

Economic Commission for Africa Commission économique pour l'Afrique



SUMMARY NOTES AND GUIDE QUESTIONS FOR WORKING GROUP DISCUSSIONS

THEME 2. Achieving Good Governance: The Essential Participation of Women

- 2.1: Operationalization of a new vision for governance: the implications of Beijing and Dakar at the national level for a gender responsive state
- 2.2: Create and support mechanisms to ensure the participation and influence of women in all peace processes at the national, sub-regional and regional level
- 2.3: Post-conflict reconstruction, rehabilitation and reconciliation: An opportunity for full participation of women
- 2.4: Strategies and actions to promote women's rights and to eliminate the gaps between the provisions in the law and the practice.
- 2.5: Women's empowerment in a decentralised system of government



ACHIEVING GOOD GOVERNANCE: THE ESSENTIAL PARTICIPATION OF WOMEN

SUB-THEME 2.1

OPERATIONALIZATION OF A NEW VISION FOR GOVERNANCE: THE IMPLICATIONS OF THE BEIJING DECLARATION AND PLATFORM FOR ACTION AND THE AFRICAN PLATFORM FOR ACTION FOR A GENDER RESPONSIVE STATE

In recent years, there has been a deepening of the understanding of the linkages between open, democratic and accountable systems of governance and respect for human rights, and countries' progress in economic and social development. The role of women in these processes and the need to end their systematic underrepresentation must now be at the centre of these concerns.

The process leading to the adoption of the African Platform for Action and the Beijing Platform for Action have helped to highlight the inequities of this situation and the losses to society created by the absence of women. These documents, representing consensus forged with great difficulty, are powerful agendas for women's empowerment and gender equality. If implemented, they have the potential to transform systems of governance and make them people-centred, gender-sensitive and equitable. The evidence is clear, as these systems are already benefiting from new perspectives and visions, from women who are taking their place in national life.

In countries where deliberate efforts have been made to promote women into leadership, conscientized women are providing a gendered analysis of issues and helping to ensure that local and national priorities reflect the real needs and aspirations of their societies. Unfortunately, very few countries can show a marked increase in women's representation. Despite the widespread movement towards democratization in Africa, women remain largely under-represented at all levels of decision-making. Africa's average for women's representation in parliaments stands at only 11 per cent, far below the 30 per cent target for 1995 set by the UN Economic and Social Council. This exclusion of women is an abrogation of a fundamental human right, a major issue of social justice and a constraint for the strengthening of democracy.

Many factors contribute to this situation. Unequal and limited education for girls and women prevent them from realizing much of their potential and limit their

choices. Disproportionate divisions of labour also have severe implications for women's participation and life-choices. All of these are compounded by socialization, culture, gender stereotyping and the social construction of decision-making as the purview of men.

Initiatives undertaken

Efforts are being made by governments and women's non-governmental organizations in a number of African countries to increase the number of women in national and local government decision-making positions. For example, the new Uganda Constitution provides for a minimum of one woman parliamentarian representative from each administrative district, and for women to be one-third of local government representatives. Tanzania and Namibia also have established quotas to increase women's representation. In South Africa, the African National Congress, the ruling party, has reserved 30 per cent of its parliamentary and 50 per cent of local government seats for women. Mozambique and the Seychelles have also made some progress towards women's representation. Organizations in Botswana, Uganda, Zambia, Kenya and other countries are increasingly making participation in the public arena a key issue for women and supporting those women intending to stand for elective office. These initiatives have, however, largely been election oriented and confined to elective office rather than other fora in which critical decision-making takes place. The NGO and government support is also more directed at how to fit into the existing power structures rather than transforming them.

GUIDE QUESTIONS FOR DISCUSSION

- 1. What are the main constraints to women's participation in political life and decision-making?
- 2. What are the implications of these constraints for (a) women's economic empowerment, (b) eradicating women's poverty, and (c) for national and regional development?
- 3. Give 3 examples of active and visible policies and strategies that governments and other actors have used to address the structural constraints (social, legal, political) to women's effective participation in the public arena?
- 4. What additional support is required to overcome the barriers (fear, unfamiliarity with processes, lack of confidence etc.) to women's active participation, including becoming candidates, in politics and decision-making at local and national levels? In this context, propose concrete strategies to

- assist women to see the linkages between political processes and their daily concerns, and therefore the need for women to influence these processes.
- 5. What strategies can be adopted to initiate action to institutionalize and build the capacity for good governance, transparency and accountability among women and men? How can youth (girls and boys) be assisted to utilize existing opportunities to prepare them for informed leadership?
- 6. What strategies, mechanisms, and models can be used to build and link national women leaders with a critical mass of politically sensitized grassroots women and broad-based constituencies at the community level?
- 7. What concrete mechanisms can be proposed to ensure implementation of the conclusions and recommendations of this conference?
- 8. What indicators and processes can be suggested for monitoring progress in implementation of the agreements and conclusions reached under this subtheme at this conference?

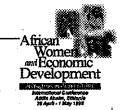
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ACHIEVING GOOD GOVERNANCE: THE ESSENTIAL PARTICIPATION OF WOMEN

SUB-THEME 2.2

CREATE AND SUPPORT MECHANISMS TO ENSURE THE PARTICIPATION OF WOMEN IN ALL PEACE PROCESSES AT NATIONAL, SUB-REGIONAL AND REGIONAL LEVELS

Many African countries have been embroiled in civil strife and armed conflicts which have led to death, disruption of life, and massive violations of human rights and displacement of people. Out of the global refugee population of some 20 million, nearly 35 per cent is in Africa. As armed and other conflicts have afflicted their societies, African women have struggled to protect and support their children and families and to preserve life and maintain some form of social order.

Peace and conflict resolution are important issues for women because they bear the brunt of the effects of war and social dislocation. For a variety of reasons, including forced conscription or voluntary engagement in combat, women and children often constitute a majority of the population of refugees and internally displaced persons. This is one of the very visible results of the disproportionate impact of war and conflict on women, which has far-reaching consequences in terms of gender-specific violence, the loss of sustainable livelihoods and the fracturing of social ties and suport systems.

During times of crisis, women have shown admirable resilience and strength. They have also utilized the knowledge and experience they have in conflict prevention, management and resolution at household and community levels to assist in peacemaking efforts. In spite of these critical roles and wealth of experience, women continue to be absent from national, subregional and regional fora where peace, security and policy decisions are made. The absence of women's visions, capacities and experiences has been a constraint to the achievement of comprehensive and sustainable peace.

Although African governments made specific commitments at the Fifth AfricanRegional Conference on Women (Dakar) and at the Fourth World Conference on Women (Beijing), there has been no significant increase in the participation of women in national, sub-regional and regional mechanisms for conflict prevention and resolution. Conflict prevention and management efforts of the OAU and subregional groupings such as the IGAD, ECOWAS, and the Great

Lakes Region, have centred around member States, themselves represented by men, largely excluding women.

Initiatives undertaken

Since the Beijing Conference, efforts have been made by women's organizations to strengthen their networks for peace promotion and conflict prevention and resolution. The Pan-African Conference on Peace, Gender and Development (Rwanda, March, 1997) concluded with the formation of a network linking women's peace initiatives throughout Africa. This network, the Federation of African Women's Peace Networks held its first General Assembly during the 1998 session of the UN Commission on the Status of Women and is now operational. The same conference endorsed earlier recommendations on setting up a regional committee of eminent women leaders to enhance OAU efforts in conflict prevention, management and resolution.

This committee, the African Women's Committee on Peace, will finally begin its work in the next few months. Both mechanisms, however, will not have the desired impact without a deliberate effort by policy-makers to move women into the mainstream of decision-making in peace processes and on national priorities. The international community will also need to provide support and advocacy for these and other initiatives.

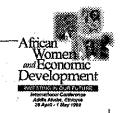
Women's initiatives to promote peaceful resolution, reconciliation and tolerance through education, in countries such as Rwanda and Somalia, provide positive concrete experience on how to build a culture of peace, tolerance and non-violent ways of conflict resolution and management. These initiatives need to be shared more widely and their lessons learnt.

GUIDE OUESTIONS FOR DISCUSSION

- 1. What are the specific obstacles limiting women's participation in peace processes, including conflict resolution, peace negotiations and peace-keeping?
- 2. What have been the effects of women's absence from peace processes?
- 3. What specific strategies can be used by women, governments, civil society actors and the international community to ensure that the Federation and the OAU-linked Committee are utilized in peace negotiations, missions and other processes at the highest levels (national, regional and international levels)?
- 4. How can the positive experiences of other community, national, subregional and regional women's peace initiatives be enhanced and expanded to influence

and impact meaningfully on the national, subregional and regional conflict prevention, management and resolution efforts of African governments and the OAU?

- 5. African societies have always had traditional methods and mechanisms for conflict prevention, management and resolution. What commitments, programmes and resources would be necessary to document, popularize and draw upon effective traditional conflict prevention and management mechanisms which also tap women's resourcefulness and experience?
- 6. What concrete mechanisms can be proposed to ensure implementation of the conclusions and recommendations of this conference?
- 7. What indicators and processes can be suggested for monitoring progress in the implementation of agreements and conclusions reached under this sub-theme by the conference?



ACHIEVING GOOD GOVERNANCE: THE ESSENTIAL PARTICIPATION OF WOMEN

SUB-THEME 2.3

POST-CONFLICT RECONSTRUCTION, REHABILITATION AND RECONCILIATION: AN OPPORTUNITY FOR FULL PARTICIPATION OF WOMEN

A significant number of African countries are emerging from periods of strife and armed conflict. These countries are concerned with rehabilitation of both people and systems, including political and economic systems. The challenges of rehabilitating a traumatized population, of reuniting families and communities separated by war, of dealing with orphaned and/or militarized children and of reconciling those on the different sides of a conflict, are often foremost in the minds of governments. Rebuilding the economic infrastructure follows closely. While these aspects are truly important, an equally crucial aspect rarely focused on is that post-conflict contexts often present opportunities for transformative planning and reforms, particularly in governance and gender equity. Demographic changes and a weakening of traditional social structures may permit governments to spearhead key reforms. In countries where both men and women have been engaged in armed struggle, there is often a new respect and understanding of the capabilities of women. Similarly, in countries like Rwanda where women form the majority of the population, there is a clear need to re-examine economic, social, legal and political systems for governance and development which are based on the new political realities.

Populations, especially those living in rural areas, also continue to suffer because of the use of arms that are particularly injurious or have indiscriminate effects. There are more than 100 million anti-personnel landmines scattered in 64 countries globally, including several African countries. Women and girls, as agriculturists and providers of food, water and fuelwood, are particularly vulnerable.

Initiatives undertaken

Some African countries have set up mechanisms to establish individual accountability for human rights abuses during conflict situations, as an important

step towards reconciliation. Countries emerging from armed conflict, in which women played key roles, including Uganda, South Africa and Eritrea have endeavoured to build upon their experience for a sustained role for women in national political life.

In Rwanda, the genocide, a crisis that shattered the social fabric of the country, has led to a national debate on the factors that led to this crisis and the need for a new vision for that society. As part of this debate, both women and the government are looking for ways to address the deep-rooted disadvantages that women face. These are highlighted in discriminatory laws and practices which prevent women from owning land and other property. The new demographics – 70 per cent of the population is now female -render this task urgent.

Under the Beijing Platform for Action, many governments, including African governments, committed themselves to a total ban on anti-personnel landmines. Important progress was made on this in Ottawa in 1997 when 122 countries, including 37 African ones, signed the Ottawa Convention.

GUIDE QUESTIONS FOR DISCUSSION

- 1. What are the main opportunities for structural transformation towards gender equality during post-conflict reconstruction and rehabilitation?
- 2. How can governments take advantage of the opportunities in post-conflict contexts to create and entrench systems of good governance in which the roles of women in all spheres of life and decision-making are substantive and visible?
- 3. How can women be empowered to rise up to the new opportunities and challenges presented by post-conflict realities?
- 4. What are the best strategies to inculcate a gender-sensitive culture of peace among African leaders and communities, particularly the new generation? How can such strategies be institutionalized in order to promote a gender-sensitive culture of peace in the family, schools and communities?
 - 5. What best practices can be identified as examples of governments and other actors taking advantage of post-conflict opportunities for societal transformation in support of gender equality and a culture of peace?
- 6. Anti-personnel landmines continue to be a major obstacle to post-conflict reconstruction, rehabilitation and participation of communities in governance. What concrete mechanisms, capacities and resources should be mobilized for

- de-mining efforts in affected African countries? What strategies should be adopted within the OAU to sensitize and promote ratification of the recently concluded Ottawa Convention (1997) banning the production, use, transfer, exchange and stockpiling of anti-personnel landmines?
- 7. What indicators and processes can be suggested for monitoring progress in the implementation of agreements and conclusions reached under this sub-theme at this conference?

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SUB-THEME 2.4

STRATEGIES AND ACTIONS TO PROTECT WOMEN'S RIGHTS AND TO ELIMINATE THE GAPS BETWEEN THE PROVISIONS IN THE LAW AND THE PRACTICE

Strategies and actions to promote and protect the human and legal rights of women and to eliminate the gap between provisions of the law and the practice experienced by women are essential for good governance and development.

Human rights are based on the fundamental principle that all persons possess an inherent human dignity and that, regardless of sex, race, colour, language, national origin, age, class or religious or political beliefs, they are equally entitled to enjoy their rights. States are under an obligation to promote and protect these rights and freedoms. In practice, however, the interpretation and application of human rights principles does not often take into account women's experiences, concerns and perspectives. As a consequence, women-specific abuses and other violations are often not treated as violations of human rights.

In recent years, however, women's activism has given visibility to the fact that in law, sex is relevant, and has helped to increase the understanding that women and men face the law from different positions in society. As a result of this activism, there is an emerging consensus on women's rights. This has been articulated in the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), during the World Conference on Human Rights and subsequently at Beijing, during the Fourth World Conference on Women. African States have, in addition, reiterated their commitment to the same ideas through the African Charter on Human and Peoples' Rights, and the Regional Platform for Action (1994). The human rights of women (and the girl child) are now enshrined as an inalienable, integral and indivisible part of all human rights and fundamental freedoms. Such rights include the equal participation of women in political, civil, economic, social and cultural life at national, regional and international levels and the eradication of all forms of discrimination on grounds of sex. There is also an increased understanding that effective promotion and protection of these rights is essential for good governance and sustainable development.

Governments in Africa have taken some, though inadequate, steps towards this end through ratification of international human rights instruments and legislative reforms at national level. CEDAW has been ratified by a majority of African States, though a few have entered reservations. By such ratification, African governments have committed themselves to the removal of all forms of discrimination. Some 51 of the 53 African States have ratified the African Charter on Human and Peoples' Rights, which also guarantees that women's rights will be protected. Unfortunately, in many cases, there is a big gap between the provisions of the law and the practice. Laws are either not systematically enforced or structural and procedural obstacles, including the lack of gender sensitivity of enforcement agencies, prevent the majority of women from fully enjoying these rights. This is particularly so in the case of violence against women, inheritance and land rights, and traditional practices harmful to women (and girls). The situation is exacerbated by the fact that most men and women remain unaware of the legal rights of women.

Failure to effectively promote and protect the human and legal rights of women has contributed to considerable difference in women's and men's access to and opportunity to exert power and influence over political and economic structures. Women are virtually absent from or are poorly represented in economic decision-making, including the formulation of financial, monetary, commercial and other policies as well as tax systems and rules governing pay. There is also considerable difference in women's and men's access to and participation in political structures and processes at national, local and community levels. Effective participation must be seen as going beyond the mere casting of votes. Structural and other forms of discrimination against women thus continue to deny women the enjoyment of rights and fundamental freedoms. African governments, development agencies, financial institutions, donor countries and individual women and men have individually and severally, significant roles to play in remedying the situation.

Actions taken

In some countries positive steps are being taken to better promote and protect the human and legal rights of women. Constitutional provisions in countries like South Africa, Namibia and Uganda contain specific provisions on the fundamental rights of women and prohibit discrimination on the basis of sex. Some countries have legislative reforms which seek to deal with the endemic problem of violence against women and discrimination, and to provide for women's inheritance rights and other areas of discrimination.

Non-governmental organizations in many African countries are implementing programmes which promote legal literacy and awareness of women's human and legal rights among women and men at community level. They are also involved in the promotion of women's participation in politics through civic education and

selective training of female prospective candidates for elective offices as a step towards engendering legislation and policies. Donor agencies have also supported such programmes. However, these efforts remain grossly inadequate.

GUIDE OF ESTIONS FOR DISCUSSION

- 1. What are the factors that prevent women from enjoying their human rights?
- What concrete steps should African governments take to transform rights protected by law (international, regional and national) into reality for women in Africa? What roles(s), if any, should the United Nations Economic Commission for Africa, multilateral financial and development agencies, bilateral arrangements and non-governmental organizations play in this regard?
- 3. What practical strategies would facilitate evolving a more positive role for culture and religion in the promotion of the human rights of women in accordance with international standards and the principles of universality and indivisibility?
- 4. There are current efforts to have a protocol on women's human rights under the African Charter on Human and Peoples' Rights. What strategies are necessary to ensure that African governments support this effort and finally ratify the Additional Protocol to the African Charter on Human and People's Rights?
- 5. How can African governments appreciate, internalize and institutionalize efforts to enhance awareness of the human and legal rights of women and to increase gender sensitivity among law enforcement officials and procedures?
- 6. What strategies and resources are necessary to popularize the content of women's human and legal rights and enforcement mechanisms with the aim of facilitating the internalization by communities, families and individuals of the fact that women and girls have rights and the nature of those rights?
- 7. What indicators and processes can be suggested for monitoring progress in the implementation of agreements and conclusions reached under this sub-theme at this conference?

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SUB-THEME 2.5

WOMEN'S EMPOWERMENT IN A DECENTRALIZED SYSTEM OF GOVERNMENT

Decentralization can be described as a process whereby power is devolved from central authority to lower levels of authority. During the past decade many African countries have embarked on a process of decentralization in the belief that the devolution of power to the grassroots level will bring government closer to the people. These governments have also hoped that with decentralization, public services would be matched more closely with local demands and preferences thereby building more responsive and accountable governance from the ground up. Decentralization has thus been seen as enabling people to be agents of their own change rather than passive recipients of a centrally driven process.

The devolution of power from the central government to local government presents significant opportunities for women to participate in the decision -making process at the local level. This is because decentralization aims to increase participation of people at the grass roots level in the decisions and policies that affect their lives. Decentralization also places critical resources for public services and development expenditure under local control. Local government is thus given the responsibility of important functional areas. For example, in Uganda local government is responsible for *inter alia* education, medical, health, water and road services, local development planning, land administration and licensing. The devolution of power thus ensures that the political and administrative control over services is exercised at the point where they are actually delivered. Because of their productive and reproductive role in society, women more than ever need quality service delivery. If women have greater access to policy formulation with respect to the delivery of the services, they are better able to ensure that service delivery is efficient and responsive to their needs.

The same reasoning applies to other decisions affecting the lives of women with respect to development expenditure. The more they are able to contribute to the decisions and policies made regulating their lives, the greater the likelihood that these policies and decisions will be made in a manner that recognizes their needs and rights. Additionally, the more women are able to contribute to the decision making process, the more likely they are able to use their experiences to transform governance at the local level. Decentralisation also offers greater opportunities for women to participate in the decision making process because decisions are made in a context, that is the grassroots level, that they are more comfortable with. The exercise of power at this level with respect to issues

that are very real to women in turn fosters incentives and motivation for them to participate in the process.

Despite the opportunities for women's empowerment offered by the decentralisation process, numerous challenges exist that must be overcome if the opportunities are to be realized. For one, many cultures in Africa have traditionally established a dichotomy between what is deemed to be the "public sphere" and the "private sphere". Since politics and participation in government has been seen to be part of the public sphere, women have not been encouraged or supported in these areas. The lack of effective access to and control over important resources by a significant majority of women is also a major challenge to their ability to participate in the decentralised structures. Access to and control of property, credit and cash plays a key role in political participation. When women run for positions in local government, it is not unusual to find that they do not have sufficient resources or skills to mobilize the populace and mount a successful campaign. Even when a certain number of seats in local government are set aside for women, as they are in Uganda for instance, women councilors might find difficulties in articulating the concerns of women and devising appropriate solutions to these problems because neither they, nor their male colleagues are equipped with the gender analysis skills to identify gender inequities, nor have they been trained to internalize gender concepts. Without this training, it becomes very difficult for both the women and men councilors to mainstream gender into their development policies and programmes. The absence of a strong network between the women councillors and women's organisations also robs women in local governments of a valuable source of support skills and encouragement.

GUIDE OUESTIONS FOR DISCUSSION

- 1. How does a decentralized system of governance differ from a centralized one?
- 2. What opportunities for women's participation and empowerment does decentralization provide?
- 3. What legislative, monitoring or capacity building related activities can be undertaken by Governments to ensure that women participate and benefit from the decentralization process and in decentralized structures?
- 4. What strategies can women themselves and women's groups adopt to take advantage of the opportunities created by decentralization?
- 5. What strategies and resources should be undertaken and used by local Governments, Donors, NGOs and CBOs to sustain the involvement of women in governance at the local government level?
- 6. What indicators and processes can be suggested for monitoring the implementation of agreements and conclusions reached under this sub-theme at this conference?