploitation (CSAE) was developed by media women of East African countries, consisting of Kenya, Tanzania, Ethiopia and Uganda and has been replicated in Algeria, Egypt, Gabon, Lesotho, Mali, Morocco and Mozambique.

A number of countries have taken action in line with such ethical standards. For example in Mauritius, an Award has been instituted to reward journalists who focus on the elimination of sex stereotyping and the projection of positive images of women. Two unethical images of women have been banned by the Independent Broadcasting Authority (IBA) of the country. Additionally in Morocco, a Media Charter has been developed with UNPA support and has been agreed by consensus among all media agencies. The Charter bans the portrayal of insensitive images of women.

Commitment to the World Summit on the Information Society

Five (5) countries (Burkina Faso, Ghana, Malawi, Mali and Tanzania) have plans in place to implement the provisions of the World Summit on the Information Society. Nineteen (19) countries (Algeria, Angola, Benin, Botswana, Burkina Faso, Chad, Comoros, Coted'Ivoire, Ghana, Lesotho, Malawi, Mali, Mauritius, Mozambique, Namibia, Sierra Leone, Tanzania, Uganda and Zimbabwe) report that they have programmes on promoting ICT with specific gender dimensions. Algeria has created an initiative to last between 2005 and 2010 which aims to provide one computer to each family. The project also provides vocational training and professional teaching³⁰ even for women at rural level. Mali has in place ICT training, cyber clubs as well as an e-festival week. Women are accessing to ICT and using them for the promotion of their activities.

Highlights of challenges

- a) There is a continued projection of negative and degrading images of women in media communications - electronic, print, visual and audio. Print and electronic media in most countries do not provide a balanced picture of women's diverse lives and contributions to society in a changing world.
- b) Violent and degrading or pornographic media products are also negatively affecting women and their participation in society. Programming that reinforces women's traditional roles can be equally limiting. The world-wide trend towards consumerism has created a climate in which advertisements and commercial messages often portray women primarily as consumers and target girls and women of all ages inappropriately.
- c) Gender issues and Women's views and voices are still marginalized and underrepresented in the continent's news media and when women are represented they are more likely than men, to be portrayed as victims or negatively as objects of beauty or through pornography images.
- d) Female journalists are usually confined to cover 'soft or entertaining issues, while men tend to cover the 'hard' or serious topics; and
- e) At policy level major challenges include the lack of specific gender legislation and policy in the media; Lack of strict implementation and monitoring measures, where this policy exists; Under-representation of women in decision making positions in all media houses; and Unbalanced and stereotyped portrayal of women in the media and limited access to the media and ICT by both women and men in rural areas.

Recommended actions

³⁰ Ministère de la formation et l'enseignement professionnel

- (a) Support women's education, training and employment to promote and ensure women's equal access to all areas and levels of the media;
- (b) Support research into all aspects of women and the media so as to define areas needing attention and action and review existing media policies with a view to integrating a gender perspective;
- (c) Promote women's full and equal participation in the media, including management, programming, education, training and research;
- (d) Aim at gender balance in the appointment of women and men to all advisory, management, regulatory or monitoring bodies, including those connected to the private and State or public media;
- (e) Encourage, to the extent consistent with freedom of expression, these bodies to increase the number of programmes for and by women to see to it that women's needs and concerns are properly addressed;
- (f) Encourage and recognize women's media networks, including electronic networks and other new technologies of communication, as a means for the dissemination of information and the exchange of views, including at the international level, and support women's groups active in all media work and systems of communications to that end;
- (g) Encourage and provide the means or incentives for the creative use of programmes in the national media for the dissemination of information on various cultural forms of indigenous people and the development of social and educational issues in this regard within the framework of national law;
- (h) Guarantee the freedom of the media and its subsequent protection within the framework of national law and encourage, consistent with freedom of expression, the positive involvement of the media in development and social issues.

Area of Concern 11: Women and the Environment

BPfA expectations

Under this critical area of concern, the Beijing Platform for Action (BPfA) calls for the active involvement of women at all levels of environmental decision-making and the integration of gender concerns and perspectives into policies and programs for sustainable development. These include ensuring opportunities for women to participate at all levels of decision-making integrate rural women's traditional knowledge and practices of sustainable resource use and management in the development of environmental management and extension programmes.

The seventh African regional Review conference (2004) has stressed the need to adopt gender sensitive programmes, strategies and measures on environment by governments of the member states. It also highlighted women should play a prominent role in the design and implementation of policies and programs on water, energy, sanitation, land and forestry conservation and management as well as in rural and urban planning. Moreover, it was recommended that the achievement of MDG 7 with respect to ensuring environmental sustainability must be engendered.

Situation analysis of women and the environment

Poverty results in certain kinds of environmental stress, the major cause of the continued deterioration of the global environment is the unsustainable pattern of consumption and production, particularly in industrialized countries, which is a matter of grave concern, aggravating poverty and imbalances. Rising sealevels as a result of global warming are causing grave and immediate threats to people living in island countries and coastal areas.

The deterioration of natural resources displaces communities, especially women, from income-generating activities while greatly adding to unremunerated work. Through their management and use of natural resources, women provide sustenance to their families and communities. As consumers and producers, caretakers of their families and educators, women play an important role in promoting sustainable development through their concern for the quality and sustainability of life for present and future generations.

Nevertheless, women remain largely absent at all levels of policy formulation and decision-making in natural resource and environmental management, conservation, protection and rehabilitation, and their experience and skills in advocacy for and monitoring of proper natural resource management too often remain marginalized in policy-making and decision-making bodies, as well as in educational institutions and environment-related agencies at the managerial level. Women are rarely trained as professional natural resource managers with policy-making capacities, such as land-use planners, agriculturalists, foresters, marine scientists and environmental lawyers. Even in cases where women are trained as professional natural resource managers, they are often underrepresented in formal institutions with policy-making capacities at the national, regional and international levels. Often women are not equal participants in the management of financial and corporate institutions whose decision-making most significantly affects environmental quality. Furthermore, there are institutional weaknesses in coordination between women's non-governmental organizations and national institutions dealing with environmental issues, despite the recent rapid growth and visibility of women's non-governmental organizations working on these issues at all levels.

Integrating gender perspectives in the design and implementation of environmental policies

Seventy one per cent (71%) of countries have taken measures to integrate gender perspectives into the design and implementation of environmental policies. They include the National Plan for Town and Country Planning till 2025 in Algeria, the National Energy Policy in Botswana, the National Environmental Policy of Zimbabwe and other policy initiatives of Egypt, Ghana, Guinea and Lesotho. Burkina Faso has in place an Action Plan for the Promotion of Women's Activities in the Environment (2008); while the government of Chad has been implementing programmes on management of natural resources since 2005. Gender is mainstreamed in these programmes and important dimensions such as reforestation, new appropriate technologies are being operationalised. In Liberia, the National Disaster Relief Commission and Environmental Protection Agency have been mandated to take assume the responsibility of taking measures to reduce environmental impacts on women.

In addition to those countries, others are integrating gender in their environmental policies by devoting special chapters to women. They include Malawi, Namibia, Nigeria, Ghana, Tanzania, Zimbabwe and Tunisia.

Empowering women as producers and consumers to ensure effective environmental actions

Sixty-eight percent of countries have been implementing plans and strategies towards improving basic services of all, especially in poor and rural zones. In this respect, sanitation, water supply, health services as well as generating income services are encouraged even though they are not necessarily focussed on women as a special group. Gender issues are taken into account in policies, plans, programmes and projects related to protection of environment in countries such as Algeria, Congo, Egypt, Ghana, Namibia, Tunisia, Togo and Mauritania. A range of programmes are in place to sensitize women on the effects of bad practices on environment.

Technical assistance to women in sectors such as food production and fisheries

Nineteen (19) countries are providing technical assistance to women to increase production in various fields and with a view to ensuring sound environmental practices. The countries concerned are Benin, Botswana, Burkina Faso, Cape Verde, Chad, Congo, Cote d'Ivoire, Gabon, Ghana, Lesotho, Malawi, Mali, Mozambique, Namibia, Sierra Leone, Swaziland, Tanzania, Uganda and Zimbabwe.

Interventions include literacy, vocational training and micro credit programs, administered through established, institutional mechanism such as the women and development units of the ministry of agriculture, livestock and fishing in Benin, the Fund for women entrepreneurs in Botswana, national federation of rural women and associations of Rural women in Mali. Several of these initiatives are being undertaken in collaboration with civil society organizations.

Most countries place more emphasis on women in rural areas (e.g. Algeria, Burkina Faso, Cape Verde, Chad, Cote d'Ivoire) with a view to improving their income generating activities. In this vein, several projects are implemented to support women in fishing, oil and shea butter extraction and the cultivation of fruits, vegetables, cereals and tubers. Rural women are usually organised into groups and as a result are able to benefit from various kinds of support (e.g. land, credit and equipment) and their capacities have been reinforced in terms of technical skills and marketing capacity (e.g. Mozambique, Namibia, Niger, Swaziland, Uganda and Zimbabwe). Sierra Leone can be cited as a good example of a country which is supporting women to own fishing boats and farms. Several countries (e.g. Chad, Congo, Malawi, Niger, Tanzania, Togo and Uganda) have conducted evaluations on their policies and programmes to test their gender responsiveness.

Highlights of challenges

- a) Women remain largely absent at all levels of policy formulation and decision-making in natural resource and environmental management, conservation, protection and rehabilitation, and their experience and skills in advocacy for and monitoring of proper natural resource management too often remain marginalized in policy-making and decision-making bodies, as well as in educational institutions and environment-related agencies at the managerial level.
- b) Women are rarely trained as professional natural resource managers with policy-making capacities, such as land-use planners, agriculturalists, foresters, marine scientists and environmental lawyers.
- c) Even in cases where women are trained as professional natural resource managers, they are often underrepresented in formal institutions with policy-making capacities at the national, regional and international levels. Often women are not equal participants in the management of financial and corporate institutions whose decision-making most significantly affects environmental quality.
- d) There are institutional weaknesses in coordination between women's non-governmental organizations and national institutions dealing with environmental issues, despite the recent rapid growth and visibility of women's non-governmental organizations working on these issues at all levels.
- e) African women are very vulnerable, and are most likely to be disproportionately affected by the adverse impacts of climate change because they constitute the majority of poor people. Women's traditional roles as the primary users and managers of natural resources, primary caregivers, and labourers engaged in unpaid labour, and dependent on livelihoods and resources that are put most at risk by climate change.

- f) Furthermore, women lack rights and access to resources and information vital to overcoming the challenges posed by climate change. They are frequently excluded from processes and decisions relating to the use and management of natural resources, including those impacting on climate change.
- g) While adaptation research and activities targeting vulnerable populations are increasing in number, limited attention has been given to the gender differences which may impact the interventions to strengthen livelihoods and food security from external shocks. Yet, research and policy-making have so far failed to examine extensively the gender aspects of vulnerability and adaptation to climate change (FAO, 2007 cited by Gaye I. 2009).
- h) Inadequate awareness and knowledge of gender issues by policy makers, planners and implementers has been one of the major obstacles/challenges for integrating gender issues and improve the women's participation and benefit from environmental issues. Many countries stressed that trained staff members are missing in most of the relevant ministries, bureaus and so on.

Recommended actions

- a) Take measures to integrate a gender perspective in the design and implementation of, among other things, environmentally sound and sustainable resource management mechanisms, production techniques and infrastructure development in rural and urban areas;
- b) Empower women as producers and consumers with a view that they would take effective environmental actions, along with men, in their homes, communities and workplaces;
- c) Promote the participation of local communities, particularly women, in identification of public service needs, spatial planning and the provision and design of urban infrastructure ;
- d) Take gender impact into consideration in the work of the Commission on Sustainable Development and other appropriate United Nations bodies and in the activities of international financial institutions;
- e) Promote the involvement of women and the incorporation of a gender perspective in the design, approval and execution of projects funded under the Global Environment Facility and other appropriate United Nations organizations;
- f) Encourage the design of projects in the areas of concern to the Global Environment Facility that would benefit women and projects managed by women;

- g) Establish strategies and mechanisms to increase the proportion of women, particularly at grass-roots levels, involved as decision makers, planners, managers, scientists and technical advisers and as beneficiaries in the design, development and implementation of policies and programmes for natural resource management and environmental protection and conservation; and
- h) Encourage social, economic, political and scientific institutions to address environmental degradation and the resulting impact on women.

Area of Concern 12: The Girl Child

BPfA expectations

The platform calls for the elimination of negative cultural attitudes and practices against girls, the elimination of economic exploitation of child labour, the protection of girls at work and the eradication of violence against the girl-child. The main responsibilities to be undertaken by governments and other stakeholders indicated under this critical area include development and implementation of comprehensive policies, plans of action and programmes for the advancement of the girl child, address the issue of discrimination against girls on the basis of tradition and religion; and encourage and support NGOs and CBOs in their efforts to promote changes in negative attitudes and practices towards girls.

During the Beijing +10 regional review conference, it was recommended and agreed by member States to protect the girl-child against discrimination, ill-health, malnutrition, stereotyping, violence, including genital mutilation, early and forced marriage and exploitation through domestic work and trafficking. Successful strategies for improving girls' access to and retention in education should be scaled-up. The content and culture of schooling should be free from bias, discrimination and violence against girls. These would require curriculum reform, gender training for teachers and others working in education, as well as for boys and girls, together with continuous advocacy with parents, traditional and religious leaders, parliamentarians and other stakeholders. Access to professional and technical education for girls should be facilitated and there should be gender-focussed programmes for boys and girls. Furthermore, the main financial partners should reflect greater commitment to women and girls. (UNECA, 2004, para 34).

A general situation analysis of the girl child

Although immense milestones have been achieved with respect to advancing the status and development of the girl child, the overall review indicates that she continues to be discriminated against from the earliest stages of life, through her childhood and into adulthood. Reasons for the discrepancy include, among other things, harmful attitudes and practices, such as female genital mutilation, son preference -which results in female infanticide and prenatal sex selection - early marriage, including child marriage, violence against women, sexual exploitation, sexual abuse, discrimination against girls in food

allocation and other practices related to health and well-being. As a result, fewer girls than boys survive into adulthood.

In many countries girls are often treated as inferior and are socialized to put themselves last, thus undermining their self-esteem. Gender-biased educational processes, including curricula, educational materials and practices, teachers' attitudes and classroom interaction, reinforce existing gender inequalities. Girls and adolescents may receive a variety of conflicting and confusing messages on their gender roles from their parents, teachers, peers and the media.

While female primary enrolment particularly at primary level is increasing, many countries are facing severe drop rates and limited progression into higher levels of education. This is attributable to such factors as customary attitudes, child labour, early marriages, lack of funds and lack of adequate schooling facilities, teenage pregnancies and gender inequalities in society at large as well as in the family as described in paragraph. In some countries the shortage of women teachers can inhibit the enrolment of girls. In many cases, girls start to undertake heavy domestic chores at a very early age and are expected to manage both educational and domestic responsibilities, often resulting in poor scholastic performance and an early drop-out from schooling.

As noted, the percentage of girls enrolled in secondary school remains significantly low in many countries. Girls are often not encouraged or given the opportunity to pursue scientific and technological training and education, which limits the knowledge they require for their daily lives and their employment opportunities. Girls are less motivated compared to boys to participate in and learn about the social, economic and political functioning of society, with the result that they are not offered the same opportunities as boys to take part in decision-making processes.

In several countries, DHS results show that girls continue to be victims of early pregnancies. Motherhood at a very young age entails complications during pregnancy and delivery and a risk of maternal death that is much greater than average. The children of young mothers have higher levels of morbidity and mortality. Early child-bearing continues to be an impediment to improvements in the educational, economic and social status of women in all parts of the world. Overall, early marriage and early motherhood can severely curtail educational and employment opportunities and are likely to have a long-term adverse impact on their and their children's quality of life. Sexual violence and sexually transmitted diseases, including HIV/AIDS, have a devastating effect on children's health, and girls are more vulnerable than boys to the consequences of unprotected and premature sexual relations. Girls often face pressures to engage in sexual activity. Due to such factors as their youth, social pressures, lack of protective laws, or failure to enforce laws, girls are more vulnerable to all kinds of violence, particularly sexual violence, including rape, sexual abuse, sexual exploitation, trafficking, possibly the sale of their organs and tissues, and forced labour. The girl child with disabilities faces additional barriers and needs to be ensured non-discrimination and equal enjoyment of all human rights and fundamental freedoms in accordance with the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities.

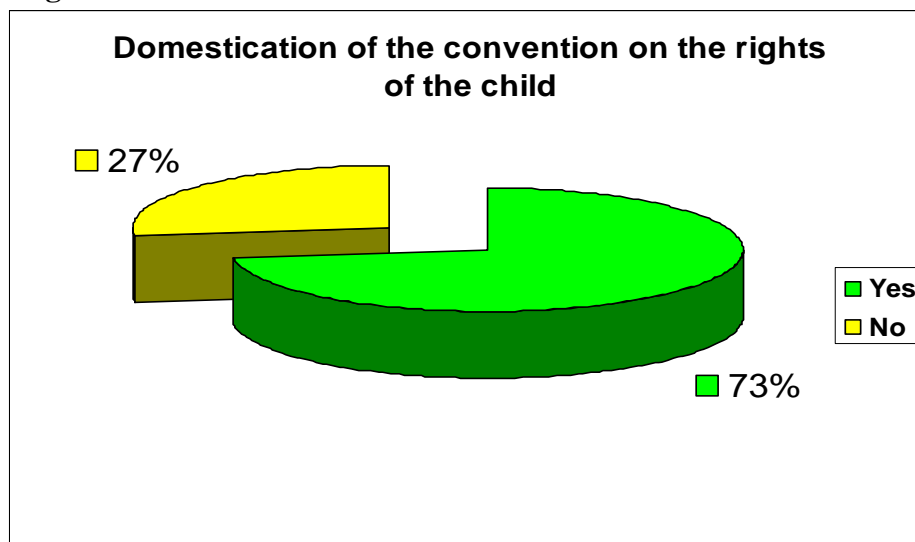
Some girl children are particularly vulnerable. They include the abandoned, homeless and displaced, street children, children in areas in conflict, and children who are discriminated against because they belong to an ethnic or racial minority group.

Highlights of achievements

Ratification and compliance with the Convention on the Rights of the Child

All African countries with the exception of Somalia have ratified the Convention on the Rights of the Child (CRC) and an estimated 73% of ratifying countries have integrated the Convention into domestic law through legislative and constitutional reforms.

Figure 3.3



Some countries such as Cape Verde, Congo, Egypt, Ghana, Niger, The Gambia, Tunisia and Togo adopted comprehensive Codes on Children, with a special emphasis on the status of the child as a subject than an object of human rights.

All legislative enactments contain clauses on non-discrimination, which seek to enhance the well-being of the girl child. An estimated 65% of countries report that they have eliminated injustice related to inheritance by girl children. Benin, Chad, Gabon, Guinea, Lesotho, Mali, Sierra Leone, Uganda and Zimbabwe guarantee equal sharing of inheritance between girls and boys.

In Namibia the 2004 National Policy on Orphans and Vulnerable Children (OVC) is being implemented and barriers related to inheritance of women and girls have been removed by the enactment of the Communal Land Reform Act no 5 of 2002. The Child Status Act no. 6 of 2006 guarantees women the right to inherit land from their late spouses contrary to custom. Moreover, children (boys and girls) born out of wedlock all are guaranteed equal

rights to inherit from their parents as a result of the same act; differing the past where only children born in marriage had a right to inherit.

As part of the efforts deployed to reduce gender based violence, all countries adopted laws protecting children from violence in general. In this respect, an estimated 88% of countries have enacted and are enforcing legislation to protect girls from violence such as sexual exploitation, and harmful traditional practices (e.g. Algeria, Benin, Burundi, Egypt, Guinea, Malawi, Mauritius, Namibia, Nigeria, Sierra Leone, Zambia and Zimbabwe). Whilst some countries report of a decrease in the rate of forced marriage (e.g. Congo), this practice is criminalized and banned in others (e.g. Algeria, Burkina Faso, Côte d'Ivoire, Gabon, Ghana, Guinea, Lesotho, Mali and Togo). Similarly several countries set equal legal age of marriage for both young women and men. Examples include Algeria 19 years, Comoros, Mauritania, and Namibia 18 years, and Tunisia 20 years.

Multi sectoral planning and reporting tools have been development in most countries in line with the recommendations of the 2002 Special Session on Children. Such is the case in Algeria, Botswana, Côte d'Ivoire, Mauritania, Mauritius and Tunisia.

In terms of more specific issues, 20 countries (Angola, Botswana, Burkina Faso, Cape Verde, Congo, Cote d'Ivoire, Djibouti, Eritrea, Gabon, Gambia, Ghana, Malawi, Mali, Mauritius, Namibia, Sierra Leone, Tanzania, Uganda, Zambia and Zimbabwe are taking steps to eliminate barriers to schooling of pregnant adolescents. Multiple Indicator Cluster Surveys (MICS) have been conducted in many countries with UNICEF and other UN agency support with specific indicators related to children rights being captured. The countries concerned include Burundi, Malawi, Mozambique, Algeria, Djibouti, Tunisia, Burkina Faso, Cameroon, Cote d'Ivoire, Gambia, Ghana, Guinea, Mauritania, Nigeria, Sierra Leone, Togo, Angola, Morocco and Niger.

Eighty Two percent of the countries are also implementing setcoral plans, strategies and programmes targeting children in education, health, protection and juvenile justice administration. Tunisia has an elaborate child protection programme. Different mechanisms such as Observatories, training, documentation and studies on the protection of the child rights are in place. Created in 2002, the delegates in charge of the protection of children in all governorates, as well as different plans and strategies to promote children rights culture, protection of children against violence exist. Similarly, National Strategy to fight Gender based violence using a life cycle approach has been adopted in Algeria, and the national Gender Policies of Swaziland and Zimbabwe have got some strategies that seek to promote the girl child.

Research into the situation of the girl child

An estimated 65% of the countries indicate that they have been engaged in ongoing research on the situation of girls. Through Ministries, National Population Councils or National Children Councils, research centers and observatories, research and studies became oriented to provide evidences for policy and advocacy, and are covering different areas: Education, Health, Violence, HIV/AIDS, reproductive and sexual rights and health,

Labor etc... (Algeria, Burkina Faso, Cape Verde, Djibouti, Egypt, Gabon, Malawi, Mauritania, Mauritius, Namibia, Sierra Leone, Uganda, Tunisia and Morocco). Training, sensitization, Advocacy and lobbying are targeting a wide range of stakeholders and decision makers, based on the studies' results to impact policies adopted.

The removal of gender stereotyping

Encouraging efforts have been exerted in developing school curricula, teaching materials and text books to improve the self image, lives and work opportunities of girls. 77% of the countries have developed curricula and other measures that contribute for improving self image of girls. Algeria can be taken as example of good practice in conducting reform in Education sector which resulted in a complete revision of the method of preparation of textbooks in terms of content and shape and focused on the elimination of all stereotyped images on women and men, girls and boys roles in textbooks. New concepts are now integrated as women's rights, gender equality, HIV-AIDs and Violence. Similarly Egypt has achieved 1 to 1 ratio for boys and girls in secondary education.

Many innovative achievements could be quoted such as the program set up in Chad to support research in the education system and related teaching materials elaborated and adopted in 2006-2008 which are in use in schools since the 2008-2009 school year, the integration of gender in the education system in Comoros or the revised stereotypes in textbooks at primary and secondary levels to eliminate all negative images on women and girls in Congo, Burkina Faso, Côte d'Ivoire, Egypt, Gabon, Guinea, Malawi, Mali, Namibia, Swaziland, Tunisia, Uganda and Zambia

Interventions for girls with disabilities

Efforts are deployed in all the countries to deliver good quality services and appropriate devices to children living with disabilities. National plans and programmes are implemented, but most of them are gender blind and do not focus on girls. About 57% of the countries have facilitated equal provision of services and devices to disabled girls. Centers, inclusive and specialized schools and vocational training are being constructed (e.g. Algeria, Benin, Burkina Faso, Cote d'Ivoire, Lesotho, Malawi, Mali, Niger and Tunisia) with creation of girls' classrooms in Djibouti. The National Council for Children in Egypt launched a green line for children with disabilities to provide advice, and Mali is implementing a community-based national rehabilitation programme/CBR and specialized structures for people with disabilities. To ensure maintenance of the devices, Namibia established a system of social grants to benefit to children with disabilities; and Uganda adopted affirmative action for women and girls with disabilities in all spheres of social and economic affairs in 2008.

Highlights of challenges

- a) The economic crisis is causing both male and female youth to engage in business ventures which distract them from attending school.
- b) Religious and cultural practices such as early marriages, female genital mutilation, unfair distribution of property of the deceased continue to promote violation of girl child rights.
- c) Girl children with disabilities tend to be more vulnerable than other categories of children in all respects especially as they relate to access to basic social services.
- d) Affirmative action policies are not being strictly implemented and resources are not being put to monitor compliance.
- e) There is limited coverage of career guidance programmes to encourage girl children to venture into technical careers and
- f) There are limited scholarship for girls' education and where they exists, are not effectively targeted.

Recommended actions

- a) Ensure universal and equal access to and completion of primary education by all children and eliminate the existing gap between girls and boys. Similarly, ensure equal access to secondary education by the year 2015 and equal access to higher education, including vocational and technical education, for all girls and boys, including the disadvantaged and gifted;
- b) Take steps to integrate functional literacy and numeracy programmes, particularly for out-of-school girls in development programmes;
- c) Promote human rights education in educational programmes and include in human rights education the fact that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights;
- d) Increase enrolment and improve retention rates of girls by allocating appropriate budgetary resources and by enlisting the support of the community and parents through campaigns and flexible school schedules, incentives, scholarships, access programmes for out-of-school girls and other measures;
- e) Develop training programmes and materials for teachers and educators, raising awareness about their own role in the educational process, with a view to providing them with effective strategies for gender-sensitive teaching;

- f) Take actions to ensure that female teachers and professors have the same possibilities and status as male teachers and professors.
- g) Ensure access to appropriate education and skills-training for girl children with disabilities for their full participation in life;
- h) Strengthen and reorient health education and health services, particularly primary health care programmes including sexual and reproductive health and design quality health programmes to meet the physical and mental needs of girls and that attend to the needs of young, expectant and nursing mothers;
- i) Establish peer education and outreach programmes with a view to strengthening individual and collective action to reduce the vulnerability of girls to HIV/AIDS and other sexually transmitted diseases, as agreed to in the Programme of Action of the International Conference on Population and Development and as established in the report of that Conference (+15).
- j) Ensure education and dissemination of information to girls, especially adolescent girls, regarding the physiology of reproduction, reproductive and sexual health, as agreed to in the Programme of Action of the International Conference on Population and Development and as established in the report of the present Conference, responsible family planning practice, family life, reproductive health, sexually transmitted diseases, HIV infection and AIDS prevention, recognizing the parental roles.
- k) Define a minimum age for a child's admission to employment in national legislation, in conformity with existing international labour standards and the Convention on the Rights of the Child, including girls in all sectors of activity;
- l) Take appropriate legislative, administrative, social and educational measures to protect the girl child, in the household and in society, from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse;
- m) Undertake gender sensitization training for those involved in healing and rehabilitation and other assistance programmes for girls who are victims of violence and promote programmes of information, support and training for such girls; and
- n) Enact and enforce legislation protecting girls from all forms of violence, including female infanticide and prenatal sex selection, genital mutilation, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, and develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence.

Section III: Final conclusions and way forward

This 15 year review of the BPfA has examined the progress made and some of the challenges facing Africa in promoting gender equality, and women's empowerment based on the 45 responses by member States to the questionnaire administered by ECA. The responses to the questionnaire shows that while some progress has been made in the implementation of the BPfA in each of the 12 critical areas, African countries continue to face challenges which will affect their achievement of the goals of the BPfA as well as other development frameworks including the ICPD goals and the MDGs.

The BPfA review and the MDGs assessments show that notable progress has been achieved in legal reforms and defining policies towards gender equality and women's empowerment. The performance in all the critical areas and the MDGs is varied. Some show much significant success such as primary school enrolment whilst others present a serious challenge such as maternal mortality.

It is evident from the review that Governments still face challenges in meeting the targets set in the BPfA. Accelerating efforts to implement the BPfA would require addressing the challenges within the socioeconomic context of each nation. Some of the cross cutting challenges include lack of statistics, particularly sex disaggregated data that prevents governments from reporting increased gender differentials in several critical areas of concern; lack of adequate human and financial resources for gender equality and women's empowerment; limited translation of laws into gains for women; limited enforcement of laws leads to the perpetuation of gender inequalities and violence against women; and the continued presence of long standing cultural and traditional practices that discriminate against women and girls.

This 15 year BPfA review has underscored the importance of collecting high quality, reliable, comparable, policy-relevant, sex and gender-disaggregated data for policy development on gender equality and women's empowerment. This data is crucial for policy implementation, monitoring and evaluation of progress towards achieving gender equality and women's empowerment. In this regard, governments and stakeholders need to invest in sound and responsive statistical planning with gender perspectives in mind.

Tremendous progress has been made in the ratification of regional and global treaties affecting women. Most countries have also taken steps at law reform, policy development and planning, thereby providing frameworks for implementation at the local level. Nevertheless an immense lacuna still lies between these initiatives and implementation. For issues such as violence against women, and land and property rights the review also notes limited enforcement as a major challenge inhibiting progress. This suggests that there is need for governments to move beyond establishing legislation to ensure active enforcement.

The multiple global crises that include escalating food prices; volatile fuel prices; climate change; and the economic and financial crisis; are a major challenge to achieving gender

equality and women's empowerment on the continent. The economic crisis will have a significant impact on women as more of them are likely to lose jobs and are forced to manage shrinking household incomes. This is likely to worsen the poverty level among women with major repercussions to children's food security, education and health, and maternal mortality. In light of the economic crisis, it is important that member States protect and increase pro-poor public spending on social sectors that can ensure that the social welfare of women is protected during the economic downturn. It is also important to ensure that the stimulus packages to mitigate the impact of the economic and financial crises address areas that can empower women to move out of poverty such as increased investments in agriculture.

This 15 year BPfA review notes that conflicts and social instability continue to beset many countries and to erode the little progress that has been made on achieving gender equality and women's empowerment in affected countries. Women and girls continue to be vulnerable to sexual based violence; and suffer from the disruption of existing social networks, infrastructure and economic and social activities. Peace and security is a necessary facilitating factor towards achieving gender equality and women's empowerment. Countries should strengthen programmes to promote peace and security and involve women in peace building initiatives.

Specific issues such as maternal mortality and violence against women have been identified to require urgent attention. Maternal mortality in Africa remains the highest in the world and calls for intensified action to improve equitable access to reproductive health, antenatal and obstetric services; and addressing the shortage of health personnel. With regard to violence against women, it is important that countries that have not yet enacted supportive laws to do so and ensure their effective enforcement. It is also important for countries to strengthen multi sectoral-coordination in addressing violence against women; and involve boys and men and strengthen comprehensive data collection and monitoring mechanisms.

Lack of adequate human and financial resources for gender equality and women's empowerment is cited as the major inhibiting factor and the major reason for the big gap between what is on paper and practice. Africa should focus more on mobilizing internally-generated resources, as these are important for sustaining BPfA and MDG-related activities and interventions.

The continued presence of long standing cultural and traditional practices that discriminate against women and girls have constrained the progress towards achieving gender equality. Discriminatory practices and public attitudes towards the advancement of women, and full participation of women in politics and decision making have not changed at the same pace as policy, legal and institutional frameworks. This can be addressed through sustained public awareness campaigns, sensitization of traditional and community leaders, empowering women through education, training and legal literacy, legal aid and accessible justice systems.

APPENDIXES

Countries with legislation on FGM/C in place

Benin	<p>Law passed in 3rd March 2003 banning all forms of FGM. Law no. 2003-03 on the Repression of the Practice of FGM in the Republic of Benin.</p> <p>Article 2 prohibits all forms of FGM</p> <p>Article 4 imposes a prison term from 6 months to 3 years and a fine 100,000 to 2,000,000 francs</p> <p>Article 5 imposes a higher penalty for those who perform FGM on minors (persons below 18yrs) by imposing a term of 3 yrs –5yrs imprisonment and a maximum fine of 3 million francs.</p> <p>Article 6 states that where the victim dies, the culprit will serve 5 to 20 years of hard labour and a fine of 3million to 6 million francs</p> <p>Article 7 states that accomplices will punished as the actual circumciser</p> <p>Article 8 states that multiple offenders will be given the maximum penalty without any mitigation</p> <p>Article 9 states that person who refuse to report the occurrence of FGM will receive the same penalty for ‘refusing to report the crime’</p> <p>Persons are supposed to report any occurrence of FGM to the Public Prosecutors office and failure to do so amount to a fine of 50,000-100,000 francs.</p> <p>Article 10 obliges the medical staff to assist the FGM victim/survivor and they must inform the public authorities</p>
2. Burkina Faso	<p>Law no. 43/96/ADP was enacted on 13th November 1996.</p> <p>Article 380 any person who violates or attempts to violate the physical integrity of the female genital organ either in total or ablation, excision, infibulation, desensitization or by any other means will be imprisoned for 6 months to three years and a fine of 150,000-900,000 francs or by either punishment.</p>

	<p>If FGM results in death, the punishment shall be imprisonment for 5-10 years</p> <p>Article 381 imposes the maximum punishment for persons in the medical and paramedical field</p> <p>Article 382 a person having knowledge of the acts outlined in article 380 and who fails to report to the proper authorities will be fined 50,000 to 100,000 francs</p>
3. Cameroon**	No current FGM laws or Penal code provisions however provisions on grievous bodily harm at article 277 –281 of the Penal code can be used
4. Central African Republic	In 1996 the then president issued an ordinance prohibiting the practice of FGM.
5. Chad	Law no 6/PR/2002 on the promotion of reproductive health has provisions prohibiting FGM
6. Cote d'Ivoire	Law passed in 1998 ***
7. Democratic Republic of Congo	No law provisions on FGM but the Penal Code article 46-48 on 'intentional bodily injury' can be used to address FGM
8. Djibouti	1995 the Penal Code was amended to include prohibition on FGM. Article 333 of the Penal code provides that 'acts of violence resulting in Genital Mutilation are punishable by imprisonment for 5 years and a fine of 1,000,000 francs. Penal code does not define the term FGM.
9. Egypt	Ministerial decree 1996 prohibits FGM
10. Eritrea	No law on FGM in Eritrea
11. Ethiopia	No law
12. The Gambia	No law
13. Ghana	The Constitution at article 26 (2) prohibits all customary practices, which dehumanise or are injurious to the physical and mental well being of a person. Article 39 (2) states that government policy objective is to ensure that traditional practices which are injurious

	<p>and harmful are abolished.</p> <p>In 1994, amendment to the criminal code made FGM a criminal offence. Article 69A imposes a sentence of not more than three years</p>
14. Guinea	<p>A law was passed in February 2006 against FGM. The law no. 2005 of ----- provides at</p> <p>Chapter one defines FGM</p> <p>Chapter two provides the penalty for those who perform FGM, regardless of whether they are in the traditional or modern set up (article 8)</p> <p>Article 9 provides for imprisonment between 6 months to 2 years and/ or a fine of 300,000 to 1,000,000 francs</p> <p>Article 10 provides that persons in the medical field receive the maximum sentence for performing FGM.</p>
15. Guinea Bissau	No law but penal provisions may be applicable
16. Kenya	The Children's Act No. 8 of 2001 FGM of persons under the age of 18yrs at section 14. It prohibits FGM and other harmful practices that 'negatively affect' children and gives a penalty of twelve month imprisonment and/or a fine not exceeding fifty thousand shillings.
17. Liberia	Liberia has no specific law on FGM. Section
18. Mali	Law no. 02-044 passed on 24 th June 2002 on Reproductive health outlaws FGM while ordinance 04-019 incorporates the Maputo Protocol into law
19. Mauritania	(Ordinance no. 2005-015) Chapter II Article 12 Penal Code prohibits the practice of FGM on infants and children (defined as those below the age of 18). The punishment is up to four years and a fine of 120,000-300,000 ouguiya
20. Niger	Law no. 2003-025 made an amendment to the Penal Code which criminalized all forms of FGM article 232.1-232.3

21. Nigeria	No federal law banning FGM, some states have banned FGM such as Edo State, Ogun, Cross River, Osun, Rivers and Bayelsa states. Bill H22
22. Senegal	In January 1999, the Penal Code was amended, article 299 of the Penal Code criminalizes FGM
23. Sierre Leone	No law
24. Somalia	No law
25. Sudan	No law
26. Tanzania	Penal Code amended in 1998 which criminalized FGM at Article 169A Penal Code
27. Togo	<p>Law no. 98-016 was enacted to prohibits FGM</p> <p>Article 1 forbids all forms of FGM</p> <p>Article 2 gives the definition of FGM and excludes operation performed for medical reasons</p> <p>Article 3 states that all persons who perform FGM whether in the traditional or modern set up will be punished for ‘intentionally causing physical harm’</p> <p>Article 4 provides punishment for the offence created at article 3, between 2 months to 5 years imprisonment or a fine of 100,000-1,000,000 francs or one or both imprisonment and fine.</p> <p>Multiple offenders will receive a double penalty***</p> <p>Article 5 provides that where the FGM results in death of the victim, the punishment will be between 5 – 10 years imprisonment</p> <p>Article 6 provides punishment for person who fails to notify the public authorities of occurrence FGM or attempted FGM; such person shall be imprisonment for a period of one month to one year or receive a fine of between 20,000-500,000 francs.</p> <p>This includes parents, relatives till the fourth generation, accomplices</p> <p>Article 7 requires both public and private hospitals to assist victims of FGM by giving all the help necessary</p>

Countries with Domestic Violence legislation in place

Country	Legislation	Year
Botswana	Domestic Violence Act	2007
Cameroon	Draft bill on violence against women and gender-based discrimination	2006
Ghana	Domestic Violence Act	2007
Kenya	Domestic Violence (Family Protection) Bill	2002
Madagascar	An Act to Punish Violence Against Women	2000
Malawi	Prevention of Domestic Violence Act	2006
Mauritius	Protection from Domestic Violence Act	1991
Mozambique	Law Against Domestic Violence	2009
Namibia	Combating of Domestic Violence Act	2003
Nigeria	Elimination of Violence in Society Bill	2006
Rwanda	Gender-Based Violence Act	2009
South Africa	Domestic Violence Act	1998
Uganda	Domestic Violence Bill	2009
Zimbabwe	The Prevention of Domestic	2007

	Violence and Protection of Victims of Domestic Violence Act	
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