

WOMEN'S RIGHTS IN AFRICA

Challenges,
Opportunities and
Proposals for
Accelerated
Implementation

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LIST OF ABBREVIATIONS

ACDEG	African Charter on Democracy Elections and Governance
ACHPR	African Charter on Human and Peoples' Rights
ADB	African Development Bank
AGA	Africa Governance Architecture
AIDS	Acquired Immune Deficiency Syndrome
APRM	African Peer Review Mechanism
APSA	African Peace and Security Architecture
AU	African Union
AUC	African Union Commission
AWD	African Women's Decade
AWDF	African Women Development Fund
AWF	African Women Fund
BPfA	Beijing Platform for Action
CARMMA	African Union Campaign to End Child Marriage and the Campaign on the Accelerated Reduction of Maternal Mortality in Africa
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
DRC	Democratic Republic of Congo
DPA	African Union Department of Political Affairs
EACJ	East African Court of Justice
ECOWAS	Economic Community of West African States
EFA	Education For All
FAS	Femmes Africa Solidarite
FEMNET	The African Women's Development and Communication Network
FGM	Female Genital Mutilation
GBV	Gender Based Violence
HIV	Human Immuno Deficiency Virus



HTP	Harmful traditional practices
IDP	Internally displaced persons
IPU	Inter-Parliamentary Union
MDG	Millennium Development Goals
MRR	Maternal Mortality Rate
NEPAD	New Partnership for Africa's Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
PSC	Peace and Security Council
PWD	Persons living with disability
RECS	Regional Economic Community
SADC	Southern Africa Development Community
SDGs	Sustainable Development Goals
SDGEA	Solemn Declaration on Gender Equality in Africa
SGBV	Sexual and Gender Based Violence
STEM	Science, Technology, Engineering, and Math
SOAWR	Solidarity for African Women's Rights Coalition
UDHR	Universal Declaration on Human Rights
UN	United Nations
UNWomen	United Nations Entity for Gender Equality and the Empowerment of Women
UNECA	United Nations Economic Commission for Africa
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNDP	United Nations Development Fund
UNICEF	The United Nations Children's Fund
VAW	Violence against women
WGDD	Women, Gender and Development Directorate
WHO	World Health Organization



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PRÉAMBULE

The path to sustainable development has clearly demonstrated that human rights and development are intertwined and therefore inseparable. It was this understanding that made the leadership of the African Union dedicate the past few years and upcoming years to the promotion and protection of human and peoples' rights.

The African Union Assembly of Heads of State and Government at its 24th Ordinary Assembly declared 2015 as the African year of women's empowerment and development towards Africa's Agenda 2063- the Africa we want. Similarly, 2016 was pronounced as the African year of human rights with particular focus on the rights of Women.



H.E. Amb. Minata Samate Cessouma
Commissioner for Political Affairs
African Union Commission
Addis Ababa, Ethiopia

Concretely speaking, some of the outcomes of the 2016 Declaration include Assembly's pronouncement of 2016 to 2027 as the African human rights Decade followed by a decision to develop a comprehensive ten-year human rights action plan for Africa. Several dialogue platforms were coordinated to promote and foster greater commitment to advance the rights of women and girls in Africa by addressing the persisting challenges. This publication, "Women's Rights in Africa: Challenges, and Proposals for Accelerated Implementation" is the result of one of the African Union Commission (AUC) led multi-stakeholder consultations in our journey for human rights in Africa, particularly the rights of the women.



This publication analyzes the state of implementation of the continental gender equality and women's rights commitments putting at the center the Maputo Protocol on Women Rights in Africa. The publication clearly identifies the current challenges and the key priority actions that will enable Africa on gender equality, women rights and empowerment. It further calls upon a multi-sectoral approach that will guarantee significant progress towards women's full enjoyment of their rights.

It reiterates the urgent need to transcend policy formulation and to embrace effective implementation, particularly at the national level. Under the leadership of H.E. Mr. Moussa Faki Mahamat, the AUC has thus prioritized implementation and to this end will strengthen its partnership with diverse stakeholders in the field to make women's rights a reality for African women and girls.

In its usual approach at maintaining consistency in programme intervention, the African Union has once again declared 2017 as the year of "Harnessing the Demographic Dividend through Investment in Youth" to promote the rights of African youth in development. The trajectory of prioritizing human and peoples' rights agenda in development has also propelled the Assembly of the African Union to declare 2018 as - "winning the fight against corruption: a sustainable path to Africa's transformation. Thus, building on its past commitments, the AUC will put the human rights of women at the center of the initiatives to sustain the gains and accelerate progress.

As we continue on this path of mainstreaming human and peoples' rights in development, the African Union will continue to hold high esteem for our valued partners in this journey, in particular the United Nations Entity for Gender Equality and

Women's Empowerment (UN Women) and others too numerous to reference here.

On this note, let me sincerely thank the UN Women Country Office in Ethiopia for the partnership on this initiative staff of the Human Rights and Transitional Justice Unit in the Department of Political Affairs, colleagues at the Women, Gender and Development Directorate (WGDD) of the AUC for producing this timely and relevant publication as an outcome of the 2016 Commemoration of the African Human Rights Day.

In conclusion, as a tree does not make a forest, the same way a single actor cannot accomplish effective implementation of all the gender related human rights policies and programmes in Africa. It is on this note that I am calling on all lovers of Africa to join hands together and promote effective implementation of all the human rights policies and programmes, particularly those focusing on women rights in Africa.



EXECUTIVE SUMMARY

Building on the momentum of and leveraging on the African Union theme for 2016, the year of human rights with a special focus on the rights of women, the Department of Political Affairs (DPA), and the Women, Gender and Development Directorate (WGDD) of the African Union Commission (AUC), in partnership with the United Nations Entity for Gender Equality and Women's Empowerment (UN Women), and the Office of the United Nations High Commissioner for Human Rights (UNOHCHR) with the support of the Government of Canada, convened a half day multi-stakeholder consultation under the theme "Accelerated Implementation of Women's Rights and the African Decade of Human Rights". The event reviewed progress on implementation of women's rights commitments, identified priorities and proposed key recommendations to inform the development and implementation of the proposed African Union Decade on Human Rights strategy and the continental human rights agenda

This paper builds on the presentations and discussions held during the consultation. It starts with a discussion of three key instruments that are essential components of the continental framework for gender equality and women's rights agenda: The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), the Solemn Declaration on Gender in Africa (SDGEA), and the African Union Agenda 2063.

This policy paper is developed within the context of the flagship initiative, "Project 2016", which outlines series initiatives proposed to be implemented by the AU and partners at continental, regional and national levels to celebrate the gains made so far, take stock of the gaps, and galvanize multi-stakeholder partnerships and enhanced commitment to address remaining human rights and women's rights challenges. Among others, the initiative seeks to enhance knowledge and awareness about human rights and women rights through a series of advocacy platforms and the development of knowledge products that support the efforts. It also proposed to promote the ratification, domestication and implementation of women's rights frameworks as well as mobilize multi-stakeholder partnerships to contribute to the realization of the commitments.



1. INTRODUCTION

The adoption of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa¹ (the Maputo Protocol) marked a new era for African women². The Maputo Protocol set the standards for the protection of women's rights in Africa. For African women, the Protocol has come to symbolize the significant milestone for women's rights since the creation of the Organization of African Union (OAU) now the African Union (AU)³. It was the culmination of persistent advocacy efforts and demands from women's rights organisations and gender activists who called on the African Union (then the OAU) to adopt an African human rights instrument that would address the persisting women's rights issues.

It reinforces the commitments made in the African Charter on Human and Peoples' Rights⁴ and the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)⁵. Since its adoption, the AU has continued to enhance and develop a comprehensive framework for its implementation through the adoption of the Solemn Declaration for Gender Equality in Africa (SDGEA), the African Union Gender Policy, the African Women's Decade (AWD) and Fund for African Women, which together make up the AU Framework

for Women's Rights and gender architecture in Africa.

The objective of this paper is to provide an overview of the implementation of the Maputo Protocol and provide a snapshot on progress on the implementation of women's rights in AU Member States. It also highlights gaps and challenges and identifies opportunities for accelerating implementation of women's rights. The analysis was made based on a desk review complemented by the proceedings of the consultations held at the occasion of the Africa Human Rights Day commemoration on 21 October 2016.

This research paper finds that notable progress was achieved in AU Member States that adopted national policies and legal frameworks in line with the Maputo Protocol and CEDAW. Today, many African countries have taken steps to amend and abolish laws that discriminate against women and girls in areas such as political participation, access to land, education and protection from harmful cultural practices (such as early marriage, Female Genital Mutilation (FGM)), access to education, access to health services employment, and other social welfare services. Notably, Africa has seen a decline

1 African Union, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 11 July 2003, available at: <http://www.refworld.org/docid/3f4b139d4.html> [accessed 20 August 2017]

2 The Maputo Protocol was adopted by the African Union Heads of States on 11 July 2003 and came into force on 25 November 2005

3 The Organization of African Unity (OAU) was established on 25 May 1963 and was later replaced by the African Union in 2002

4 Organization of African Unity (OAU), African Charter on Human and Peoples' Rights ("Banjul Charter"), 27 June 1981, CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), available at: <http://www.refworld.org/docid/3ae6b3630.html> [accessed 20 August 2017]

5 UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13, available at: <http://www.refworld.org/docid/3ae6b3970.html> [accessed 20 August 2017]



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in maternal mortality rates, and an increase in girl's education, an increase in women's political participation and the creation of several implementation mechanisms at the national level such as gender directorates, gender desks, gender focal points within key ministries charged for ensuring gender mainstreaming in all government sectors.

Whereas there is progress, many African countries continue to face challenges of implementing the progressive laws and policies. In most countries, women continue to face discrimination in matters of personal law such as marriage, inheritance, citizenship/nationality, access to property and land. Women in Africa suffer some of the highest levels of sexual and gender based violence (SGBV)⁶ globally, further exacerbated during times of conflict and post-conflict. In Sub-Saharan Africa, about 39% of girls are married off before the age of 18 limiting their opportunities to advance their education and personal ambitions and putting them at high risk of HIV/AIDS and sexual and reproductive health problems. More than 200 million girls and women alive today have undergone Female Genital Mutilation (FGM) in 30 countries in Africa, the Middle East, and Asia.⁷ Despite the drop in the rate of maternal mortality, African countries still have the highest rates of preventable childbirth and pregnancy related death in the world. In addition, women have limited access to adequate, affordable health services including access to contraception,

and other sexual reproductive health care. Despite women's active participation in their economies, they have limited access to financial opportunities including access to credit, access to land and property as well as limited access to essential social services like child care and pension.

Yet, despite the challenges, there are several opportunities to advance women's rights. AU Member States have demonstrated political will and commitment to address the challenges faced by women and this is reflected in the comprehensive AU women's rights frameworks and accountability mechanism such as the African Commission on Human and Peoples' Rights and the African Court on Human and Peoples' Rights. State parties to the Maputo Protocol are required to submit a periodic report every two years on the status of the implementation of the Protocol. This provides an opportunity for AU Member States to track progress, identify the gaps and strategies for accelerated implementation as well as share best practices.

The African Governance Architecture (AGA) offers an opportunity to consolidate all AU decisions and policy documents and provides a platform for engaging women in dialogue and decision making. The creation of National Human Rights Institutions presents opportunities to track progress at the national level and offer advice to AU Member States on the implementation of women's rights while documenting human

6 See, World Health Organisation available at http://www.who.int/gho/women_and_health/violence/gho_vaw_001.jpg?ua=1 [accessed 6 August 2017]

7 UNICEF, Female Genital Mutilation/Cutting: A Global Concern, New York, 2016 available at https://www.unicef.org/media/files/FGMC_2016_brochure_final_UNICEF_SPREAD.pdf [accessed 22 June 2017]



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rights violations. The development of the Multi-Sectoral Framework provides AU Member States with tools for accelerating implementation at the national level in a coordinated and strategic manner. Lastly, the existence of a robust women's rights movement

presents opportunities for strategic partnership to implement women's rights and provides a pool of expertise and resources on women's rights.

The paper identifies several recommendations for accelerating women's rights:

- The AU should adopt a new Gender Strategy that aligns all AU commitments on women's rights and gender equality in Africa with Agenda 2063 and SDG's where women and girls are at the center of Africa's development agenda
- AU should increase efforts to advocate for the universal ratification, domestication, and implementation of the Maputo Protocol without reservations
- AU Member States should implement Gender Responsive Planning and Budgeting for accelerating women's rights
- AU Member States should adopt a Multi-Sectoral Framework that mainstreams women's rights in all spheres of government and consolidate resources including financial and other resources to implement women's rights
- AU Member States should strengthen partnerships with National Human Rights Institutions (NHRI's) to monitor and evaluate the implementation of women's rights at the national level
- The AU should strengthen engagement with women, women's organizations, and activists (including young women) in continental dialogue on democracy, governance and human rights
- Stakeholders should exploit social media and new technology to create awareness especially among the youth and keep them engaged
- The African Union should strengthen strategic partnerships between AU Member States, UN, civil society, women's rights organizations and development partners to accelerate implementation of women's rights



2. THE AFRICAN UNION FRAMEWORKS ON WOMEN'S RIGHTS

The Heads of States and Governments of the AU have over the years developed a comprehensive framework for the promotion and protection of human rights, particularly women's rights. These frameworks have taken into consideration the challenges women in Africa face and seek to address them comprehensively and systematically. The AU gender and architecture provides a comprehensive guide for the realization of gender equality and women's rights in Africa. The framework complements international human rights standards and frameworks on women's rights such as the CEDAW, the Declaration on the Elimination of Violence Against Women⁸, the Beijing Platform for Action⁹, the International Conference on Population and Development programme of Action¹⁰

The Constitutional Framework

The Constitutive Act of the African Union¹¹ is the constitutional foundation of the AU which calls on the Member States and the Union to promote human rights and gender equality.¹² i. In 2002, the AU Heads of States and Governments adopted the 50/50 gender parity principle¹³ to ensure equal representation of women and men in all AU decision making structures. The AU gender parity principle has set the regional standard for women's participation in decision making and continues to inform African Union Member States to achieve a 50/50 parity at the national level. The Constitutive Act also promotes the inclusion of civil society participation in regional, sub-regional and national decision making, and policy processes.

The African Governance Architecture (AGA)

In 2010, the AU Heads of States and Governments¹⁴ established the African

8 UN General Assembly, Declaration on the Elimination of Violence against Women, 20 December 1993, A/RES/48/104, available at: <http://www.refworld.org/docid/3b00f25d2c.html> [accessed 20 August 2017]

9 United Nations, Beijing Declaration and Platform of Action, adopted at the Fourth World Conference on Women, 27 October 1995, available at: <http://www.refworld.org/docid/3dde04324.html> [accessed 21 August 2017]

10 UN Population Fund (UNFPA), Report of the International Conference on Population and Development, Cairo, 5-13 September 1994, 1995, A/CONF.171/13/Rev.1, available at: <http://www.refworld.org/docid/4a54bc080.html> [accessed 28 August 2017]

11 Organization of African Unity (OAU), Constitutive Act of the African Union, 1 July 2000, available at: <http://www.refworld.org/docid/4937e0142.html> [accessed 20 August 2017]

12 Article 4 (L) of the Constitutive Act

13 During the inaugural Summit of Heads of States and Governments of the African Union held in Durban, South Africa in 2002

14 The AGA was established by decision of the 15th Ordinary Session of the Assembly of the AU Heads of State and Government (AU/Dec.304 (XV)) which recalled the decision adopted by the 16th Ordinary Session of the Executive Council of the AU and endorsed by the 14th Ordinary



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Governance Architecture (AGA) as the overall political and institutional framework for the promotion of human and peoples' rights, good governance and democracy in Africa. The AGA seeks to enhance coordination and harmonization of actions among AU institutions and organs to optimize their capacity and impact. It seeks to compliment AU Member States in achieving their commitment, under the various AU policy and legislative frameworks such as the AU Gender equality and women's rights frameworks including the Maputo Protocol, SDGEA, AU Gender Policy.

In order to give effect to AGA, the African Union Commission (AUC) established the African Governance Architecture Platform to facilitate information sharing, dialogue, synergies and joint actions between the various AU stakeholders. The Platform serves as an informal 'open space' for dialogue and discussions on the AU shared values enshrined in the various decisions, policies and legislative frameworks of the African Union and seeks to contribute concrete proposals to relevant policy organs for consideration and decision making on various human rights and governance matters in Africa. The AGA platform provides a complimentary space to deliberate gender equality as part and parcel of the AU shared values and make recommendations for uptake by AU Member States.

Agenda 2063

In January 2015, the AU Heads and States of Government adopted the African Union Agenda 2063¹⁵, as a 50-year blue print for the socio-economic, political and **structural transformation and development for Africa**. **Agenda 2063 seeks to build on and accelerate the implementation of past and existing continental initiatives for growth and sustainable development.** Agenda 2063 outlines several Aspirations for Africa's future, these include:

1. A Prosperous Africa, based on inclusive growth and sustainable development
2. An integrated continent, politically united, based on the ideals of Pan Africanism and the vision of Africa's Renaissance
3. An Africa of good governance, democracy, respect for human rights, justice and the rule of law
4. A Peaceful and Secure Africa
5. Africa with a strong cultural identity, common heritage, values and ethic
6. An Africa whose development is people driven, relying on the potential of its people, especially its women and youth
7. An Africa as a strong, united, resilient, and influential global player and partner

The Agenda is identified as the overarching framework over existing and emerging regional and continental commitments in Africa. Aspiration 5 of the agenda espouses an Africa whose development is people-

Session of the Assembly of AU Heads of State and Government to dedicate the theme of the 16th Ordinary Session of the African Assembly to the Shared Values of the AU.

15 African Union Commission, 'Agenda 2063', available at <http://archive.au.int/assets/images/agenda2063.pdf> [accessed 7 August 2017]



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driven, especially relying on the potential offered by its women and youth. The Agenda identifies women as key actors in the transformation of the continent and the achievement of the wide-ranging aspirations. It seeks to strengthen **'the role of African women by ensuring gender equality and parity in all spheres of life (political, economic and social); eliminating all forms of discrimination and violence against women and girls; creating opportunities for Africa's youth for self-realization, access to health, education and jobs; and ensuring safety and security for Africa's children, and providing for early childhood development.'**¹⁶ It complements the commitments undertaken under Sustainable Development Goals (SDGs)¹⁷ and the Common African Position on the Post-2015 Development Agenda¹⁸ providing a more concise timeline for the realization of Africa's development, peace, and integration agendas.

The Legal Frameworks

The African Charter on Human and Peoples' Rights¹⁹

The African Charter on Human and Peoples' Rights was the first legal framework on human rights in Africa. It prohibits discrimination based on multiple grounds including sex²⁰ and further calls on State Parties to eliminate *"every discrimination against women and also ensure the protection of the rights of women and the child as stipulated in international declarations and conventions"*²¹ These provisions stipulate the basis for the protection of women's rights and recognize other key international treaties that outline women's rights. The African Charter also established the African Commission on Human and Peoples' Rights as the treaty monitoring mechanism which includes special mechanisms such as the Special Rapporteur on Rights of Women in Africa.²²

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol)²³

While the African Charter provided the framework for the protection of human

16 African Union Commission, Sept 2015, 'Agenda 2063 Framework Document: The Africa We Want' available at <http://www.un.org/en/africa/osaa/pdf/au/agenda2063-framework.pdf>

17 UN High Commissioner for Refugees (UNHCR), The Sustainable Development Goals and Addressing Statelessness, March 2017, available at <http://www.refworld.org/docid/58b6e3364.html> [accessed 18 August 2017]

18 African Union. (2014). Common African Position (CAP) on Post-2015 Development Agenda. 2014. Available at https://www.un.org/files/CAP_Post2015.pdf

19 Ratified by 53 African countries, full ratification list available at <http://www.achpr.org/instruments/achpr/ratification/>

20 Article 2 of the African Charter on Human and Peoples' Rights available at http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf

21 Article 18 (3) of the African Charter on Human and Peoples' Rights available at http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf

22 For more information on the work and mandate of the Special Rapporteur on Women's Rights in Africa visit <http://www.achpr.org/mechanisms/rights-of-women/>

23 According to the African Union Commission, 36 African countries to date have ratified the Protocol: Angola, Benin, Burkina Faso, Cape Verde, Cameroon, Comoros Congo, Côte d'Ivoire, Democratic Republic of Congo, Djibouti, Equatorial Guinea, Gabon, Ghana, Guinea, Guinea Bissau, Kenya, Libya, Lesotho, Liberia, Malawi, Mali, Mozambique, Mauritania, Namibia, Nigeria, Rwanda, South Africa, Senegal, Seychelles, Sierra Leone, Swaziland, Tanzania, Togo, Uganda, Zambia, Zimbabwe



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rights in Africa, it had its limitations in adequately addressing the challenges especially where these rights conflicted with certain traditional and cultural practices and values. The Maputo Protocol was therefore adopted to complement the African Charter and further expound on women's rights in Africa. It is a home-grown instrument which was developed by the AU in collaboration with African women organisations and activists to ensure that it captured women and girls' realities in Africa. The Maputo Protocol serves as the bill of women's rights on the African continent. It has significantly advanced human rights standards for women in Africa and globally. For example, the Maputo Protocol was the first treaty to explicitly erase the public/private dichotomy in the call for protection of women from violence²⁴. It was also the first human rights instrument to explicitly call for the prohibition of Female Genital Mutilation (FGM)²⁵. In addition, it became the first human rights instrument to provide access to legal abortion,²⁶ conditioning that it is allowed in certain circumstances such as rape and when the health or life of the mother is in danger.

The African Charter on the Rights and Welfare of the Child (The Children's Charter)²⁷

The Children's Charter was enacted to provide a legal framework for the protection of children in Africa addressing their challenges such as early marriage, recruitment as child soldiers, child labour and exploitation, discrimination in access to education, health and other socio-economic activities. The Children's Charter sets the age of a child to be below 18 years old²⁸. It provides for the rights of the girl child to have equal access to education and opportunities²⁹, guarantees the rights to be free from harmful practices,³⁰ and provides protection from sexual exploitation including trafficking and abduction³¹. The Children's Charter established the African Committee on the Rights and Welfare of the Child which is responsible for monitoring the state implementation of the Children's Charter.

The African Charter on Democracy, Elections and Governance (ACDEG)³²

In 2007, the AU adopted the African Charter on Democracy, Elections and Governance (ACDEG).³³ The ACDEG provides a normative framework for the respect and promotion of

24 Article 1 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

25 Ibid., Article 5

26 Ibid., Article 14 (C)

27 41 Africa States have ratified the Children's Charter. As of August 2017, the following states had not yet ratified: Central Africa Republic, Democratic Republic of Congo, Djibouti, Guinea-Bissau, Liberia, Sao Tome & Principe, Saharawi Arab Democratic Republic, Somalia, Swaziland, South Sudan, Sudan, Tunisia, Zambia

28 Article 2 of the African Charter on the Rights and Welfare of the Child

29 Ibid., Article 11

30 Ibid., Article 21

31 Ibid., Article 27 and 29 respectively

32 To this day, the ACDEG Charter has been ratified by 30 countries. For the current state of signatures and ratifications: https://au.int/sites/default/files/treaties/7790-sl-african_charter_on_democracy_elections_and_governance_8.pdf [Accessed: 9 August 2017]

33 Adopted during the 8th Ordinary session of the Assembly of Heads of States and Governments of the African Union held in Addis Ababa, Ethiopia on 30 January 2007 available at https://au.int/sites/default/files/treaties/7790-file-african_charter_on_democracy_elections_and_governance.pdf



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good governance and democracy in Africa. It calls for State Parties to respect the rule of law and human rights, prohibit unconstitutional change of government, protect the independence of the Judiciary, respect the right to information and freedom of the press, enable citizen engagement, promote sustainable development and human security, and promote gender equality and balance in all governance and development initiatives.³⁴ The ACDEG specifically calls on State Parties to promote gender equality in public and private institutions thus further reinforcing women's rights to political participation and decision making as noted in the Maputo Protocol.

Reporting Framework

Solemn Declaration on Gender Equality in Africa (SDGEA)

In 2004, the African Union adopted the Solemn Declaration on Gender Equality in Africa (SDGEA)³⁵ to reinforce AU's commitment towards gender equality as outlined in the Constitutive Act and within the various women's rights treaties, in particular the Maputo Protocol. At the time, all 53 Member States³⁶ committed to accelerate the progress on ratification and implementation of the Maputo Protocol and set out timelines for universal ratification of the Protocol. The SDGEA calls for the implementation of gender parity within the

AU structures and organs as well as at the national level. It also calls upon the universal ratification and implementation of the Maputo Protocol. Accordingly, State Parties are required to submit progress reports to the AU Chairperson. Since its adoption, 48 Member States have submitted their initial country reports to the AU Commission, and only 18 submitted subsequent reports in line with their commitment.

Policy Framework

African Union Gender Policy and Action Plan

In 2009, the AU adopted a Gender Policy³⁷ which seeks to provide a clear vision for the implementation of women's rights in Africa as guaranteed within the Maputo Protocol and SDGEA. The policy guides AU Member States in the process of gender mainstreaming and women's empowerment and aims to influence policies, procedures, and practices, to further accelerate the achievement of gender equality, gender justice, non-discrimination and fundamental human rights in Africa.³⁸ Specifically, the policy provides guidance in mainstreaming gender in all institutions, legal frameworks, and programmes; enforcing standards on ending sexual and gender based violence; removing barriers to free movement of people and goods across the continent; promoting equitable access to resources, facilitating remedial measures in addressing

³⁴ See, Article 2 of the African Charter on Democracy, Elections and Governance

³⁵ Union, African. "Solemn declaration on gender equality in Africa." Assembly/AU/Decl 12 (2004).

³⁶ In 2004, at the time of adopting the Maputo Protocol and the SDGEA, Morocco's membership to the African Union was not reinstated. South Sudan was also not yet an independent State putting the AU membership at 53 countries in 2004.

³⁷ Available at http://www.un.org/en/africa/osaa/pdf/au/gender_policy_2009.pdf

³⁸ At the time of publication, The AUC-Under the leadership of the WGDD has commenced the development of a successor gender policy framework which is aligned with regional and global developments including Agenda 2063 and SDGs. The policy will be expected to roll out in 2018



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existing inequalities in access to and control over land.

The Gender Policy has been implemented through a 10-year Gender Action Plan which provides the framework for mainstreaming gender equality and sets targets for the different AU organs including the AUC and provides guidelines for national level action including the adoption of national gender policies. While this policy framework was able to catalyze gender parity in AUC resulting in the appointment of women in senior management positions, it has not been able to galvanize commitment across all the AU organs and in AU Member States.

Implementation Framework

The African Women's Decade (AWD)

In January 2009, the AU Heads of States and Governments³⁹ declared 2010 – 2020 as the African Women's Decade (AWD)⁴⁰ following the adoption of the AU Gender policy. The AWD was launched in Nairobi, Kenya on 15 October 2010 with the aim of renewing AU Member States efforts to accelerate the implementation of gender equality and women's empowerment provided in the various legal and policy commitments on women's rights. The AWD provides an implementation framework that guides AU Member States to track progress in the implementation of gender equality and women's rights commitments. The African Women's Decade identifies ten themes: 1) fighting poverty and promoting economic empowerment of women and entrepreneurship; 2) agriculture and food

security 3) women's health, maternal mortality and HIV/AIDS 4) education, science, and technology 5) environment and climate change 6) peace and security and violence against women 7) governance and legal protection 8) finance and gender budgets 9) women in decision making positions 10) mentoring youth for gender equality.

Financing Framework

The Fund for African Women (FAW)

The Fund for African Women was created in 2011 as the financing mechanism following the declaration of the African Women's Decade as a single mechanism to ensure the full implementation of policies as well as the effective mainstreaming of gender at regional, sub-regional and national levels in Africa. Member States committed to contribute 1 per cent (1%) of their annual national budgets to the Fund. To date, AU Member States and partners have not been able to match the commitment they made to fully operationalize the Fund.

39 During the 12th Ordinary Session of the Africa Union Summit held in Addis Ababa

40 See, <https://www.au.int/web/en/programs/african-womens-decade>



3. STATUS ON THE RIGHTS OF WOMEN IN AFRICA: PROGRESS, TRENDS AND CHALLENGES

The Maputo Protocol provides the normative legal framework for the protection of women's rights in Africa. To analyze the progress of women's rights in Africa, this report will use the Maputo Protocol as the prism to analyze trends, successes, and challenges in advancing women's rights in Africa. This section provides a snap shot of the implementation of the provisions of the Maputo Protocol across Africa. For ease of reference, this section will be divided into seven broad themes:

- Discrimination against Women
- Sexual and Gender Based Violence
- Female Genital Mutilation (FGM)
- Sexual Health and Reproductive Rights
- Political Participation and Decision Making
- Peace and Security
- Economic, Social and Cultural Rights

Discrimination against Women

Women face discrimination in all spheres of life due to social norms that are entrenched within cultural, legal, political, social, and economic ideologies. This promotes inequality and encourages normalization of discrimination based on stereotypes

and myths that infringe on the rights of women and girls. In Africa, women continue to face discrimination in several areas: marriage, property ownership and inheritance, participation in political and decision making; in accessing educational and economic opportunities, and in accessing social services and protections. In this regard, discrimination is an overarching theme throughout this analysis.

The Maputo Protocol calls on State Parties to eliminate all forms of discrimination through the enactment and implementation of legislation, policies, development plans, programmes and activities as well as taking affirmative action⁴¹. The Protocol recognizes that discrimination against women is rooted in unequal power relations between men and women in society. State Parties are called to commit to modifying and amending these social and cultural norms, including practices that propagate inferiority or superiority of the sexes and justify stereotyped gender roles, through public education and campaigns.⁴² The Protocol alludes to an intersectional approach which recognizes that women may suffer multiple forms of discrimination based on their status within society such as disability, citizenship/

41 Article 2 (1) of Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

42 Ibid., Article 2 (2)



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nationality status, age, HIV/AIDS status, race or ethnicity, economic status, poverty, class, marital status, religion, and sexuality. It calls on State Parties to protect certain groups of women such as women living with HIV/AIDS⁴³, rural women⁴⁴, widows⁴⁵, elderly women,⁴⁶ women with disabilities⁴⁷, women from marginalized populations, women heads of household, pregnant and nursing women, and women in detention⁴⁸.

Marriage, Divorce, Separation and Annulment

“The role of women in the family has generally been under patriarchal control in cultures and religions that subject women and girls to forced and/or early marriage and discrimination in a number of areas of family life, such as consent to enter into marriage, dowry obligations, the right to possess and manage property, sexual relations, requirements regarding modesty and freedom of movement, guardianship and custody of children, divorce and division of matrimonial assets, the punishment of adultery, the right to remarry following dissolution of the marriage or death of the husband, the status of widows and inheritance. In addition, women and girls are generally not treated equally in families with regard to the division of rights and responsibilities. Discrimination against women and girls in the

*family and in marriage affects all aspects of their lives.”***The United Nations Working Group on Discrimination Against Women in Law and Practice”**⁴⁹

As highlighted above, marriage can reinforce discriminatory social, religious, and cultural norms that deny women the ability to exercise their rights and freedoms. The Maputo Protocol was cognisant of the ways that African women suffer discrimination in marriage and explicitly listed the rights within marriage calling on State Parties to encourage gender equality within marriage. The Maputo Protocol sets the minimum age of marriage at 18 years old⁵⁰ and calls for women and men to enjoy equal rights. The Maputo Protocol calls on women to: have the right to retain their maiden names or use it jointly or separately with her husband's name⁵¹; retain their nationality or acquire nationality of the husband⁵²; equal rights in transferring nationality to their children⁵³; make equal contributions towards the family including education of children⁵⁴; the right to acquire and own property and to administer and manage it freely⁵⁵.

Whereas the Maputo Protocol is clear on women's rights in marriage, women continue to suffer various forms of discrimination in

43 Ibid., Article 14

44 Ibid., Article 14 (2)

45 Ibid., Article 20

46 Ibid., Article 22

47 Ibid., Article 23

48 Ibid., Article 24

49 The United Nations Working Group on Discrimination Against Women in Law and Practice

50 Article 9 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

51 Ibid., Article 6 (f)

52 Ibid., Article 6 (g)

53 Ibid., Article 6 (h).

54 Ibid., Article 6 (i)

55 Ibid., Article 6 (j)



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marriage. For example, the marital laws in Algeria⁵⁶ restrict women's rights in marriage by permitting polygamy, requiring authority from a male guardian, barring Muslim women from marrying non-Muslim men, and restricting grounds for divorce for women. In the Democratic Republic of Congo (DRC)⁵⁷ and Guinea⁵⁸, the family law gives authority to the husband over his wife and he can restrict the wife's professional and social engagement and makes decisions on their matrimonial home as well as authorize all contractual matters. In countries where polygamy is practiced and is sanctioned by law, women's rights in marriage continue to be undermined. These restrictions placed on women and enforced by the law prevent women from participating fully in family life and in decision making rendering them vulnerable to exploitation and abuse.

Early and Forced Marriage

"Approximately 39% of girls in sub-Saharan Africa are married before the age of 18. All African countries are faced with the challenge of child marriage, whether they experience high child marriage prevalence, such as Niger (76%) or lower rates like Algeria (3%). Child marriage is widespread in West and Central Africa (42%) as well as

*Eastern and Southern Africa (36%)."*⁵⁹

Worldwide, more than 75 million young women aged 20 to 24 years, a quarter of them in Africa, entered their first marriage or union before they celebrated their 18th birthday.⁶⁰ Despite these alarming figures, there has been progress with high level commitments from AU Member States such as the 'AU Campaign to End Child Marriage'⁶¹ launched in 2014 whose purpose is to accelerate change across Africa and encourage African governments to develop strategies to raise awareness on child marriage and address its harmful impact, to date. 20 African Union Member States⁶² have launched the campaign nationally while in Burkina Faso, Cape Verde, Djibouti, Equatorial Guinea, Mali and Swaziland the standard age of marriage has been set at 18 years. While there has been progress, a growing child population combined with a slow decline of child marriage will put more girls at risk and hence by 2050 the face of a child bride will be Africa.⁶³

UNICEF notes that over the years, the rates of child marriage in Africa have slowly decreased, however this decrease has been in richer countries and regions and less so in rural area where girls are most vulnerable⁶⁴.

56 The Family Code of 1984 modified by Ordinance No. 05-02 of 27 February 2005

57 Articles 444, 448, 450, 454 and 497 of the Democratic Republic of Congo's Family Code of 1987

58 Articles 328 and 331 of Guinea's Civil Code

59 See, Girls Not Brides: <http://www.girlsnotbrides.org/region/sub-saharan-africa/>

60 See, [https://www.unicef.org/media/files/UNICEF-Child-Marriage-Brochure-low-Single\(1\).pdf](https://www.unicef.org/media/files/UNICEF-Child-Marriage-Brochure-low-Single(1).pdf)

61 <http://endchildmarriagenow.org/2017/06/27/launch-of-the-au-end-child-marriage-campaign-in-ethiopia/>

62 Burkina Faso, Cameroon, Chad, the Democratic Republic of Congo, Ethiopia, Eritrea, Ghana, Liberia, Kenya, Madagascar, Mali, Niger, Nigeria, Senegal, Sierra Leone, Sudan, The Gambia, Uganda, and Zimbabwe. See, <https://www.au.int/web/en/pressreleases/20170620/president-lungu-briefed-progress-made-campaign-end-child-marriage-africa>

63 See, [https://www.unicef.org/media/files/UNICEF-Child-Marriage-Brochure-low-Single\(1\).pdf](https://www.unicef.org/media/files/UNICEF-Child-Marriage-Brochure-low-Single(1).pdf)

64 See, United Nations Children's Fund, A Profile of Child Marriage in Africa, UNICEF, New York, 2015 available at [https://www.unicef.org/media/files/UNICEF-Child-Marriage-Brochure-low-Single\(1\).pdf](https://www.unicef.org/media/files/UNICEF-Child-Marriage-Brochure-low-Single(1).pdf)



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Right to Nationality/Citizenship

Sub-Saharan Africa has the highest number of countries with nationality laws that discriminate based on gender and includes roughly a third of countries that deny women equal rights to confer nationality to their children.⁶⁵ At independence and until recently, most nationality laws in Africa contained clauses that denied women to pass on their nationality to their children or spouse. From the early 1990s, individual women and activist groups have advocated to change these laws and have used strategic litigation as a tool such as in the case of **Unity Dow V Botswana**⁶⁶ (1992) where the Court of Appeal upheld a woman's right to pass Botswanan citizenship to her children. In September 2014, the Benin Constitutional Court declared four articles of the nationality code to be unconstitutional on the grounds of discrimination and restriction of woman's right to transfer nationality to her children and spouse⁶⁷. Several other countries have in recent years enacted reforms for meaningful change in the citizenship laws to address gender discrimination in citizenship, such as

Kenya, Libya, Rwanda, Senegal, and Niger⁶⁸. To date, about 26 African countries⁶⁹ still have laws that restrict women's nationality rights, which includes the right to transfer citizenship to a foreign spouse or children.

Sexual & Gender Based Violence

Sexual and Gender Based Violence (SGBV) seriously inhibits the ability of women to contribute to, and benefit from development and to enjoy their rights, in private or public life, in times of peace or during situations of armed conflict. SGBV is more common where patriarchal gender norms are entrenched and where social and cultural norms contribute to the acceptance of violence against women and girls or where there are formal or discriminatory provisions in domestic legislation relating to sex and gender and no specific measures to address or prevent violence against women.⁷⁰ The UN estimates that one in three women worldwide have experienced some form of gender based violence including physical or sexual violence — mostly by an intimate partner.⁷¹ In Sub-Saharan Africa, between 36% and 71 % of women have experienced physical or

65 Global Campaign on Equal Nationality Rights <http://equalnationalityrights.org/countries/sub-saharan-africa>

66 Attorney-General v Dow (2001) AHRLR 99 (BwCA 1992) available at <http://www.elaws.gov.bw/displaylrpage.php?id=2692&dsp=2>

67 Open Society Foundation (OSF), January 2016, 'Citizenship Law in Africa: A Comparative Study', available at <https://www.opensocietyfoundations.org/sites/default/files/citizenship-law-africa-third-edition-20160129.pdf>

68 Algeria, Botswana, Burkina Faso, Burundi, Côte d'Ivoire, Djibouti, Egypt, Ethiopia, Gambia, Guinea, Kenya, Lesotho, Libya, Mali, Mauritius, Morocco, Niger, Rwanda, Senegal, Sierra Leone, Sudan, Tunisia, Uganda and Zimbabwe have enacted some reforms providing for greater, though not in all cases total, gender equality. Some of these reforms provided access to nationality for the children, rather than total equality. For a full report on citizenship laws in Africa. See <https://www.opensocietyfoundations.org/sites/default/files/citizenship-law-africa-third-edition-20160129.pdf>

69 Benin, Burundi, Cameroon, Central African Republic, Comoros, Republic of Congo, Egypt, Equatorial Guinea, Guinea, Lesotho, Libya, Madagascar, Malawi, Mauritania, Morocco, Niger, Nigeria, Sierra Leone, Somalia, Sudan, Swaziland, Tanzania, Togo and Tunisia. See, <https://www.opensocietyfoundations.org/sites/default/files/citizenship-law-africa-third-edition-20160129.pdf>

70 UN Human Rights Council, Report of the Special Rapporteur on violence against women, its causes and consequences, 19 April 2016, A/HRC/32/42, available at: <http://www.refworld.org/docid/57615d1e4.html>

71 <http://www.unwomen.org/en/digital-library/multimedia/2015/11/infographic-violence-against-women>



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sexual violence at the hands of a husband or intimate partner.⁷² During conflict, women and girls experience an increase in SGBV including rape, abduction, forced marriages and prostitution, forced termination of pregnancy or forced pregnancy, mutilations, conscription as combatants, and other forms of sexual and gender based violence. There is also a heightened risk of SGBV in refugee camps (including by humanitarian personnel), and 'survival sex', particularly female but also male, may increase in conflict/post conflict areas as a way of dealing with loss of income, and due to an increase in demand for sex (including from international male presence).⁷³ In countries, such as the Democratic Republic of the Congo (DRC), Côte d'Ivoire, Liberia and Sierra Leone, the epidemic proportions of gross sexual violence have resulted in such extreme psychological and physical damage (including the rise of HIV/AIDS) that many, if not most, will never fully recover.⁷⁴ (See, section on Peace and Security)

The Maputo Protocol⁷⁵ calls on State Parties to put measures in place to address violence against women⁷⁶ and ensure that women are protected from all forms of violence, particularly sexual and verbal violence. The Protocol has outlined in detail state obligations in eradicating violence against women including the enactment of laws that prohibit all forms of violence against women whether in public or private. The Protocol calls on State Parties to not only enact laws to protect women but to identify the root causes and consequences of violence and put in place effective measures in addition to providing comprehensive services to survivors of violence including rehabilitation and reparations; allocate budgetary and other resources to support programmes to end violence against women.⁷⁷ Additionally, State Parties must ensure that women have equal access to justice and protection before the law.⁷⁸

72 Garcia-Moreno C., et al., WHO Multi-country study on women's health and domestic violence against women: Initial results on prevalence, health outcomes, and women's responses, Geneva: World Health Organization, 2005

73 SIDA, Preventing and Responding to Gender-Based Violence: Expressions and Strategies, 2015, available at: <http://www.sida.se/contentassets/3a820dbd152f4fca98bacde8a8101e15/preventing-and-responding-to-gender-based-violence.pdf>

74 UNICEF, 'The impact of Conflict on Women and Girls in West & Central Africa and the UNICEF Response, 2005, p.7 available at https://www.unicef.org/publications/files/Impact_final.pdf

75 The Maputo Protocol defines violence against women as "all act perpetrated against women which cause or could cause them physical, sexual, psychological and economic harm including threat to take such acts; or to undertake the imposition of arbitrary restrictions on or the deprivation of fundamental freedoms in private and public life in peace time and during situations of armed conflict." (Article 1 (k) The CEDAW Committee General Comment No. 19 noted that all forms of violence against women (including sexual violence) amount to human rights violations and are a form of discrimination against women Further the CEDAW committee has articulated that 'traditional attitudes by which women are regarded as subordinate to men or as having stereotyped roles perpetuate widespread practices involving violence or coercion, such as family violence and abuse, forced marriage, dowry deaths, acid attacks and female circumcision. Such prejudices and practices may justify gender-based violence as a form of protection or control of women. The effect of such violence on the physical and mental integrity of women is to deprive them the equal enjoyment, exercise and knowledge of human rights and fundamental freedoms

76 Article 3 (3) of the Maputo Protocol

77 Article 4 (2) of the Maputo Protocol

78 Article 8 of the Maputo Protocol



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Many African countries have adopted to some extent laws and policies to protect women from violence, however 6 out of the 54 African countries⁷⁹ do not have any laws to protect women from all forms of violence. For instance, the Penal Code in Egypt legitimizes honor killings⁸⁰ while the Penal Code of Northern Nigeria⁸¹ reinforces a husband's right to use violence against his wife. In DRC, Ethiopia, Kenya, Malawi, Tanzania, Uganda and Zambia marital rape is not considered a crime. On a positive note, in 2015, the Egyptian Cabinet approved a new anti-human smuggling law that is in line with international standards safeguarding the rights and addressing the needs of smuggled migrants⁸². In January 2016, Algeria promulgated a new law, defining sexual harassment and violence against women as a crime. While the law is aimed specifically at male spouses, it also targets perpetrators of street harassment toward women⁸³.

Peace and Security

During times of conflicts, transition and post conflict, women and girls continue to face an increase in SGBV as well as other human rights violations. For example, women fall victims to violence before and during the conflict, in

the process of fleeing, and after the conflict as refugees/internally displaced persons and asylum seekers. Women participate in various capacities during conflict and post-conflict, including as care takers, combatants as well as peace makers.

Despite women's contributions in resolving conflict in their communities and fostering peace, they are often left out from formal peace processes and negotiations and their concerns are not heard. UN Women has noted that despite the adoption of UN Resolution 1325,⁸⁴ there is still a striking absence of women from formal peace negotiations.⁸⁵ **For example, women in Somalia** were not represented in negotiation teams during the Declaration on Cessation of Hostilities and the Structures in 2002; in Sierra Leone no women were represented in the negotiating team during the Lomé Peace Agreement and only made up 20% of witnesses; in Liberia no women were represented in the negotiation team but made up 17% of witnesses during the Accra Agreement; while in Burundi during the 2000 peace negotiation only 2% of the negotiating team were women; in Kenya (Nairobi 2008) women represented 25% of the negotiating

79 Burkina Faso, Cote d'Ivoire, Egypt, Lesotho, Mali & Niger

80 Article 237 of Egypt's penal code no. 58 allows for a lesser punishment for men who kill their wives on discovering them in an act of adultery than for other forms of murder.

81 Section 55(1)(d) of the penal code of Northern Nigeria

82 There are three legal instruments in Egypt that prohibit human trafficking for the purpose of sexual exploitation and forced labor: the Egyptian constitution of 2014, law no. 64 of 2010, and law no. 126 of 2008. In July 2007, the national coordinating committee on preventing and combating human trafficking was established through prime ministerial decree no. 1584 of 2007.

83 An amendment was introduced to Article (341a) of the Penal Code to increase the penalty for sexual harassment.

84 UN Security Council, Security Council resolution 1325 (2000) [on women and peace and security], 31 October 2000, S/RES/1325 (2000), available at: <http://www.refworld.org/docid/3b00f4672e.html> [accessed 20 August 2017]

85 UN Women, Women's Participation in Peace Negotiations: Connections between Presence and Influence, 2012, p.3 available at <http://www.unwomen.org/~media/headquarters/attachments/sections/library/publications/2012/10/wpssourcebook-03a-womenpeacenegotiations-en.pdf>



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teams and 33 % of mediators.⁸⁶ Women's structural exclusion from peace talks has significant consequences for the extent to which issues of concern to them – such as violence against women or women's citizenship rights – are not addressed.⁸⁷

The Protocol guarantees the right of women to a peaceful existence, and to participate in the promotion and maintenance of peace⁸⁸. The Maputo Protocol requires State Parties to respect international humanitarian laws and protect women (refugees, asylum seekers, internally displaced) against all forms of violence and sexual exploitation and to ensure that perpetrators are prosecuted where relevant for war crimes, genocide and/or crimes against humanity,⁸⁹ and protect children including girls from being recruited as child soldiers. The Provisions of the Protocol are in line with the aspirations set out by the AU Agenda 2063, which envisions a peaceful and secure Africa with functional mechanisms for peaceful prevention and resolution of conflict and the promotion of a culture of peace and tolerance.⁹⁰

The SDGEA further reinforces the AU's commitments under the Maputo Protocol and calls for the inclusion of women in the

prevention, resolution, and management of conflicts in Africa as outlined in the UN Resolution 1325 (2000) and the appointment of women as special envoys and special representatives of the African Union.⁹¹ In addition to the legal and policy frameworks, the African Union in 2016 adopted the African Peace and Security Architecture Roadmap 2016-2020⁹² which set out to integrate gender equality and women's rights priorities through gender sensitive indicators to monitor performance, deliver on gender, andpeace and security outcomes.

In terms of actions, African Union Member States have taken several measures. For example, 19 African states⁹³ have developed National Action Plans based on UN Resolution 1325. A number of countries have increased the number of women in peace keeping forces and security forces. For example, by 2014, Rwanda had increased the number of women in peace operation support from 0.4% to 2% ; Sierra Leone created 'Saturday courts' to fast track cases of GBV and established women situation rooms during the 2012 election; Namibia has 29% of women in peacekeeping missions; Liberia increased the number of women in

86 See, UN Women, Women's Participation in Peace Negotiations: Connections between Presence and Influence, 2012, Table 1, p.4 available at <http://www.unwomen.org/~media/headquarters/attachments/sections/library/publications/2012/10/wpssourcebook-03a-womenpeace-negotiations-en.pdf>

87 Ibid, p. 3

88 Article 10 of the Maputo Protocol

89 Article 11 of the Maputo Protocol

90 Aspiration 4 of the African Union Agenda 2063

91 See., Solemn Declaration on Gender Equality in Africa (2004) para. 2 available at http://www.un.org/en/africa/osaa/pdf/au/declaration_gender_equality_2004.pdf

92 Available at <http://www.peaceau.org/uploads/2015-en-apsa-roadmap-final.pdf>

93 Burkina Faso; Burundi; Central African Republic; Cote D'Ivoire; Democratic Republic of Congo; The Gambia; Ghana; Guinea; Guinea Bissau; Kenya; Liberia; Mali; Nigeria; Rwanda; Senegal; Sierra Leone; South Sudan; Togo; Uganda



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security institution (31%) in immigration and naturalization, 17.6% in National Police and an increase of 3.4% in Armed forces⁹⁴. While there is progress, more needs to be done to ensure that women fully participate and benefit from peace processes and their rights are protected and enforced in conflict, post conflict, and fragile settings in Africa and so they are able to enjoy their rights fully.

Female Genital Mutilation (FGM)

According to the World Health Organization (WHO), more than 200 million girls and women alive today have undergone Female Genital Mutilation (FGM) in 30 countries in Africa.⁹⁵ FGM is widely understood as a violation of women and girls' rights which is embedded in discriminatory cultural beliefs and practices. It violates the right to security and physical integrity, right to health, the right to be free from torture, and cruel and degrading treatment. The Maputo Protocol is the first international treaty to explicitly prohibit Female Genital Mutilation (FGM). The Protocol under Article 5 calls on State Parties to eliminate FGM, scarification, medicalization and para-medicalization of FGM. In particular, State Parties are required to adopt laws prohibiting these practices; create public awareness campaigns and outreach programmes; provide support services to women and girls including health, legal and judicial support and psychological

counselling and protect those women and girls at risk to educate all sectors of society on the gravity of these practices.

Today, 26 African Union member states have laws prohibiting FGM and other harmful practices. UNICEF⁹⁶ noted that FGM prevalence rates among girls aged 15 to 19 have declined, including by 41 percentage points in Liberia, 31% in Burkina Faso, 30% in Kenya and 27 % in Egypt over the last 30 years. In Africa, 23 of the 29 African countries where FGM is practiced have adopted legislation banning FGM.⁹⁷ While this is good news, women and girls continue to be at risk of undergoing FGM. For example, FGM is almost universally practiced in Somalia, Guinea and Djibouti with a prevalence rate of around 90%.⁹⁸

Sexual and Reproductive Health Rights

The World Health Organization (WHO) estimates that poor reproductive health accounts for up to 18% of the global burden of disease, and 32 % of the total burden of disease for women of reproductive age.⁹⁹ Maternal Mortality Rates (MMR) in Sub-Saharan Africa accounted for 66% (201,000 deaths)¹⁰⁰ of global death of women in 2015 with at least 9% of maternal deaths (16,000 deaths annually) occurring due to unsafe abortion,¹⁰¹ while 2.0% of all deaths were estimated to be AIDS-related indirect

94 African Union Commission (AUC), Implementation of the Women, Peace, and Security Agenda in Africa. 2016, p.28-32 available at <http://www.un.org/en/africa/osaa/pdf/pubs/2016womenpeacesecurity-auc.pdf>

95 <http://www.who.int/mediacentre/factsheets/fs241/en/>

96 https://www.unicef.org/media/media_90033.html

97 See, UNICEF 'Female Genital Mutilation/Cutting: A Statistical Overview & Exploration of the Dynamics of Change, 2013. Table 2.1 p. 9 available at https://www.unicef.org/media/files/UNICEF_FGM_report_July_2013_Hi_res.pdf

98 See, UNICEF data available at <https://data.unicef.org/topic/child-protection/female-genital-mutilation-and-cutting/#>

99 <https://unchronicle.un.org/article/reproductive-health-african-region-what-has-been-done-improve-situation>

100 https://data.unicef.org/wp-content/uploads/2015/12/Trends-in-MMR-1990-2015_Full-report_243.pdf

101 Guttmacher Institute, Facts on Abortion in Africa, 2015 available at https://www.guttmacher.org/sites/default/files/pdfs/pubs/IB_AWW-Africa.pdf [accessed on 28 July 2017]



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maternal deaths.¹⁰² Maternal mortality is widely acknowledged as a general indicator of the overall health of a population, of the status of women in society, and of the functioning of the health system.¹⁰³ For many women in Africa especially those in rural areas, access to adequate and affordable reproductive health services is difficult due to limited health providers or where they exist, they are often under resourced and understocked¹⁰⁴. Women continue to be disproportionately affected by HIV/AIDS with 56% of new infections among adults in Sub-Saharan Africa being women and 66% being among young women aged 15-24.¹⁰⁵

The Maputo Protocol¹⁰⁶ calls on States Parties to ensure the right to health of women is respected, including sexual and reproductive health. The Protocol is the first instrument to explicitly call for the protection of the rights of persons living with HIV/AIDS¹⁰⁷. It also calls for the protection of the rights to control their fertility and to have family planning education through adequate services including information¹⁰⁸. It mandates States Parties to protect the reproductive rights of

women by “*authorizing medical abortion in cases of sexual assault, rape, incest and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the fetus.*”¹⁰⁹ The SDGEA commits AU Member States to “take gender specific economic, social, and legal measures aimed at combating HIV/AIDS; make treatment and social services available to women at the local level; be more responsive to the needs of families that are providing care; and increase budgetary allocations in these sectors so as to alleviate women’s burden of care.”¹¹⁰

The AU has taken firm commitments to accelerate access to sexual and reproductive health by creating the Continental Policy Framework on Sexual and Reproductive Health and Rights and the Maputo Plan of Action which was adopted by African Ministers of Health in 2005 and endorsed by AU Heads of State in January 2006. In 2009, the AUC launched the Campaign on Accelerated Reduction of Maternal Mortality in Africa (CARMMA)¹¹¹ to trigger concerted and increased action towards improving

102 The Aids related maternal mortality rates are highest in the following countries: South Africa (32%), Swaziland (19%), Botswana (18%), Lesotho (13%) and Mozambique (11%) as of 2015. See, https://data.unicef.org/wp-content/uploads/2015/12/Trends-in-MMR-1990-2015_Full-report_243.pdf

103 Amisshah B. Eunice & Opondo Evelyne (2013), ‘Reproductive Health Rights: The Quest to reduce the incidence of preventable maternal death’, in Kombo B, Sow R, Mohamed FJ. Journey to Equality Publication: 10 years of the Protocol on the Rights of Women in Africa.

104 Despite well-known benefits of family planning, there are unmet needs: contraceptive use among married women in sub-Saharan Africa is very low, estimated at 13 per cent, and the total fertility rate is 5.5 children per woman. Many African women still have no access to information to make informed decision of their reproductive health, have limited access to contraceptives and are vulnerable to HIV infections and other health epidemics.

105 <http://www.unwomen.org/en/what-we-do/hiv-and-aids/facts-and-figures>

106 Article 14 of the Maputo Protocol

107 Article 14(1) (d) and (e) Maputo Protocol

108 Article 14(1)(a), (b), (c) and Article (2) (a) of the Maputo Protocol

109 Article 14(2) (c) of the Maputo Protocol

110 Paragraph 1 Solemn Declaration of Gender Equality in Africa

111 See, ‘Campaign on Accelerated Reduction of Maternal Mortality in Africa’ available <http://www.carmma.org/> [accessed 27 June 2017]



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maternal and new-born health and survival across the continent. 46 out of 54 African countries¹¹² have now launched national campaigns towards improving maternal mortality. The recently revised Maputo Plan of Action (2016-2030)¹¹³ (now aligned with Agenda 2063 and Common African Position on the Post-2015 development agenda¹¹⁴) aims to guide AU member states. It aims to do so in partnership with civil society, the private sector, and the multisector development partners to provide universal access to comprehensive and sexual reproductive health services in order to prevent MMR, expand access to contraceptives, reduce levels of unsafe abortion, end child marriage eradicate harmful traditional practices and gender based violence, and ensure adolescent and youth have access to sexual and reproductive health services¹¹⁵. Furthermore, the African Commission on Human and Peoples' Rights adopted two General Comments on Sexual and Reproductive Rights which outlined State Party obligations under the Maputo Protocol¹¹⁶ in detail.

There has been progress in reducing the number of women dying, with North African States reducing MMR by 59% while Sub Saharan African States saw a decline of 45% during the period between 1990-2015¹¹⁷. Currently only Mauritius and Cape Verde have achieved low rates of maternal mortality¹¹⁸. Despite the progress, 18 African countries¹¹⁹ still have very high MMR and women's access to affordable, adequate and effective sexual and reproductive health services remains a challenge. Four African countries, Cape Verde, Mozambique, South Africa and Tunisia currently provide unrestrictive abortion (but with gestational limits) while Zambia permits abortion on socio-economic grounds. However, most countries have restrictive abortion laws which are often complex for women especially poor women to access forcing women to procure unsafe medical abortion procedures¹²⁰.

112 For a comprehensive country score card visit <http://www.carmma.org/node/299>

113 The Revised Maputo Plan of Action Plan of Action 2016 - 2030 takes into account the findings from the review findings of the Gaborone Declaration on the Roadmap towards Universal Access to Prevention, Treatment and Care, the Brazzaville Commitment on Scaling Up towards Universal Access and the Abuja Call for Accelerated Action towards Universal Access to STI/HIV/AIDS, Tuberculosis and Malaria Services in Africa and also drawn from issues in Agenda 2063 and its 10 year implementation plan, Sustainable Development Goals (SDGs), Rio+20, ICPD+20 and the Global Strategy for Women's, Children's and Adolescent's Health. (para. 57 of the Maputo Plan of Action)

114 In January 2014, the African Heads of States adopted the Common African Position (CAP) on Post-2015 articulating the continent's priorities in the Post-2015 development agenda among them the recognition of the interlinkages between gender equality, women's rights and African structural development and calls. Access at https://www.un.cv/files/CAP_Post2015.pdf

115 Maputo Plan of Action 2016-2030, para. 17

116 The first General Comment outlines the intersection between women's human rights and HIV/AIDS available at http://www.achpr.org/files/instruments/general-comments-rights-women/achpr_instr_general_comments_art_14_rights_women_2012_eng.pdf and the second General Comment is on Sexual and Reproductive Health Rights available at http://www.achpr.org/files/instruments/general-comments-rights-women/achpr_instr_general_comment2_rights_of_women_in_africa_eng.pdf

117 See, *Ibid.*, p. 25

118 See, United Nations, Trends in Maternal Mortality: 1990 to 2015 - Estimates by WHO, UNICEF, UNFPA, World Bank Group and the United Nations Population Division, November 2015, available at: <http://www.refworld.org/docid/5645ae384.html> [accessed 1 August 2017]

119 Burundi, Cameroon, Central Africa Republic, Chad, Côte d'Ivoire, Democratic Republic of Congo, Guinea, Guinea Bissau, Kenya, Liberia, Malawi, Mauritania, Nigeria, Niger, Somalia, South Sudan, The Gambia

120 See, <https://www.guttmacher.org/fact-sheet/facts-abortion-africa>



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Political Participation and Decision Making

As of January 2017, women in Africa made up only 23.6% of Parliamentarians¹²¹ across Sub-Saharan African countries, a far cry from the AU gender parity of 50/50 representation which was adopted by the Heads of States and Governments of the African Union¹²². Women in Africa experience challenges in participating in decision making due to social norms and religious and cultural factors that reinforce gender discrimination and exclusion from political life. Additionally, women face harassment, intimidation, and violence including sexual violence from voters, political candidates, political party officials, rival politicians, and the general public dissuading many from engaging in politics. The Inter-Parliamentary Union (IPU)¹²³ surveyed 55 women parliamentarians from 39 countries including 18 Sub-Saharan Countries. 44.4% said they had received death threats, rape, beatings or abduction during their parliamentary term, 65.5% had experienced humiliating sexual or sexist remarks, while 81.8 % said they had received psychological violence. In the vast majority of cases, humiliating sexual and sexist remarks were made in parliament

by male colleagues from opposing parties and the women's own parties, as well as on social media, by telephone, through emails and during political meetings.¹²⁴ Women also have limited financial resources and are overlooked in political parties in favor of their male colleagues. Furthermore, the culture of political parties and a shortage of political will from (often) male-dominated leadership in promoting women's political engagement contribute to deterring women from politics¹²⁵.

The Maputo Protocol guarantees women's rights to political participation and decision making at all levels of society.¹²⁶ It calls on State Parties to take positive action to promote participative governance and equal participation of women including through the enactment of affirmative action. National laws and any other measures to eradicate discrimination against women in elections and ensure that women participate at all levels of the electoral process, development and implementation of state policies and programmes increase women's participation at all levels of decision making¹²⁷. Similarly, the SDGEA lays emphasis on the gender parity principle, throughout the organs of the AU, including the New Partnership for

121 Inter-Parliamentary Union & UN Women (2017), 'Women in Politics 2017 Infographics' available at <https://beta.ipu.org/resources/publications/infographics/2017-03/women-in-politics-2017>

122 <http://www.arso-oran.org/as-the-african-union-commitments-to-gender-parity-and-women-empowerment-in-africa-highlighted/>

123 Inter-Parliamentary Union (IPU), Sexism, harassment and violence against women parliamentarians, 2016 available at <https://beta.ipu.org/resources/publications/reports/2016-10/sexism-harassment-and-violence-against-women-parliamentarians>

124 Ibid, p. 3

125 Community of Democracies et al, Advancing Women's Political Participation: Africa Consultation on Gender Equality and Political Empowerment, March 2017, Johannesburg South Africa, available at <http://www.community-democracies.org/app/uploads/2017/08/WPP-African-Consultation.pdf> [accessed 26 August 2017]

126 Article 9 of the Maputo Protocol

127 Ibid,



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Africa's Development (NEPAD)¹²⁸ programs and the Regional Economic Communities (RECs). At national and local political levels, political parties and national parliaments are called on to ensure parity in the respective States.¹²⁹

There has been progress in women's participation in political and decision-making processes with the highest level of participation of women being recorded in Rwanda at 64%, Senegal at 44.6 %, while the average of female representation in politics in Sub-Saharan Africa is 23.1 %.¹³⁰ Africa has also had a few female Presidents in Burundi¹³¹, the Central African Republic¹³², Gabon¹³³, Liberia¹³⁴, Malawi¹³⁵, Mauritius¹³⁶ and Senegal¹³⁷. Rwanda leads the world with the highest percentage of female parliamentarians in the lower or single House of Parliament (61.3%), with six other African countries ranking in the top 20 – Senegal (42.7%), South Africa (42.1%), Namibia (41.3%), Mozambique (39.6%), Ethiopia (38.8%), and Angola (38.2%).¹³⁸ In Africa today, women's representation in Parliament stands at 23.6%.¹³⁹ In addition, Algeria, Burundi, Cameroon, Tanzania, Tunisia, Uganda, and Zimbabwe have attained the 30% female political representation level advised by the Beijing Platform for Action (BPA) while only Mauritania, the Seychelles, Rwanda, South Africa, Uganda, and Zambia

128 New Partnership for Africa's Development available at <http://www.nepad.org/>

129

130 UN WOMEN 2016, Facts and Figures: Leadership and Political Participation available at <http://www.unwomen.org/en/what-we-do/leadership-and-political-participation/facts-and-figures>

131 Sylvie Kinigi- (July 1993-February 1994)

132 Catherine Samba-Panza (January 2014- March 2016)

133 Rose Francine Rogombe (June 2009- October 2009)

134 Ellen Johnson-Sirleaf (2006-Present)

135 Joyce Banda President (2012-2014)

136 Agnes Monique Ohsan Bellepeau (March 2012- July 2012) and Ameenah Firdaus Gurib-Fakim (2015-Present)

137 Aminata Touré (September 2013- July 2014)

138 Community of Democracies et al, Advancing Women's Political Participation: Africa Consultation on Gender Equality and Political Empowerment, March 2017, Johannesburg South Africa, available at <http://www.community-democracies.org/app/uploads/2017/08/WPP-African-Consultation.pdf> [accessed 26 August 2017]

139 See, Inter-Parliamentary Union & UN Women, Women in Politics: 2017 Report., 2017 available at <https://beta.ipu.org/resources/publications/infographics/2017-03/women-in-politics-2017> [accessed 27 July 2017]



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currently meet the BPA threshold of 30% for women in ministerial positions.¹⁴⁰ In order to accelerate women's political participation, African countries have adopted a number of strategies. For example, a number of countries have adopted an affirmative action legislation to support women's participation through a quota system such as Angola, Burundi, Egypt, Djibouti, Kenya, Liberia, Mauritania, Niger, Rwanda, Sierra Leone, South Africa, Sudan, Uganda, and Tanzania.¹⁴¹

Despite these advances in women's participation in political leadership, there are challenges that call for affirmative action in some cases. The representation of women in positions of leadership including in executive and local governance levels remains low in many countries¹⁴² despite laws aimed at increasing political participation

Economic, Social and Cultural Rights

Women and girls globally are disproportionately affected by poverty due to economic and social exclusion in society that has negative impacts on their quality of life. In Africa, women and girls have challenges in accessing education and training opportunities, generally are paid less

than their male counterparts, have limited access to nutritious sources of food, clean water, sanitation adequate shelter, as well as have limited access to resources including property, land and access to credit denying them economic opportunities to improve their lives. According to the United Nations Development Fund (UNDP),¹⁴³ economic and workplace disparities between African women and men continue to be the norm rather than the exception. For example, for every US dollar earned by men in the manufacturing, services, and trade industries, women earn 70 cents.¹⁴⁴ In Africa, 9 million girls between the ages of 6 to 11 will never go to school,¹⁴⁵ while half of adult women in Africa cannot read or write.¹⁴⁶ Women and girls carry out the bulk of domestic and reproductive labor in the household which is unpaid and time consuming taking away their earning capacity in the future and trapping them in a cycle of dependence and poverty.

Despite their contributions through paid and unpaid labor, women and girls are often excluded from decision-making in all spheres of development and have limited influence on sustainable development within their communities and countries. The

140 Community of Democracies et al, *Advancing Women's Political Participation: Africa Consultation on Gender Equality and Political Empowerment*, March 2017, Johannesburg South Africa, p. 3 available at <http://www.community-democracies.org/app/uploads/2017/08/WPP-African-Consultation.pdf> [accessed 26 August 2017]

141 See, UN Women, *2010-2011 Progress of the World's Women Report*, 2011, p. 122 available at <http://progress.unwomen.org>

142 Ibid, no 48

143 UNDP, *African Human Development Report; Accelerating Gender Equality and Women's Empowerment in Africa*, 2016 available at <http://www.undp.org/content/undp/en/home/librarypage/hdr/2016-africa-human-development-report.html> [accessed 28 July 2017]

144 Ibid., p. 5

145 <http://uis.unesco.org/en/topic/gender-equality-education>

146 See, UNESCO, 'Education for All Global Monitoring Report Summary', 2015 p. 3 available at <http://unesdoc.unesco.org/imagenes/0023/002348/234809E.pdf> [accessed 25 June 2017]



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Maputo Protocol also calls on State Parties to provide the right to adequate housing,¹⁴⁷ which includes access to acceptable living conditions in a healthy environment; right to a healthy and sustainable environment,¹⁴⁸ and right to sustainable development¹⁴⁹. These provisions have been further articulated in African Union member commitments under the African Union Agenda 2063 and the Sustainable Development Goals¹⁵⁰ (SDGs) which provide a roadmap for actualization and effective implementation of these rights.

Right to Education and Training

The Maputo Protocol calls on State Parties to eliminate all forms of discrimination against women and promote and protect the right to equal opportunity and access to education and training. (Article 12 (1)) (**See also, Article 17 of the African Charter, Article 11 of the Children's Charter, Article 13 of the Africa Youth Charter**).¹⁵¹ The African Union cognizant of the challenges towards achieving education for all adopted the Continental Education Strategy for Africa

(2016-2025) to guide African member states in achieving its commitments on education and realizing Agenda 2063. This included removing obstacles and barriers to education for women and girls and improving their performance especially in mathematics and science.

African countries have made tremendous progress, since the 1990's for example, Burundi, Niger, Mozambique, Guinea, Burkina Faso, Zambia, Mali, Ghana, Senegal, and Lesotho have increased the number of children enrolled in primary school. Ethiopia, Ghana, Kenya, Malawi, Mozambique and Tanzania have abolished primary school fees allowing more children, especially girls to access education. Seychelles has an adult literacy rate of 95.3%¹⁵², Sao Tome and Principe have attained adult literacy of 95.64% for men and 87.96% for women¹⁵³. In 2016, the African Commission on Human and Peoples' Rights adopted a resolution on the Right to Education in Africa.¹⁵⁴ It raised a concern that despite a robust legal framework many children still had no access

147 Article 16 of the Maputo Protocol

148 Article 18 of the Maputo Protocol

149 Article 19 of the Maputo Protocol

150 UN, The Sustainable Development Goals and Addressing Statelessness, March 2017, available at <https://sustainabledevelopment.un.org/?menu=1300> : [accessed 3 August 2017]

151 The Protocol broadens the right to education to include the elimination of stereotypes in textbooks and syllabuses and the media that promote discrimination; calls for the protection of the girl child from sexual violence in educational institutions including the provision of services for abuse and sexual harassment and calls on State Parties to integrate a gender equality and human rights education in the school curricula (Article 12 (1)). State Parties are obliged to take up positive action to promote the right to education including promoting literacy among women, promote women's education and training at all levels including science, technology, engineering, and math (STEM) and increase the enrolment and retention of girls in schools (Article 12 (2)) (see also Article 13 (5) of the African Youth Charter). The African Youth Charter calls on State Parties to protect the right to education for girls and young women who become pregnant or married before completing their education (Article 13 (4) (h)) (See also, Article 11 of the Children's Charter).

152 <http://uis.unesco.org/en/country/sc>

153 For a detailed look at education statistics in Africa see UNESCO Global Education Monitoring Report available at <http://en.unesco.org/gem-report/>

154 ACHPR/Res. 346 (LVIII) <http://www.achpr.org/sessions/58th/resolutions/346/>



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to education, noting that conflict and wars limit access to education. State Parties were not adequately investing in education for all despite their commitments under the various treaties. The resolution called for States to honor their commitments in regional and international human rights instruments and ensure that all children have access to education and training without discrimination and ensure that girls and all vulnerable children are supported to access quality education including ICT and STEM.

Economic Rights and Unpaid Care Work

According to the Africa Development Banks (ADB), African women are both economically active and highly entrepreneurial with a majority providing agricultural labor and operating businesses in the informal sector¹⁵⁵. Despite their active contribution to the economy, women tend to engage in 'low value-added occupations' that do not generate substantive economic return and that do not offer them social protections. Despite the fact, society assigns them as the primary care givers that on average spend twice as much time as men do on domestic work (child and elderly care, cooking, cleaning, and fetching water and wood)¹⁵⁶ reducing their time to invest in their chosen career or field and to increase their earnings including saving for retirement.

The Protocol urges State Parties to protect

the rights of women to equal work opportunities, career advancement, and economic opportunities,¹⁵⁷ including access to employment, equal pay, protection from sexual harassment in the workplace, freedom to choose an occupation, freedom from exploitation, access to social protections and insurance for women in the informal sector, guaranteed adequate and pre and post-natal maternity leave in both private and public sectors, elimination of discrimination in tax allowances and entitlements, support for working parents and the enactment of effective laws that prevent exploitation and abuse in advertising and pornography.

Over the years, African countries have made progress in advancing women's economic empowerment. For example, UNDP observes that African governments have begun using various kinds of social protection programmes (including cash transfer and subsidies) to promote gender equality and poverty reduction.¹⁵⁸ According to the World Bank¹⁵⁹, there has been progress globally in enabling women access to economic opportunities. For example, Guinea's new labor law prohibits gender discrimination in hiring; South Africa is the only African country that prohibits gender discrimination in access to credit; Kenya enacted a law to grant legal protection to married women's access to matrimonial property; South Africa and Mauritius now mandate equal remuneration

155 African Development Bank, Empowering African Women: An Agenda for Action. Africa Gender Equality Index 2015, available at https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/African_Gender_Equality_Index_2015-EN.pdf [accessed on 28 June 2017]

156 UNDP, Accelerating Gender Equality and Women's Empowerment in Africa: Africa Human Development Report 2016, p. 6

157 Article 13 of the Maputo Protocol

158 UNDP, Accelerating Gender Equality and Women's Empowerment in Africa: Africa Human Development Report 2016, p. 9

159 World Bank, 'Women Business and the Law 2016', available at http://wbl.worldbank.org/~/_/media/WBG/WBL/Documents/Reports/2016/Women-Business-and-the-Law-2016.pdf [accessed on 27 June 2017]



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for work of equal value.¹⁶⁰ While there has been progress, there exist barriers in several countries to women's access to economic opportunities. For example, 7 countries still have laws that require women to seek their husband's permission to get a job. DRC for example, prohibits women from opening a bank account, signing a contract, and registering a business. To date, no country provides comprehensive parental leave,¹⁶¹ thus failing to provide adequate support on child care and other unpaid work which remains invisible and unaccounted for.

Property and Land & Food Security

Women and girls in Africa have often been left out of inheritance regimes and many traditional, customary and religious laws often prevent them from inheriting their parents' or spouses' properties, relegating them to a life of insecurity and poverty. Secure land rights confer direct economic benefits because land is a key input into agricultural production and enterprise development; it can be used as a source of income from rental or sale; and it can provide collateral for credit where strong, well-regulated land markets and credit infrastructures exist.¹⁶²

While women in Africa make up about 60-80 % of agricultural laborers,¹⁶³ providing food and livelihood for their families and communities, they often do not fully benefit from the land since they do not have secure legal rights to the land as individuals or jointly. On the other hand, women with stronger property rights are less likely to become economically vulnerable in their old age, in the event of the death of their spouse or divorce, or if land is sold without their consent.¹⁶⁴

The Maputo Protocol provides the right to property recognizing that women are often excluded from legally owning and accessing land due to discriminatory laws including religious and customary laws and practices. It calls on State Parties to protect the rights of widows,¹⁶⁵ in particular the right to an equitable share of the property of her husband and the right to continue living in the matrimonial home.¹⁶⁶ The Protocol unequivocally states that both women and men have the right to inherit in equitable shares their parents' property.¹⁶⁷ It further calls on State Parties to ensure the right to food security,¹⁶⁸ which can be strengthened by supporting women's access to land and other support services geared towards agricultural production. African Governments have also

160 Ibid.,

161 Ibid.,

162 USAID Land Tenure, Property Rights, And Gender Briefing Paper #7 available at http://www.climateinvestmentfunds.org/sites/default/files/knowledge-documents/usaid_land_tenure_gender_brief_0.pdf

163 <http://www1.uneca.org/Portals/awro/Publications/31WomenRight%20to%20Access%20and%20Control%20Land%20in%20Africa.pdf>

164 See, USAID Land Tenure, Property Rights, And Gender Briefing Paper #7 available at http://www.climateinvestmentfunds.org/sites/default/files/knowledge-documents/usaid_land_tenure_gender_brief_0.pdf

165 Article 20 of the Maputo Protocol

166 Article 21 of the Maputo Protocol

167 Article 21 (2) of the Maputo Protocol

168 Article 15 of the Maputo Protocol



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committed under the SDGEA¹⁶⁹ to actively promote the implementation of legislation to strengthen women's access and rights to land, property and inheritance rights, including their rights to housing. In 2009, the African Union adopted a Framework and Guidelines on Land Policy in Africa,¹⁷⁰ which recognized the way patriarchal societies in Africa have excluded

women from land ownership and control and stressed the critical role of national laws in ensuring women's equal access to land and inheritance.

"If law and policy are to redress gender imbalances in land holding and use, it is necessary to deconstruct, reconstruct and re-conceptualize existing rules of property in land under both customary and statutory law in ways that strengthen women's access and control of land while respecting family and other social networks."

(AU Framework and Guidelines on Land Policy in Africa)

African governments have made some progress in amending laws that discriminate women's rights to property and land such as in Ethiopia, Kenya, Rwanda, Mozambique, Tanzania, South Africa, and Uganda. In 2010, the High Court of Swaziland¹⁷¹ upheld the

right of married women to register property in their name. In 2013, the Court of Appeal of Botswana¹⁷² ruled that the inheritance laws that excluded daughter's from inhering their father's property amounted to discrimination. A few countries continue to have legal restrictions of women's right to land and property including Cameroon, Cote d'Ivoire, Democratic Republic of Congo (DRC), The Gambia, and The Republic of Congo. To date, implementation of commitments that promote women's property remains slow in most countries and so women continue to face challenges across Africa.

169 Paragraph 7 of the Solemn Declaration on Gender Equality in Africa

170 http://www.uneca.org/sites/default/files/PublicationFiles/fg_on_land_policy_eng.pdf

171 *Aphane v Registrar of Deeds and Others* ((383/09)) [2010] SZHC 29 (23 February 2010) available at <http://www.swazilii.org/sz/judgment/high-court/10/29>

172 *Mmusi and Others v Ramantele and Others* (Recent Developments Vol 1) [2013] AHRLJ 11 available at <http://www.saflii.org/za/journals/AHRLJ/2013/11.html>



4. STATUS ON THE RIGHTS OF WOMEN IN AFRICA: PROGRESS, TRENDS AND CHALLENGES

As of August 2017, the Maputo Protocol has been ratified by 38 of 55 African Union Member States¹⁷³ which constitute more than half of the continent. Meanwhile, 17 African Union Member States have not yet ratified the Protocol. These include Botswana, Burundi, Central Africa Republic, Chad, Egypt, Eritrea, Ethiopia, Madagascar, Morocco, Mauritius, Niger, Saharawi Republic, Somalia, South Sudan, Sao Tome and Principe, Sudan, and Tunisia. Whereas countries have been quick to ratify the Protocol, the biggest challenge remains in implementing the Protocol provisions and making them a reality for women.

The Maputo Protocol calls on State Parties to ensure implementation and to prepare and submit a periodic report in accordance with Article 62 of the African Charter and calls on State Parties to allocate budgetary and other resources to support implementation.¹⁷⁴ To aid State Parties to meet this obligation, the African Commission on Human and Peoples' Rights under the mandate of the Special Rapporteur on the Rights of Women in Africa and in collaboration with the University of Pretoria, Centre for Human Rights developed

Guidelines on State Reporting on the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in 2009¹⁷⁵. The guidelines provide direction on how State Parties should report on the implementation of the provisions of the Maputo Protocol.

Submission of Periodic Reports

The Protocol calls on State Parties to ensure implementation and to prepare and submit a periodic report in accordance with Article 62 of the African Charter and calls on the State Party to allocate budgetary and other resources to support implementation.¹⁷⁶ To aid State Parties to meet this obligation, the African Commission on Human and Peoples' Rights under the mandate of the Special Rapporteur on the Rights of Women in Africa and in collaboration with the University of Pretoria, Centre for Human Rights developed Guidelines on State Reporting on the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in 2009¹⁷⁷. The guidelines provide direction on how State Parties should report on the implementation of the provisions of the Maputo Protocol.

173 Refer to ratification status list available at https://au.int/sites/default/files/treaties/7783-sl-protocol_to_the_african_charter_on_human_and_peoples_rights_on_the_righ.pdf [accessed 16 August 2017]

174 Article 26 of the Maputo Protocol

175 See, <http://www.achpr.org/press/2013/09/d174/>

176 Article 26 of the Maputo Protocol

177 See, <http://www.achpr.org/press/2013/09/d174/>



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Despite an increase in the ratifications of the Maputo Protocol, AU Member States have been slow to report on progress of implementation. Only nine¹⁷⁸ out of 36 African Union Member States are fully up to date on their reporting obligations¹⁷⁹ under the Protocol, while the rest have not submitted reports, and therefore have not fulfilled their reporting obligation¹⁸⁰. In order to be effective and compliant with all reporting obligations, States should endeavor to consolidate data on gender equality and ensure that relevant treaty bodies receive reports as stipulated in the various treaty agreements.

Multi-Sectoral Approach to Women's Rights in Africa

To support State Parties in the process of implementing the Maputo Protocol, UN Women developed a Manual on a Multi-Sectoral Approach to Women's Rights in Africa,¹⁸¹ aimed at supporting African Union Member States to fast-track delivery on commitments made on women's rights in Africa through integration of women's rights into all sectors of government and development agenda. The framework provides guidance on inter-ministerial

coordination to ensure improved efficiency, accountability, and communication across all sectors and stresses the importance of government led partnerships with various actors such as the AU, RECs, UN System, Civil Society, private sector, donor countries and all other stakeholders interested in advancing the rights of women in Africa. UN Women has over the years partnered with the AUC-WGDD and the Solidarity for African Women's Rights Coalition (SOAWR) to train and support AU Member States on the implementation of the multi-sectoral framework at the national levels. For example, Liberia has used the Multi-sectoral framework to develop a national action plan for the prevention and management of GBV that engages multiple stakeholders such as sectoral ministries, development partners, civil society, community leaders, and media thus consolidating efforts towards fighting GBV¹⁸².

178 Algeria, Burkina Faso, Djibouti, Ethiopia, Kenya, Namibia, Niger, Nigeria, and South Africa

179 Justice Lucy Asuagbor Commissioner, Special Rapporteur on the Rights of Women in Africa (African Commission on Human and Peoples' Rights) at the 60th Session of the Commission on the Status of Women, 18 March 2016 New York

180 Ten countries are late by one report namely the Republics of Cameroon, Cote D'Ivoire, Gabon, Liberia, Malawi, Mozambique, Sahrawi, Senegal, Sierra Leone, and Uganda Four countries are late by two reports namely the Republics of Angola, Libya, Sudan, and Togo; Eighteen states are late by more than three reports namely: The Republics of Benin, Botswana, Madagascar, and Rwanda; The Republics of Cape Verde, Central African Republic, Chad, Egypt, Congo Republic, Democratic Republic of Congo, The Gambia, Guinea Republic, Kingdom of Lesotho, Mali, Mauritania, Mauritius, Seychelles, Swaziland, Tunisia, Zambia and Zimbabwe; Six states have never submitted a report: The Republics of Comoros, Equatorial Guinea, Eritrea, Guinea Bissau, Sao Tome and Principe, and Somalia.

181 UN Women, 'Manual: Multi-Sectoral Approach to Women's Rights in Africa' 2011 available at <http://www.unwomen.org/en/digital-library/publications/2010/6/manual-multi-sectoral-approach-to-women-s-rights-in-africa> [accessed on 20 June 2017]

182 See, Kombo et al, Journey to Equality: 10 Years of the Protocol on the Rights of Women in Africa, 2013 p. 146 available at https://www.equalitynow.org/sites/default/files/MaputoProtocol_JourneytoEquality.pdf [accessed on 25 June 2017]



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Litigation as a Tool For Implementation

The Maputo Protocol states that the African Court on Human and Peoples' Rights is charged with the responsibility of interpreting the provisions of the Protocol.¹⁸³ While the African Court has the mandate to interpret the Protocol, it has not yet delivered a decision based on the treaty provisions of the Maputo Protocol and it remains to be tested. Additionally, the African Court is only accessible to women whose countries¹⁸⁴ have signed a declaration allowing civil society and individuals to access the African Court. The African Commission has to date delivered a number of decisions on women's rights initiated by non-governmental organizations on behalf of women victims of human rights violations: ***EIPR & Interights v Egypt***¹⁸⁵ on gender based violence and in particular sexual harassment of women in the public sphere and ***Equality Now and Ethiopian Women Lawyers Association (EWLA) v. Federal Republic of Ethiopia***¹⁸⁶ on abduction and rape in Ethiopia.¹⁸⁷ The African Commission has also provided a number of guidelines on various provisions

of the Maputo Protocol such as General Comments on Article 14 (1) (d) and (e) of the Protocol¹⁸⁸ and General Comment No. 2 on Article 14 (1) (a), (b), (c) and (f) and Article 14 (2) (a) and (c) of the Protocol.¹⁸⁹

Advocacy and Lobbying

African women's rights organizations, individual activists and networks have been critical players and partners of the AU in the development of the AU Framework for Women's Rights in Africa. For example, the Solidarity for African Women's Rights (SOAWR) Coalition¹⁹⁰ was created to advocate for the universal ratification, domestication, and implementation of the Maputo Protocol. It brought together women's rights activists from across Africa to strategies on the effective implementation of the Protocol; Femmes Africa Solidarité (FAS) created the Gender is My Agenda Campaign¹⁹¹ that mobilized women around the SDGEA and UN Resolution 1325 working with the AU and Development partners to ensure that Africa has a gender responsive peace and security strategy. Organizations such as the African Women's Development and Communication

183 Article 27 of the Maputo Protocol

184 9 Countries that have signed the declaration allowing NGO's and Individuals access to the court are: Benin, Burkina Faso, Côte d'Ivoire, Ghana, Malawi, Mali, Tanzania and Tunisia

185 Communication 323/06: Egyptian Initiative for Personal Rights and INTERIGHTS v Egypt available at http://www.achpr.org/files/sessions/10th-eo/communications/323.06/achpreos10_232_06_eng.pdf

186 Communication 341/07: Equality Now & Ethiopian Women Lawyers' Association v. The Federal Republic of Ethiopia available at https://www.escr-net.org/sites/default/files/caselaw/equality_now_ethiopian_w_omen_lawyers_association_decision_2007_0.pdf

187 For examples of progressive national decisions on women's rights in Africa see Center for Reproductive Rights (2017), 'Legal Grounds: Reproductive & Sexual Rights in Sub-Saharan African Courts' Volume III <https://www.reproductiverights.org/sites/crr.civicactions.net/files/documents/ONLINE-GLP-LegalGround.pdf>

188 http://www.achpr.org/files/instruments/general-comments-rights-women/achpr_instr_general_comments_art_14_rights_women_2012_eng.pdf

189 http://www.achpr.org/files/instruments/general-comments-rights-women/achpr_instr_general_comment2_rights_of_women_in_africa_eng.pdf

190 Visit: www.soawr.org

191 <http://www.genderismyagenda.com/>



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Network (FEMNET¹⁹²) have overtime mobilized African women to articulate their common agenda during various high-level intergovernmental processes such as the CSW, Beijing + 20 etc. while organizations like the African Women's Development Fund has supported women's movements in Africa through grant making. These are just a few examples of the magnitude of work that was carried out and the role that women's rights have played in shaping the women's rights agenda in Africa, Women have supported the work of AU Women, Gender and Development Directorate, African Commission, and the Special Rapporteur on Women's Rights in Africa to create tools and guidelines on various women's rights issues that have enriched the discourse on women's rights in Africa.

¹⁹² <http://femnet.org/>



5. OPPORTUNITIES FOR ACCELERATING THE IMPLEMENTATION WOMEN'S RIGHTS

Based on the above analysis and the discussions held at the Multi-Stakeholder Consultation that served as a background for this research, several opportunities were identified for actualizing women's rights on the continent. The discussion below lists the opportunities and the ways in which the opportunities could be actualized.

1. Strengthened role of existing institutions at continental and regional levels

Opportunity exists for increased engagement with existing institutions and mechanisms at continental and regional levels to effect change at the national level. Mechanisms such as African Governance Architecture (AGA), the African Peer Review Mechanism (APRM), the African Commission on Human and Peoples' Rights, The Special Rapporteur of Women's Rights in Africa, the African Court on Human and Peoples' Rights, and the Regional Economic Communities (RECs) compliment the work of the African Union and play a key role in the implementation of the gender equality and women's rights frameworks. These institutions play a crucial role in holding Member States accountable towards their gender equality and women's empowerment commitments and track country progress in the implementation of the AU Gender

architecture through examination of country periodic reports. Additionally, the reports from these regional institutions can be used to support advocacy for legislative and policy changes on the promotion and protection of women's rights at the national level.

2. Increased collaboration with national human rights and gender institutions and Commissions

The existence of National Human Rights and Gender institutions, including Commissions, in several African countries provide additional mechanisms for the implementation of women's rights nationally. These institutions work together with the existing gender machineries to consolidate efforts towards the protection of human rights and gender equality on the continent. They can develop capacity of local organizations on the AU framework on women's rights in Africa and monitor the application of women's rights and document violations against women and girls for legal, policy, and other actions.

3. Continental commitment towards strengthening research, data, and empirical evidence on women's rights in Africa

There is a need to strengthen the collection of empirical data on the progress of women's rights in Africa in line with the



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objectives set out in Agenda 2063 and the commitments made under the Maputo Protocol and the AU GEWE frameworks. The African Union Commission (AUC) with support from the United Nations Economic Commission for Africa (UNECA) developed the African Gender Scorecard¹⁹³, which provides progress updates on the implementation of gender equality, women's empowerment, and rights commitments in Africa. It aims at supporting African Union Member States identify gaps and accelerate implementation of the commitments. The Scorecard is a valuable tool for monitoring progress, identifying challenges and gaps in implementation of women's rights in Africa.

4. Increased collaboration between UN agencies, civil society, and private actors

Regional women's rights organizations and networks such as the Solidarity for African Women's Rights Coalition (SOAWR), The African Women's Development and Communication Network (FEMNET), Femmes Africa Solidarity (FAS) to name a few have been monumental in advancing women's rights in partnership with the various African Union Commission departments, in particular the African Union Women, Gender and Development Directorate (AUWGDD) and UN Women. These examples of partnership have created a bridge between the AU policy makers and African women across the continent providing a much-needed space for women, especially poor, marginalized and rural women, to speak

to their leaders and provide their input in the development of the continental agenda. These types of partnerships with civil society and private sector provide an opportunity for greater support to the African Union in achieving Agenda 2063 and accelerating the implementation of women's rights in Africa.

5. Litigation as a tool to advance women's rights in Africa

The establishment of the African Commission on Human and Peoples' Rights and the African Court on Human and Peoples' Rights provide important mechanisms for holding African Union Member States accountable for the protection and implementation of women's rights in Africa. Litigation including Strategic Litigation/Public Interest Litigation can be used to promote justice for victims of human rights violations and expand the jurisprudence on women's rights in Africa at national and regional levels. Litigation offers women a chance to access justice and equal treatment before the law as well as provide much needed guidance and opportunity to Member States on ways to address violations against women and girls.

6. Increased budgetary commitments

In July 2016, the African Union Heads of States and Governments adopted the Decision directing all African Union Member States to implement a 0.2% levy on eligible imports for financing the African Union. The aim of this new financing model is to enable the African Union to become more self-reliant and efficient

193 https://www.au.int/web/sites/default/files/documents/31260-doc-2015_auc_african_gender_scorecard_en.pdf



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in carrying out its mandate. In particular, the levy would provide resources for the Peace Fund, and other functions of the Union, and reduce dependency on partner funds for implementation of continental and integration programmes. This new financing structure can be used to support the Fund for African Women which aims to support projects at the national level designed to implement women's rights and provide adequate human and financial resources to enable stakeholders (for example women's organizations and gender institutions) to carry out their responsibility of promoting and tracking gender equality. UN Women's support to Member States for the development of gender responsive national development plans and sectoral plans is an opportunity that needs to be leveraged by stakeholders to support women's rights initiatives at the national level.

7. Integration of women's rights into the socio-political and economic sphere and discourse

The African Governance Architecture (AGA) offers an opportunity for integration of women's rights into all socio-political and economic discourses at the African Union level through engagement with the AGA secretariat which has facilitated continental dialogues and social mobilization through the engagement of women's organizations, civil society, youth, private sector, governments to build momentum and synergy around AU decisions on democracy, governance, and human rights in Africa. The AGA structure creates opportunity for ensuring

that women's rights are streamlined in all continental discussions on democracy, governance, and human rights in Africa. The African Union Commission holds annual dialogue on governance and democracy, thus providing a platform for engaging AU Member States on the implementation of women's rights. Additionally, ICT presents new opportunities for engaging a wider audience especially the youth. Social media provides an opportunity to engage with citizens and raise awareness on the AU commitments on gender equality in Africa.



6. CONCLUSIONS AND RECOMMENDATIONS

The framework of protection of women's rights in Africa across the international, regional and national levels is advanced. However, there is a scope for more coordinated engagement at the local, national and regional levels to ensure the effective protection of the rights of women. The need for education, social re-engineering and youth engagement in the promotion and protection of the rights of women persists. The level to which citizen's demand accountability must continually be scaled up. Citizens must be enabled to effectively assess the extent of AU Member States' compliance with the regional and international instruments on women's rights protection that they sign and ratify. It must however be noted that no matter the extent of engagement of civil society organizations and other non-state actors in women's rights protection, AU Member States remain key actors in advocacy, awareness, and monitoring. AU Member States also need technical support, which civil society organizations development partners can provide through coordinated action. The opportunities for coordination and partnership outlined above must therefore be seized to ensure that the full range of actors are able to effectively develop and use strategies underpinned on research to persistently challenge the status quo, and bridge the gap between laws and policies.

The desk research and multi-stakeholder consultations show that despite the gains made on women's rights especially the

robust legal and policy framework, their implementation at the national, regional and continental levels has been slow thereby failing to translate these rights into reality for women in Africa. In responding to the gaps, the following recommendations are made for prioritization by stakeholders:

Policy recommendations arising from this research and consultation:

The African Union, its organs and RECs should

- a.** Strengthen advocacy, monitoring and evaluation on the implementation of the AU framework for women's rights in Africa including conducting assessments and evaluations of the Maputo Protocol, SDGEA, AU Gender Policy and Action Plan, the Africa Women's Decade and develop follow up strategies to accelerate the implementation of women's rights in Africa.
- b.** Increase advocacy efforts targeting AU Member States to ratify, domesticate, and implement the Maputo Protocol without reservations.
- c.** Strengthen women's engagement with the African Union through the AGA platform, The African Union Commission (AUC) should accordingly ensure that women especially young women are actively engaged in Africa's wide dialogues on all aspects of democracy, governance, and human rights in Africa.



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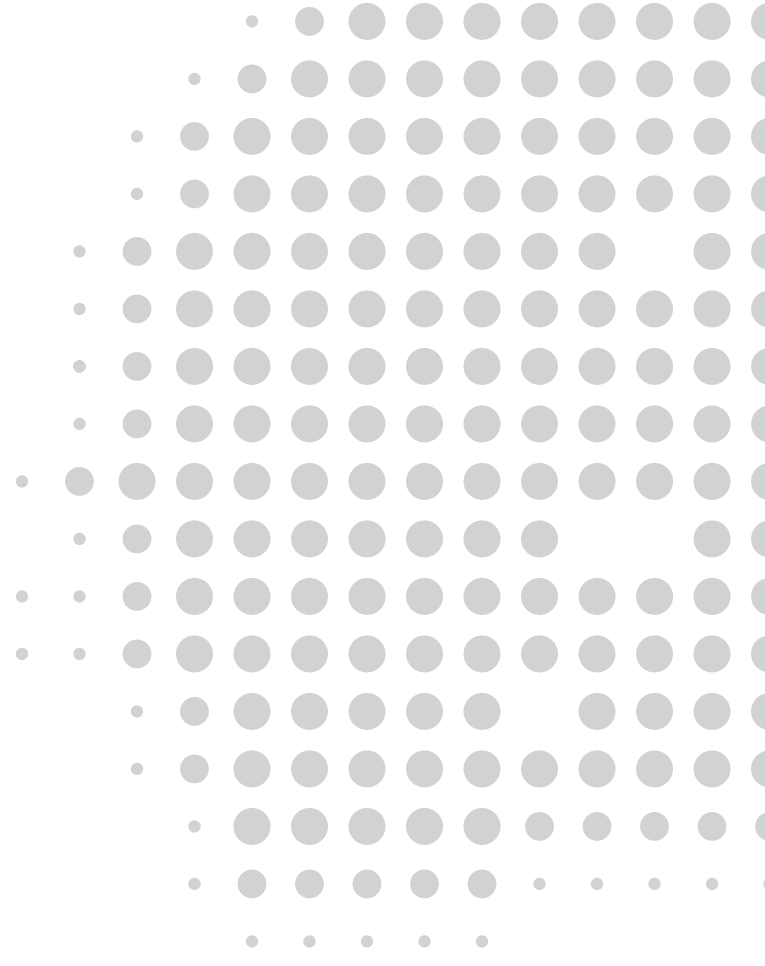
- d.** Design and develop in collaboration with stakeholders a new Gender Strategy that align AU commitments on women's rights in Africa, in particular the Maputo Protocol with Agenda 2063 and the Sustainable Development Goals (SDGs) to ensure that Africa's development agenda puts women's rights at the core of sustainable development.
 - e.** Facilitate learning between AU Member States, AU Institutions, RECs, the African Commission on Human and Peoples' Rights and the African Court on Human and Peoples' Rights through exchanges, sharing of best practices and development of strategies for scaling up successful actions on women's rights for greater impact across the African Continent.
 - f.** Enhance data collection, monitoring, analysis, and dissemination on progress around the implementation of women's rights.
 - g.** Encourage cooperation between UN and AU mechanisms, regional and national human rights mechanisms by establishing focal points, improving information sharing, cross referencing jurisprudence and recommendations of human rights mechanisms.¹⁹⁴
 - h.** Encourage strategic partnerships and collaboration with REC's, civil society, women's rights organizations, private sector, and voluntary sectors to implement women's rights and gender equality in all sectors.
 - i.** Reinforce the 2016 AU decision on Financing of the Union decision and allocate adequate resources to the African Fund for Women to support work on the implementation of women's rights in Africa.
- 1.** Member States of the African Union should:
 - a.** Ratify, domesticate, and implement the Maputo Protocol without reservations, and for those countries that have placed reservations, remove such reservations.
 - b.** Adopt gender responsive planning and budgeting to accelerate the implementation of the Maputo Protocol and all AU decisions on women's rights in Africa.
 - c.** Strengthen domestic and international resource mobilization and allocate resources to the implementation of women's rights taking into consideration the specific needs of women and girls in the country.
 - d.** Establish mechanisms for strengthening national institutions including national human rights institutions and gender commissions, to accelerate the implementation of women's rights.
 - e.** Undertake effective monitoring and evaluation of their initiatives and undertake research on the implementation of women's rights, identifying gaps and developing effective strategies for the implementation of women's rights
 - f.** Streamline reporting so that there is coherence in the commitments to the various human rights monitoring bodies and thereby allow Member States to better monitor the implementation of these treaties. This would by extension ease the work of the non-states actors who monitor government implementation of these commitments.

¹⁹⁴ https://au.int/sites/default/files/newsevents/workingdocuments/31637-wd-dialogue_experience-3.pdf



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- g.** AU Member States and development partners should ratify the African Union Charter on Statistics (2009) and implement the Africa Data Consensus (2015) that encourages African Union member states to create 'data communities' to enable open data sharing and bring together state and non-state actors to develop and disseminate data. The AU should continue to encourage Member States to invest in data collection, capacity building, and strengthen coordination between international, regional and national data collection processes.
 - h.** In collaboration with UN Women and civil society organizations, scale up the roll out of the Multi sectoral approach to accelerate the implementation of women's rights in Africa.
 - i.** Submit periodic reports on domestication and implementation of the Maputo Protocol in line with the African Charter on Human and Peoples' Rights.
- 2.** Development partners:
- a.** Increase budget allocations to AU Member States and women's rights organizations working on accelerating implementation of women's rights in Africa and strengthen the capacity of stakeholders to effectively mainstream women's rights.
 - b.** UN Women continue to support AU Member States to build national capacities on gender responsive planning and budgeting.
 - c.** Support through financial and other resources the development of a new Gender Strategy that aligns AU women's rights commitments with Agenda 2063 and the SDGs.
- 3.** Civil Society Should:
- a.** Develop strategies to place women at the center of the debate on human rights generally, and women's rights, including movement building and widespread awareness raising on women's rights targeted at women, so that women are able to fully appropriate themselves of their rights.
 - b.** Develop strategies to engage the youth, in particular to support young women leadership and ensure that young women are at the core of the debate and are supported and enabled to engage with AU structures to demand accountability from Member States.
 - c.** Ensure that boys and men are engaged in the debate on women's rights while being conscious that any debate on male engagement must address the nuanced gender power dynamics in society and ensure that male engagement does not remove women from the center of the debate and take away spaces for women to effectively debate and engage on their rights.
 - d.** Exploit new and traditional forms of media to raise awareness and engage citizens, especially women, to be at the forefront of advocating for the acceleration of the implementation of women's rights.







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