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**EXECUTIVE COUNCIL,  
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**EX.CL/789(XXIII)  
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**REPORT OF THE COMMISSION ON THE IMPLEMENTATION OF THE  
SOLEMN DECLARATION ON GENDER EQUALITY  
IN AFRICA (SDGEA)**

SC9658

EX.CL/789(XXIII)a

**EIGHTH REPORT OF THE CHAIRPERSON ON THE IMPLEMENTATION  
OF THE AU SOLEMN DECLARATION ON GENDER EQUALITY  
IN AFRICA (SDGEA)**

**LIST OF ACRONYMS AND ABBREVIATIONS**

<b>ACHPR</b>	<b>AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS</b>
<b>AFRICAN WOMEN'S RIGHTS PROTOCOL</b>	<b>THE PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA</b>
<b>AMU</b>	<b>ARAB MAGHREB UNION</b>
<b>AU</b>	<b>AFRICAN UNION</b>
<b>AUC</b>	<b>AFRICAN UNION COMMISSION</b>
<b>AWA</b>	<b>AIDS WATCH AFRICA</b>
<b>AWD</b>	<b>AFRICAN WOMEN'S DECADE</b>
<b>COMESA</b>	<b>COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA</b>
<b>EAC</b>	<b>EAST AFRICAN COMMUNITY</b>
<b>ECCAS</b>	<b>ECONOMIC COMMUNITY OF CENTRAL AFRICAN STATES</b>
<b>ECOSOCC</b>	<b>ECONOMIC, SOCIAL AND CULTURAL COUNCIL</b>
<b>ECOWAS</b>	<b>ECONOMIC COMMUNITY OF WEST AFRICAN STATES</b>
<b>FAWE</b>	<b>FORUM FOR AFRICAN WOMEN EDUCATIONALIST</b>
<b>FGM</b>	<b>FEMALE GENITAL MUTILATION</b>
<b>HIV/AIDS</b>	<b>HUMAN IMMUNODEFICIENCY VIRUS/ACQUIRED IMMUNE DEFICIENCY SYNDROME</b>
<b>ICCS</b>	<b>INTEGRATION CARE CENTERS</b>
<b>IGAD</b>	<b>INTERGOVERNMENTAL AUTHORITY ON DEVELOPMENT</b>
<b>IRC</b>	<b>INTERNATIONAL RESCUE COMMITTEE</b>
<b>NEPAD</b>	<b>THE NEW PARTNERSHIP FOR AFRICA'S DEVELOPMENT</b>
<b>PAP</b>	<b>PAN-AFRICAN PARLIAMENT</b>
<b>PRC</b>	<b>PERMANENT REPRESENTATIVES COMMITTEE</b>
<b>REC</b>	<b>REGIONAL ECONOMIC COMMUNITY</b>
<b>SADC</b>	<b>SOUTHERN AFRICA DEVELOPMENT COMMUNITY</b>

<b>SDGEA</b>	<b>SOLEMN DECLARATION ON GENDER EQUALITY IN AFRICA</b>
<b>SSA</b>	<b>SUB-SAHARAN AFRICA</b>
<b>TB</b>	<b>TUBERCULOSIS</b>
<b>UNAIDS</b>	<b>THE UNITED NATIONS BODY THAT COORDINATES GLOBAL RESPONSE TO HIV/AIDS</b>
<b>UNFPA</b>	<b>UNITED NATIONS POPULATION FUND</b>
<b>UN WOMEN</b>	<b>UNITED NATIONS ENTITY FOR GENDER EQUALITY AND EMPOWERMENT FOR WOMEN</b>
<b>VAW</b>	<b>VIOLENCE AGAINST WOMEN</b>
<b>WGDD</b>	<b>WOMEN, GENDER AND DEVELOPMENT DIRECTORATE</b>

## I. INTRODUCTION

1. This eighth annual report is being submitted pursuant to the obligation under Article 13 of the Solemn Declaration on Gender Equality in Africa (SDGEA) which enjoins the Chairperson of the Commission to submit an annual report for the consideration of the Heads of State and Government on measures taken to implement the principle of gender equality and gender mainstreaming at national, regional and continental levels.

2. Fourteen country reports were received for consideration in the eighth annual report on the SDGEA namely, Algeria, Botswana, Cameroon, Guinea, Madagascar, Mauritania, Nigeria, Rwanda, Saharawi, Senegal, Sierra Leone, Sudan, Uganda, and Zambia. While the Chairperson's report provides an overview of the status of African women and girls in 2012, a synthesis report is included reflecting progress countries have made including mention highlight of best practices and other interesting experiences shared by these countries.

3. **To date, 13 countries have not yet reported on the implementation of the SDGEA: these are Angola, Cape Verde, Central African Republic, Comoros, DR Congo, Eritrea, Kenya, Malawi, Mozambique, Sao Tome and Principe, Somalia, Guinea Bissau and South Sudan.**

4. As in the previous years, the eighth report is concisely presented including an Executive Summary . Furthermore, this report builds on what was reported in previous last year. The report covers Article by Article of the SDGEA.

## II. PROGRESS MADE BY AFRICAN UNION COMMISSION ON THE IMPLEMENTATION OF SDGEA ARTICLES

5. The Chairperson's Report focuses on Articles 2,4,5,6,9,10 and 11 namely: Article 2: Peace and Security, Article 4: Violence Against Women, Article 5: Gender Parity, Article 6: Women's Rights, Article 9: Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, Article 10: Establish an AIDS Watch Africa (AWA), and Article 11: Establish an African Trust Fund for Women.

### **Article 2: *Peace and Security***

6. African women play integral roles in peacemaking efforts, but are often left out of the peace making process. According to UN Women, less than three percent of the signatories to peace agreements globally are women. Conflicts continue to plague women's lives to a greater degree than other groups. Women and girls comprise half of the world's refugees, and as refugees, women are particularly vulnerable to sexual violence while living in resettlement areas.<sup>1</sup>

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<sup>1</sup> See <http://www.ifor.org/WPP/facts.htm>

7. In many African societies, women are the vehicles of a community or family's shame or honor. Rape as a tactic of war is effective because it undermines community structures. In tribal societies, leaders lose authority because they cannot protect the women.<sup>2</sup>

8. The UN Security Council Resolutions 1325<sup>3</sup> and 1820 remain evermore critical to addressing sexual violence and ensuring women play a significant role in conflict prevention and peace-making agreements. However, even with these resolutions in place, sexual violence still remains the least condemned war crime, according to UN Women. Rape remains a commonly used tactic in numerous conflicts in Africa. Member states are urged to make good on their deeds and develop plans to apply these UN Resolutions. To this end, the Commission has made good progress in the recruitment of Gender Expert at AU Liaison Offices to monitor the implementation of these resolutions by AU PSOs. Similarly, it has engaged APSTA members in the process of the AU PSOs training on gender by conducting a TOT for APSTA Members in August 2012. Furthermore, the implementation of AU Peace and Security Council Division of 223 and 269 Session continued to receive the Commission's attention.

#### **Article 4: Violence Against Women**

9. Violence against women is such widespread subject that often it goes unnoticed and unreported. In the International Rescue Committee's (IRC) 2012 report on domestic violence, "6 out of every ten women who come to the IRC in West Africa seeking assistance after experiencing violence are reporting violence at the hands of a partner or spouse".<sup>4</sup> Additionally, in many conflict plagued areas rape is used as a tool of war and major component of violence against women in African nations. Furthermore, the effects of gender biased violence do not end at the physical acts, but often permeate and manifest psychologically as well.<sup>5</sup>

10. Violence against women (VAW) remains rampant in Africa regardless of the efforts of national, local, and international support groups dedicated to assisting women's movement in African states. Many states have passed legislation designed to tackle issues surrounding VAW but have fallen short. For example in an African country, often a state considered to be a leader in Sub-Saharan human rights initiatives, two significant VAW legislation acts were passed: 1) the *Domestic Violence Act No 116 of 1998*, which protects victims, and 2) the *Criminal Law Act No 32 of 2007*, which punishes offenders. Although these laws were designed to combat VAW, courts have refused to enforce and abide by the laws and have chosen to insult or ridicule them. This is a trend seen in many African nations.<sup>6</sup> Additionally, in several African nations, VAW legislation has limited implementation for four specific reasons: 1) no

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<sup>2</sup>WuDunn, Sheryl and Kristoff, Nicholas D. *Half The Sky: Turning Oppression Into Opportunity for Women Worldwide*. First Vintage Books: New York. 2009. Pgs 81-87.

<sup>3</sup>UN Resolution 1325. [http://www.un.org/events/res\\_1325e.pdf](http://www.un.org/events/res_1325e.pdf)

<sup>4</sup>ICR 2012 report "Let Me Not Die Before My Time: Domestic Violence in West Africa." [http://www.rescue.org/sites/default/files/resource-file/IRC\\_Report\\_DomVioWAfrica.pdf](http://www.rescue.org/sites/default/files/resource-file/IRC_Report_DomVioWAfrica.pdf)

<sup>5</sup> See <http://www.womensrefugeecommission.org/programs/gender-based-violence>

<sup>6</sup>Mogale, Ramadimetja. "Violence Against Women in South Africa: Policy Position and Recommendations." *Violence Against Women* May 2012 vol. 18 no. 5. 580-594. Originally published online 22 July 2012 at: <http://vaw.sagepub.com/content/18/5/580.full.pdf+html>

accountability, 2) lack of sex education and preventative methods, 3) unfair bias and prejudices against women, and 4) difficulty in balancing the safety of researchers and participants with respects to cultural differences.<sup>7</sup>

11. Even with all these legislative difficulties, organizations, particularly NGO's and the United Nations are trying to help ease women's suffering in African countries. It is for this reason that the African Union Commission jointly with the UN Women and UN Agencies joined hands with Member States to Africanize the, the UN Secretary General's Global campaign to End Violence Against Women in Africa otherwise known as Africa UNiTE campaign. In March 2012, the African Union jointly with the UN Women organized the climb of Kilimanjaro on 8 March 2012 (International Women's Day) to advocate for zero tolerance on violence against women. It was attended by AU partners with the African Union Member States and the RECs. AU flag to the top of Kilimanjaro was carried by the AU staff, 1 from the Women, Gender and Development Directorate (WGDD) and 1 from the Peace and Security Department (PSD). In this campaign which contains a six part plan to assist African nations to fulfill their pledges to end violence against women and girls by 2015.<sup>8</sup> Programmes like UNiTE allow African states to use UN resources to specifically tailor homegrown.

#### Article 5: Gender Parity

12. As of 2012, women's political participation in Africa was on the increase. The accession to power of H.E. President Joyce Banda as the 2<sup>nd</sup> African Women Head of State and Government during the reporting period boosted hope to African women that they too can aspire for the higher office. However many challenges lay ahead. Variables related to political participation are included in how the Economist Intelligence Unit determines the Democracy Index.<sup>9</sup> While this would include both survey data from men and women, the Index provides a baseline for understanding the challenges women face in participating in the political processes across Africa. According to the Democracy Index 2011 report, while Northern Africa has seen benefits from the Arab spring, especially in Tunisia, several countries are still classified as "authoritarian" as they continue to display restrict political freedoms.<sup>10</sup> Meanwhile, Sub-Saharan Africa has made slow progressions, overall, in democracy scores – elections have increased and coups de tats are on decline – however, the Index shows that transitions of power are not always accepted, as witnessed in Kenya, Cote d'Ivoire and Zimbabwe and political participation and culture show weakness.<sup>11</sup>

13. Women's political participation in Africa has increased, in part, due to the use of the quota system.<sup>12</sup> Quotas across Africa can be constitutionally or legislatively

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<sup>7</sup> *Id.* at 588.

<sup>8</sup> UNiTE program. <http://www.africaunitecampaign.org/africa-unite/>

<sup>9</sup> Economic Intelligence Unit, The Economist, Democracy Index 2011: Democracy Under Stress (2011).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *About Quotas*, quotaProject, International IDEA, Stockholm University & Inter-Parliamentary Union, <http://www.quotaproject.org/aboutQuotas.cfm> (last visited Oct. 11, 2012); Division for the Advancement of Women of the United Nations Department of Economic and Social Affairs, United Nations Economic Commission for Africa & E-Network of National Gender Equality Mechanisms in Africa, Online Discussion on Women, Political Participation and Decision-Making in Africa (2007), *available*

mandated or voluntary.<sup>13</sup> Additionally, quotas are usually manifested in reserved seats in parliaments or inclusion of a minimum percentage of women on candidate lists.<sup>14</sup> The African Union, since its founding, has implemented a 50% quota for female representation at the topmost level of decision making in the African Union Commission.<sup>15</sup> According to the quota Project, 28 African countries currently implement some form of a gender quota.<sup>16</sup>

**14.** As of 30 September 2012, women composed 20.4% of national parliaments (single house or lower house) in Sub-Saharan Africa and 14.9% of national parliaments (single house or lower house) in Arab States (this region would include some non-African countries).<sup>17</sup> For Sub-Saharan Africa, the statistics rank it fifth out of eight regional averages (the Africa Progress Report for 2011 notes that “[w]omen’s representation in parliaments in Sub-Saharan Africa is now higher than in South Asia, the Arab states or Eastern Europe”).<sup>18</sup> For Arab States, this statistic ranks second-to-last.<sup>19</sup> Nevertheless, 7 African countries are ranked in the top 21 in the world for the percentage of women seated in the single house or lower house.<sup>20</sup> Rwanda continues to rank number one in the world with 45 of 80 seats held by women (56.3%), Cape Verde the highest cabinet at 6% and Madagascar the highest women in civil service at 70% more accurately reflecting the population proportion of men to women.<sup>21</sup> Further, “North Africa saw women’s representation in single or lower houses increased from 9.0 per cent to 11.7 per cent between 2010 and 2011.”<sup>22</sup>

**15.** In addition to the implementation of quotas, women in Africa have played an important role in movements for independence, the Arab spring movements (protests and demonstrations), in advocating women’s rights in civil society organizations, in developing women’s sections and internal quotas within political parties, and in forming women-led political parties.<sup>23</sup> However, significant challenges remain. Many quotas fall

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<sup>13</sup><http://www.un.org/womenwatch/daw/TechnicalCooperation/docs/Online%20Discussion%20Report%20Africa%20FINAL.pdf>; United Nations Development Programme & National Democratic Institute for International Affairs, *Empowering Women for Stronger Political Parties: A Guidebook to Promote Women’s Political Participation* (2012), available at <http://www.undp.org/content/dam/undp/library/gender/gender%20and%20governance/EmpoweringWomenFor%20StrongerPoliticalParties.pdf>; *African Women and Political Participation Lecture*, H.E. Ellen Johnson Sirleaf, African Women’s Development Fund (Nov. 19, 2010), <http://www.awdf.org/browse/1416>.

<sup>14</sup>*About Quotas*, *supra* note 4; Online Discussion on Women, Political Participation and Decision-Making in Africa, *supra* note 4; *Empowering Women for Stronger Political Parties: A Guidebook to Promote Women’s Political Participation*, *supra* note 4.

<sup>15</sup>*Id.*

<sup>16</sup> Make Every Woman Count, Women’s Participation in Elections Across Africa 2011 (2012), available at [http://makeeverywomancount.org/images/stories/documents/MEWC\\_WomenPoliticalParticipationMonitoringReport\\_2011.pdf](http://makeeverywomancount.org/images/stories/documents/MEWC_WomenPoliticalParticipationMonitoringReport_2011.pdf).

<sup>17</sup>*Gender Quotas Around the World*, quotaProject, International IDEA, Stockholm University & Inter-Parliamentary Union, <http://www.quotaproject.org/> (last visited Oct. 11, 2012).

<sup>18</sup>*Women in Parliaments: World and Regional Averages*, Inter-Parliamentary Union, <http://www.ipu.org/wmn-e/world.htm> (last visited Oct. 11, 2012).

<sup>19</sup>*Id.*; Make Every Woman Count, Women’s Participation in Elections Across Africa 2011, *supra* note 7.

<sup>20</sup>*Women in Parliaments: World and Regional Averages*, Inter-Parliamentary Union, <http://www.ipu.org/wmn-e/world.htm> (last visited Oct. 11, 2012).

<sup>21</sup>*Women in Parliaments: World Classifications*, Inter-Parliamentary Union, <http://www.ipu.org/wmn-e/classif.htm> (last visited Oct. 11, 2012).

<sup>22</sup>*Id.*

<sup>23</sup> Women’s Participation in Elections Across Africa 2011, *supra* note 7.

<sup>24</sup> Online Discussion on Women, Political Participation and Decision-Making in Africa, *supra* note 4; *Empowering Women for Stronger Political Parties: A Guidebook to Promote Women’s Political Participation*, *supra* note 4; *African*

well short of the actual proportion of men to women in the population; there are also concerns that quota laws are not always enforced.<sup>24</sup> Violence against female protesters in the Arab spring movements continues.<sup>25</sup> While educational opportunities for females have improved, more needs to be done.<sup>26</sup> Female candidates often do not receive the support of male candidates, including “unequal access to campaign resources, media coverage and public exposure.”<sup>27</sup>

### Progress on Article 5: Gender Parity in the African Union Organs

16. Table I<sup>28</sup> below offers the current picture with regards to gender parity within the AUC. Since the last report there has been an increase in women’s employment from 33% to 36%. Though the number of women employed has increased, the 50:50 parity has not been reached in the AUC.

**Table I: Ratio of Male and Female composition at the AUC**

Grade	Number			Rate (%)	
	Men	Women	Total	Men	Women
Chairperson	0	1	1	0	100
Deputy Chairperson	1	0	1	100	0
Commissioners	4	4	8	50	50
D1	14	6	20	70	30
P6	10	1	11	91	9
P5	39	15	54	72	28
P4	25	12	37	68	32
P3	94	74	20	79	21
P2	64	32	96	67	33
P1	11	2	13	85	15
GSA	95	100	195	49	51
GSB	127	28	155	82	18
<b>Total</b>	<b>484</b>	<b>275</b>	<b>759</b>	<b>64</b>	<b>36</b>

The picture on numbers and percentages of men and women in AU organs 2012 (figures)

17. In order to establish the rank of women in the Commission, the WGDD undertook an internal exercise in which it was able to gather information on the level of women occupy in Commission in all ranks, namely; Executive (D1 and above) P1 – P6

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*Women and Political Participation Lecture, supra note 4; Make Every Woman Count, Women’s Participation in Elections Across Africa 2011, supra note 7.*

<sup>24</sup> *About Quotas, supra note 4; Online Discussion on Women, Political Participation and Decision-Making in Africa, supra note 4; Make Every Woman Count, Women’s Participation in Elections Across Africa 2011, supra note 7.*

<sup>25</sup> *Make Every Woman Count, Women’s Participation in Elections Across Africa 2011, supra note 7.*

<sup>26</sup> *African Women and Political Participation Lecture, supra note 4.*

<sup>27</sup> *Make Every Woman Count, Women’s Participation in Elections Across Africa 2011, supra note 7.*

<sup>28</sup> (Source: African Union: [www.africa-union.org](http://www.africa-union.org))

(Professional) and general staff (GS) and will present the results on the AUC consolidated Diversity Chart in the 9<sup>th</sup> report as this exercise is work-in-progress.

18. Table II<sup>29</sup> below provides the current situation regarding women's representation in the various AU Organs. The ACHPR continues to enjoy the highest number of women representation while all other Organs fall short of the 50:50 parity principle endorsed in the AU Consecutive Act. All the other Organs, including the Assembly (which is determined by outcomes of national elections), need to do better in increasing the number of women's representation to meet the required 50:50 parity.

**Table II: Ratio of Male and Female composition in AU Organs**

AU Organ and its other institutions	Number			Rate (%)	
	Men	Women	Total	Men	Women
Assembly	52	2	54	96	4
Executive Council	49	7	54	91	9
PRC	46	8	54	85	15
AUC	424	206	630	67.3	36
Peace and Security Council	13	2	15	87	13
PAP (Bureau)	3	2	5	60	40
ECOSOCC (Bureau)	12	8	20	60	40
The Court of Justice	9	2	11	82	18
African Commission on Human and People's Rights	4	7	11	36	64

**Table IV: Ratio of Male and Female composition in senior positions in the Regional Economic Communities**

No.	REC	Number			Rates (%)	
		Men	Women	Total	Men	Women
01	AMU	9	1	10	90%	10%
02	COMESA	9	4	13	69%	31%
03	EAC	5	1	6	83%	17%
04	ECCAS	4	1	5	80%	20%
05	ECOWAS	31	7	38	82%	18%
06	IGAD	8	0	8	100%	0%
07	NEPAD	7	1	8	88%	12%

<sup>29</sup> Source: African Union: [www.africa-union.org](http://www.africa-union.org)

08	SADC	2	2	4	50%	50%

**MEMBER STATES:**

**19.** During the presentation of the 7<sup>th</sup> report of the Chairperson, PRC requested the Commission to obtain statistics from Member States compliance with Parity principle at government level. This information is presented under table VII below.

**20.** The Commission has also updated statistics on women representation in National Parliaments to reflect changes in countries that underwent election . Table VI below provides the statistics on women's representation in Parliament in both lower/single and upper house/Senate in AU Member States. Countries are ranked according to their achievements with Rwanda still leading the continent and the world. Notable progress is noted in Senegal which jumped from position 14 to 3<sup>rd</sup> and Algeria which is now ranked 8<sup>th</sup> in Africa compared to its 44<sup>th</sup> position last year.

**TABLE IV 2012 AFRICA CLASSIFICATION AND COMPARISON WITH 2011 RANKING<sup>30</sup>**

African context			Lower or single House				Upper House or Senate			
Rank 2011	Rank 2012	Country	Elections	Seats	Women	% women	Elections	Seats	Women	% women
1	1	Rwanda	9 2008	80	45	56.30%	9 2011	26	10	38.50%
2	2	Seychelles	9 2011	32	14	43.8%	---	---	---	---
14	3	Senegal	7 2012	150	64	44.7%	8 2007			
3	4	South Africa <sup>1</sup>	4 2009	400	169	42.30%	4 2009	53	17	32.10%
4	5	Mozambique	10 2009	250	98	39.20%	---	---	---	---
6	6	United Republic of Tanzania	10 2010	350	126	36.00%				
7	7	Uganda	2 2011	386	135	35.00%	---	---	---	---
44	8	Algeria	5 2012	462	146	31.60%	12 2009	136	7	5.1%
8	9	Burundi	7 2010	105	32	30.50%	7 2010	41	19	46.30%
9	10	Ethiopia	5 2010	547	152	27.80%	5 2010	135	22	16.30%
16	11	Tunisia	10 2011	217	58	26.70%	---	---	---	---
10	12	South Sudan	8 2011	332	88	26.50%	8 2011	50	5	10.00%
13	13	Lesotho	5 2012	120	31	25.8%	6 2012	33	9	27.3%
11	14	Sudan	4 2010	354	87	24.60%	5 2010	28	5	17.90%

<sup>30</sup> Source – Inter-Parliamentary Union (IPU)

African context			Lower or single House				Upper House or Senate			
Rank 2011	Rank 2012	Country	Elections	Seats	Women	% women	Elections	Seats	Women	% women
12	15	Namibia	11 2009	78	19	24.40%	11 2010	26	7	26.90%
19	16	Malawi	5 2009	193	43	22.30%	---	---	---	---
15	17	Mauritania	11 2006	95	21	22.10%	11 2009	56	8	14.30%
17	18	Eritrea	2 1994	150	33	22.00%	---	---	---	---
18	19	Cape Verde	2 2011	72	15	20.80%	---	---	---	---
20	20	Mauritius	5 2010	69	13	18.80%	---	---	---	---
21	21	Sao Tome and Principe	8 2010	55	10	18.20%	---	---	---	---
32	22	Madagascar	10 2010	365	64	17.50%	10 2010	164	20	12.20%
52	23	Libya	7 2012	200	33	16.50%	---	---	---	---
24	24	Gabon	12 2011	114	18	15.80%	1 2009	102	18	17.60%
22	25	Burkina Faso	5 2007	111	17	15.30%	---	---	---	---
23	26	Zimbabwe	3 2008	214	32	15.00%	3 2008	99	24	24.20%
25	27	Cameroon	7 2007	180	25	13.90%	---	---	---	---
26	28	Djibouti	2 2008	65	9	13.80%	---	---	---	---
47	28	Somalia	8 2012	275	38	13.80%	---	---	---	---
27	29	Swaziland	9 2008	66	9	13.60%	10 2008	30	12	40.00%

African context			Lower or single House				Upper House or Senate			
Rank 2011	Rank 2012	Country	Elections	Seats	Women	% women	Elections	Seats	Women	% women
28	30	Niger	1 2011	113	15	13.30%	---	---	---	---
29	31	Sierra Leone	8 2007	124	16	12.90%	---	---	---	---
30	32	Chad	2 2011	188	24	12.80%	---	---	---	---
31	33	Central African Republic	1 2011	104	13	12.50%	---	---	---	---
34	34	Zambia	9 2011	157	18	11.50%	---	---	---	---
33	35	Togo	10 2007	81	9	11.10%	---	---	---	---
40	36	Cote d'Ivoire	12 2011	254	28	11.00%	---	---	---	---
n/a	36	Liberia	10 2011	73	8	11.00%	10 2011	30	4	13.30%
36	37	Mali	7 2007	147	15	10.20%	---	---	---	---
37	38	Equatorial Guinea	5 2008	100	10	10.00%	---	---	---	---
38	38	Guinea-Bissau	11 2008	100	10	10.00%	---	---	---	---
39	39	Kenya	12 2007	224	22	9.80%	---	---	---	---
35	40	Democratic Republic of the Congo	11 2011	492	44	8.90%	1 2007	108	5	4.60%
41	41	Benin	4 2011	83	7	8.40%	---	---	---	---
42	42	Ghana	12 2008	230	19	8.30%	---	---	---	---

African context			Lower or single House				Upper House or Senate			
Rank 2011	Rank 2012	Country	Elections	Seats	Women	% women	Elections	Seats	Women	% women
43	43	Botswana	10 2009	63	5	7.90%	---	---	---	---
45	44	Gambia	3 2012	53	4	7.50%				
46	45	Congo	7 2012	136	10	7.40%	10 2011	72	10	13.90%
48	46	Nigeria	4 2011	352	24	6.80%	4 2011	109	7	6.40%
49	47	Comoros	12 2009	33	1	3.00%	---	---	---	---
50	48	Egypt <sup>2</sup>	4 2011	508	10	2.00%	1 2012	180	5	2.80%
n/a	n/a	Guinea	---	---	---	---	---	---	---	---
n/a	n/a	Angola	---	---	---	---	---	---	---	---
n/a	n/a	Sahrawi Arab Democratic Republic								

\* Figures correspond to the number of seats currently filled in Parliament

1 - South Africa: The figures on the distribution of seats do not include the 36 special rotating delegates appointed on an ad hoc basis, and all percentages given are therefore calculated on the basis of the 54 permanent seats.

## The Judiciary

21. Following request from Member States to also provide disaggregated data on the implementation of Gender Parity in all levels of decision making, including for the judiciary, the AUC communicated with all Member States to provide the information. Unfortunately only 12 countries have done so, namely: Algeria, Cote d'Ivoire, Egypt, Ethiopia, Ghana, Guinea, Lesotho, Niger, South Africa, Togo, Tanzania and Zambia. Table V below is hence incomplete. The remaining Member States are urged to send their information for inclusion in the next report.

**TABLE V: NUMBER AND PERCENTAGE OF WOMEN IN THE JUDICIARY IN COMPARISON TO MEN**

No.	Country	Date of information	Number			Rates (%)	
			Men	Women	Total	Men	Women
01	Algeria	29 August 2012	2,585	1,690	4,275	60%	40%
02	Ethiopia	26 September 2012	111	23	134	83%	17%
03	The Gambia	n/a*	2	8	11	18%	82%
04	Ghana	17 September 2012	36	9	45	80%	20%
05	Guinea	2012	129	19	148	87%	13%
06	Nigeria	December 2011	633	200	833	76%	24%
07	Sahrawi Arab Democratic Republic	2012	150	80	230	65%	35%
08	South Africa	13 September 2012	1048	656	1704	62%	38%
09	Tanzania	2012	12	19	31	39%	61%
10	Togo	6 September 2012	254	29	283	90%	10%
11	Zambia	14 September 2012	757	132	889	85%	15%

\* source country report to CEDAW

**TABLE VI: NUMBER AND PERCENTAGE OF WOMEN IN GOVERNMENT IN COMPARISON TO MEN**

No.	Country	Number			Rates (%)		No	Country	Number			Rates (%)	
		M	F	Total	F	M			M	F	Total	F	M
01	Algeria	18	2	20	10%	90%	28	Libya	n/a	n/a	n/a	n/a	n/a
02	Angola	23	7	30	23%	77%	29	Madagascar	27	9	36	25%	75%
03	Benin	19	7	26	27%	73%	30	Malawi	n/a	n/a	n/a	n/a	n/a
04	Botswana	17	2	19	11%	89%	31	Mali	27	3	30	90%	10%
05	Burkina Faso	27	4	31	13%	87%	32	Mauritania	25	3	28	11%	89%
06	Burundi	12	9	21	43%	57%	33	Mauritius	22	2	24	8%	92%
07	Cameroon	36	5	41	12%	88%	34	Mozambique	n/a	n/a	n/a	n/a	n/a
08	Central Africa Republic	n/a	n/a	n/a	n/a	n/a	35	Namibia	19	5	24	21%	79%
09	Cape Verde	13	7	20	35%	65%	36	Niger	22	5	27	19%	81%
10	Chad	14	1	15	7%	93%	37	Nigeria	46	4	50	8%	92%
11	Cote d'Ivoire	34	6	40	15%	85%	38	Rwanda	18	8	26	31%	69%
12	Comoros	9	1	10	10%	90%	39	Sahrawi Arab Democratic Republic	20	4	24	17%	83%
13	Congo	34	4	38	11%	89%	40	Sao Tome & Principe	n/a	n/a	n/a	n/a	n/a
14	Djibouti	19	3	22	14%	86%	41	Senegal	24	7	31	23%	77%
15	Democratic Republic of Congo	34	3	37	8%	92%	42	Seychelles	14	2	16	12.5%	87.5%
16	Egypt	n/a	n/a	n/a	3.6%	n/a	43	Sierra Leone	21	3	24	12.5%	87.5%

No.	Country	Number			Rates (%)		No	Country	Number			Rates (%)	
		M	F	Total	F	M			M	F	Total	F	M
17	Equatorial Guinea	36	5	12%	41	88%	44	Somalia	9	2	11	18%	82%
18	Eritrea	n/a	n/a	n/a	n/a	n/a	45	South Africa	22	13	35	37%	63%
19	Ethiopia	29	6	35	17%	83%	46	South Sudan	28	6	34	18%	82%
20	Gabon	n/a	n/a	n/a	n/a	n/a	47	Sudan	66	4	70	6%	94%
21	The Gambia	12	6	18	33%	67%	48	Swaziland	14	5	19	26%	74%
22	Ghana	39	8	47	17%	83%	49	Tanzania	24	8	32	25%	75%
23	Guinea Bissau	n/a	n/a	n/a	n/a	n/a	50	Togo	24	7	31	23%	77%
24	Guinea	37	6	43	14%	86%	51	Tunisia	21	2	23	9%	91%
25	Kenya	33	6	39	15%	85%	52	Uganda	50	22	72	31%	69%
26	Lesotho	22	8	30	27%	73%	53	Zambia	17	4	21	19%	81%
27	Liberia	12	8	20	40%	60%	54	Zimbabwe	n/a	n/a	n/a	n/a	n/a

Source: (1) official government websites. Figures include only head of government and ministers; and (2) information provided by member states to the AUC.

## Article 6: Women's Human Rights

22. The 1993 Vienna UN Conference on human rights affirmed women's rights as human right. Yet the challenge of women enjoying their human rights is accentuated by lack of social economic and political empowerment while Article .... Of Protocol to the Charter of Human and People's Rights on the Rights of Women in Africa provides the platform for women to enjoy their rights. However, these rights are violated daily and governments have not been able to enforce them.

23. One of the major gender based violations of women's rights in African countries is rape. An AU Member State's eastern region has been described as a region with the worst and highest quantity of rape incidents in the world.<sup>31</sup> It is estimated that there are 200,000 surviving rape victims currently living in that region alone.<sup>32</sup> The number of rape incidents in other African countries is also alarming.<sup>33</sup> For example, in this Member State, 48 women are raped every hour.<sup>34</sup> Likewise, a woman in another AU Member State has a higher chance of being raped than learning how to read.<sup>35</sup> Rape is often used as weapon in war; for some soldiers women and their bodies are often viewed as spoil of war.<sup>36</sup>

24. Another human rights violation that greatly affects women in African is the frequency of domestic violence. According to the United Nations Office for Coordination of Humanitarian Affairs, seventy percent of women in Niger report being beaten or raped by their husband, father or brother.<sup>37</sup> However, women's human rights violations are not limited to rape and domestic violence. Across the continent, women are also forced to endure genital mutilation, human trafficking, forced marriages and unwanted pregnancies or limited access to adequate medical treatment.<sup>38</sup>

25. Female genital mutilation continues to be a major factor undermining young girls' development aside from violating their human rights. In the last report, the AUC reported 19 countries as having legislation to protect girls and women from this inhuman practice. We are pleased to acknowledge that Somalia has heeded to the Chairperson's call and it has outlawed the practice; in its new constitution The AUC further urges it to take this further in making the law operational and enforceable. This brings the total number of countries that have a law against FGM to 20. Another 8 countries (**Cameroon, the Democratic Republic of Congo, Gambia, Liberia, Mali, Nigeria, Sierra Leone and The Sudan**) are encouraged to work at criminalizing FGM and complement that with educational campaigns sensitizing the public against practicing it.

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<sup>31</sup> □ ^Prevalence of Rape in E.Congo Described as Worst in World.Washingtonpost.com (2007-09-09). Retrieved on 2011-10-01.

<sup>32</sup> Kira Cochrane talks to filmmaker Lisa F Jackson on her documentary about rape in the Congo. Film.guardian.co.uk. Retrieved on 2011-10-01.

<sup>33</sup> ^Kira Cochrane talks to filmmaker Lisa F Jackson on her documentary about rape in the Congo. Film.guardian.co.uk. Retrieved on 2011-10-01.

<sup>34</sup> <http://storify.com/Malia/women-s-rights-being-abused>

<sup>35</sup> ^Carolyn Dempster (9 April 2002)."Rape - silent war on SA women".*BBC News*. Retrieved 11 December 2011.

<sup>36</sup> <http://www.economist.com/node/17900482>

<sup>37</sup> United Nations Office for the Coordination of Humanitarian Affairs. 2007. The Shame of War: Sexual Violence Against Women and Girls in Conflict. Kenya: United Nations OCHA/IRIN.

<sup>38</sup> <http://www.amnestyusa.org/our-work/issues/women-s-rights/violence-against-women>

### **Article 9: Protocol to the Charter on Human and Peoples' Right on Role of Women in Africa**

26. Since the Protocol to the Charter on Human and Peoples' Right on Role of Women in Africa was adopted in 2003 and after its subsequent entry into force amazing progress has been made in its ratification as evidenced by that its accelerated ratification that has brought the total number of Member States that have ratified to 36. In the last one year 4 Member States have ratified. The Protocol namely Guinea Conakry, Kingdom of Swaziland, Malawi and marking the highest number of ratification in any one year since the protocol entered into force. This is very encouraging and has provided a solid basis for the Commission to focus on Domestication and Implementation of the protocol in the next strategic plan 2014 – 2017.

27. As the Protocol makes its 10<sup>th</sup> Anniversary next year (2014) the speed of ratification is expected to maintain the Republic of Malawi has expressed its willingness to Host the Protocol's 10<sup>th</sup> Anniversary and the Commission has started preparation.

### **Article 9: Protocol on the Rights of Women in Africa**

28. Out of the 54 member states 36 have ratified the African Women's Rights Protocol. The latest being the Republic of Cameroon, the Republic of Congo, the Republic of Guinea the Kingdom of Swaziland. The Chairperson commends these countries for their commitment to the human rights of women and urges the remaining 17 countries listed below to expedite their ratification prior to the 10<sup>th</sup> anniversary date of the adoption of the Protocol, i.e. 11 July 2013. The eighteen countries are: **Algeria, Botswana, Burundi, Central African Republic, Chad, Egypt, Ethiopia, Eritrea, Madagascar, Mauritius, Niger, Sahrawi Arab Democratic Republic, São Tomé and Príncipe, Sierra Leone, Somalia, South Sudan, The Sudan, and Tunisia.**

29. Several countries, notably **Benin, The Gambia, Kenya, Namibia, Rwanda, South Africa, Togo, Uganda and Zambia**, have embraced a multi-sectoral framework approach to implement their obligations under the Protocol. The Commission commends their initiative and looks forward to capturing their experience and lessons learned in the next annual report on implementation of the SDGEA. Other Member States that are state parties to the Protocol are urged to consider using the multi-sectoral framework approach thereby ensuring all sectors of government are participating and that commitments are translated into real action.

### **Progress on Article 10: Establish an AIDS Watch Africa (AWA)<sup>39</sup>**

30. In the last ten years the number of annual new HIV infections has declined by more than 25% in 22 African countries in the last decade and access to antiretroviral treatment in Africa has significantly increased - the number of Africans on treatment has

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<sup>39</sup> Source: AUC Social Department

increased 100-fold in comparison to a decade ago. To consolidate this impressive progress and build on earlier commitments (the 2001 Abuja Declaration and the 2010 Kampala Declaration), in July 2012 the AUC launched a Roadmap (2012-2015) for shared responsibility and global solidarity to tackle AIDS, TB and Malaria in Africa. The Roadmap has three key pillars: (a) More diversified, balanced and sustainable financing models; (b) Access to medicines – local production and regulatory harmonization, and (c) Leadership, governance and oversight for sustainability.

**31.** At its 19<sup>th</sup> Ordinary Session (July 2012) the AU Assembly, in a declaration it adopted, **recommitted** to implementation of earlier commitments to ensure universal access to HIV/AIDS, TB and Malaria services in Africa, **endorsed** the report and recommendations on the future direction of AWA (2012-2015) and the accompanying Roadmap and **decided** to fully incorporate the AWA Secretariat into the structures and regular budget of the African Union Commission from 2013 onwards. The AUC is working on the implementation of this decision and Member States are urged to mobilize leadership at all levels to implement the Roadmap.

### **Progress on Article 11: Establish an African Trust Fund for Women**

**32.** The Fund for African Women is operational since May 2011 serving as vehicle to mobilize financial resources to support development programs and projects for women through five main objectives:

- To support women initiatives to fight poverty with a view to closing the gender gap and halting their marginalization;
- To share experiences and best practices on economic, political and social empowerment of women;
- To facilitate the dissemination of information on the activities of African Women;
- To strengthen the capacities of African women in leadership, management and entrepreneurship.

**33.** Beneficiaries of the Fund are predominantly grassroots or urban and marginalized African communities and support is channeled to them through AU member state, and African women civil society organizations. The AUC receives proposals annually on a defined theme that corresponds to the theme of the African Women's Decade (AWD) and processes that are inclusive with broad representation. The Commission scrutinizes the applications (using a criteria approved by ministers) and recommends to the relevant Committees put in place by AU Ministers of Gender and Women's Affairs. To-date 53 project proposals for 2011 were approved and funds disbursed for the 2011 AWD theme of Women's Health, Maternal Mortality and HIV/AIDS.

**34.** For the 2012 on the Theme of Agriculture, Food Security and Environment 140 project proposals have been submitted by Member States and are being processed. The proposals were reviewed by relevant committees in November 2012 and qualifying projects recommended for approval by AU Ministers of Gender and Women's Affairs. AUC anticipates that these proposals will be approved as early as possible in 2013 when the Ministers meet and funds disbursed soon thereafter.

**35.** A few challenges facing the Fund have been noted: (a) Member States are unable yet to contribute the total pledged 1% of their contributions to the AUC and this means limited resources at the disposal of the Fund; (b) Member States responses to the AUC needs to be boosted to ensure timely responses; and (c) the review process is considered cumbersome. AUC is working with Member States to address these challenges, while the Executive Council has taken a decision to fulfill the 1% commitment.

### **Progress on Article 13: Submission of Annual Progress Reports on SDGEA Implementation**

**36.** The AU Commission Chairperson has complied with the obligation to provide annual reports on the progress of implementation of commitments made under the SDGEA since 2006. This is the Chairperson's eighth report to the AU Assembly.

### **III. OVERVIEW OF ARTICLES NOT REPORTED ON**

**37.** Although this report does not Report on Articles 1, 3, 7 and 8, it provides an overview of these Articles below.

#### **Article 1: *HIV/AIDS and Other Related Infectious Diseases***

**38.** Women in Africa are disproportionately affected by the HIV/AIDS epidemic. Research shows that in sub-Saharan Africa (SAA), 57% of all HIV-positive adults are women, and 75% of youth living with AIDS are women and girls.<sup>40</sup> This number has increased in the last ten years.<sup>41</sup> A contributing factor is that women enter the institution marriage already disadvantaged by discrimination, gender insensitive, cultural and traditional practices including early ages, which sometimes strips women of opportunities to engage in formal education, thus, limiting access to information pertaining to reproductive health service and rights.<sup>42</sup>

**39.** The stigma attached to women living with HIV/ AIDS has recently become more prevalent amongst African countries and plays a significant role in the cycle of poverty and oppression:

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<sup>40</sup>Kalipeni E: Health and disease in southern Africa: a comparative and vulnerability perspective. *Soc. Sci. Med.* 50(7), 965–983 (2000).

<sup>41</sup>World Health Organization statistics. See [http://www.who.int/gender/hiv\\_aids/en/](http://www.who.int/gender/hiv_aids/en/)

<sup>42</sup>Ghosh J, Wadhwa V, Kalipeni E: Vulnerability of youth to HIV/AIDS in India: special reference to female slum youth. *Soc. Sci. Med.* (2008) (In Press).

“In the end, stigma and discrimination continue to undermine prevention, treatment and care of people living with the HIV and AIDS. It hinders those with the virus from telling their partners about their status. It threatens their access to health care. It increases their vulnerability to physical violence. And HIV-related stigma affects people’s ability to earn a living, making it even more difficult for them to lift themselves out of poverty.”<sup>43</sup>

**40.** Organizations like UNAIDS and UN Women have recently partnered to examine ways to combat the stigmatization of women infected with the virus. This collaboration will be especially beneficial for African countries where the HIV/AIDS has affected high percentages of the population. The collaboration will focus on “examining the intersections between HIV and violence against women; integrating gender equality into national HIV planning; and using strategies that promote the leadership and participation of women living with HIV, and women affected by HIV, in decision-making.”<sup>44</sup> AWA should benefit from initiatives of this nature and be re-charged to deliver on its mandate.

### **Article 3: *Child soldiers and abuse of the girl child***

**41.** The use of children soldiers worldwide continues to remain a major global problem.<sup>45</sup> Despite continued and concerted efforts of the international community and national governments to eradicate the practice, countries such as Chad and Democratic Republic of Congo, still lack laws preventing recruitment of soldiers below 18 years of age.<sup>46</sup> Advocacy efforts and calls urge the local and international stakeholders to redirect their efforts toward root causes of the problem such as identifying and reducing risks of child-soldiers recruitment.<sup>47</sup> Too often however, the gender differences between the children and the ensuing differential impact are overlooked.<sup>48</sup> In addition to traditional soldier roles and those characteristic to women’s roles, the girl child soldiers are forced into sexual slavery, unwanted marriages, and unwanted pregnancies, which have long term detrimental impact on their recovery and reintegration in society. Consequently, there have been numerous cases where former girl child soldiers have been excluded from rehabilitation programmes, precisely because of such non-consensual changes in their social status.<sup>49</sup> Cultural stigmatization and fear of rejection have been by far the greatest obstacles for former girl soldier’s participation in

<sup>43</sup> International Center for Research on Women. <http://www.icrw.org/what-we-do/hiv-aids/stigma-discrimination>

<sup>44</sup> UN Women and UNAIDS.

[http://www.unaids.org/en/media/unaids/contentassets/documents/pressrelease/2012/06/20120605\\_PR\\_UNWomen\\_en.pdf](http://www.unaids.org/en/media/unaids/contentassets/documents/pressrelease/2012/06/20120605_PR_UNWomen_en.pdf)

<sup>45</sup> See <http://www.hrw.org/news/2012/03/12/child-soldiers-worldwide>

<sup>46</sup> See <http://www.ohchr.org/EN/NewsEvents/Pages/News.aspx?NewsID=12345>; see also *Louder Than Words: An agenda for action to end state use of child soldiers*, a publication of Child Soldiers International, marking the tenth anniversary of the entry into force of the Optional Protocol of the Involvement of Children in Armed Conflict (OPAC), Appendix II (pg. 142), October 8, 2012, available for download at: [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562)

<sup>47</sup> *Id.*; See also Lysanne Rivard, *Child Soldiers and Disarmament, Demobilization, and Reintegration Programs: The Universalism of Children’s Rights vs. Cultural Relativism Debate*, Journal of Humanitarian Assistance, 2010, available at <http://sites.tufts.edu/jha/archives/772>

<sup>48</sup> See [http://www.unicef.org/education/files/EEPCT\\_Peacebuilding\\_CaseStudy\\_SierraLeone.pdf](http://www.unicef.org/education/files/EEPCT_Peacebuilding_CaseStudy_SierraLeone.pdf) and

<http://www.crin.org/docs/Angola%20Research%20Paper.pdf>, at p. 13, 16; Cassandra Clifford, *The Forgotten Girl Soldier*, August 4, 2011, available at: <http://reliefweb.int/report/world/forgotten-girl-soldier>

<sup>49</sup> *Forgotten Casualties of War: Girls in Armed Conflict*, report published by Save the Children UK, 2005, available at [http://www.peacewomen.org/assets/file/Resources/NGO/HR\\_ForgottenGirls\\_SC\\_2005.pdf](http://www.peacewomen.org/assets/file/Resources/NGO/HR_ForgottenGirls_SC_2005.pdf)

programmes of demobilization, disarmament, and reintegration (DDR) and eventual return into their families and communities.<sup>50</sup>

**42.** On the other hand, successful practices of girl child soldier reintegration have been reported and are still being developed.<sup>51</sup> The International Rescue Committee in Sierra Leone successfully employed video technology to ease girls' anxiety about reuniting with their families and to sensitize communities as to the plight of girl soldiers ripped away from their families and homes. Girls and their families' messages of acceptance were filmed and used to sensitize the communities to the perspective of the returning girl soldier, who may also have children to raise and even a husband who forced her into marriage and non-consensual sex.<sup>52</sup>

**43.** Community sensitization to the girls' perspective has been a key component for successful Integration Care Centers (ICCs).<sup>53</sup> Theorists and advocates of cultural relativity approaches have also documented successful practices of dealing with the disastrous impact of child-use in armed conflicts, such as educational opportunities and professional training.<sup>54</sup> However, DDR programmes have been most successful when incorporating cultural idiosyncrasy, such as cleansing rituals and mediation rituals enhancing acceptance of the community.<sup>55</sup>

**44.** Initiatives to target the specific needs of the female population. These types of programmes have seen tremendous success in the developing world.<sup>56</sup>

### **Article 7: Rights to Land, Property and Inheritance**

**45.** Women produce 60% to 80% of the food in developing countries.<sup>57</sup> To place this statistic in the African context, consider Uganda where women are in charge of 85% of sowing and 98% of food transformation processes. In Africa women spend about 40 billion hours per year to fetch water.<sup>58</sup> Yet surprisingly more than 60% of women go hungry.<sup>59</sup> Hunger is a result of existing inequalities between men and women<sup>60</sup> at the household level. One such inequality that makes the inconsistency of "hungry farmers" possible is the issue of women's rights to land, property and inheritance.<sup>61</sup> According to the United Nations Centre for Human Settlement, "Women's rights in access to, control

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<sup>50</sup> *Id.*

<sup>51</sup> <http://www.rescue.org/program/building-future-former-child-soldiers-programs-glance>

<sup>52</sup> *Id.*

<sup>53</sup> Lysanne Rivard, *Child Soldiers and Disarmament, Demobilization, and Reintegration Programs: The Universalism of Children's Rights vs. Cultural Relativism Debate*, Journal of Humanitarian Assistance, 2010, available at <http://sites.tufts.edu/jha/archives/772>; see also note 5 supra.

<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

<sup>56</sup> See UNiTE program <http://www.africaunitecampaign.org/>

<sup>57</sup> Beatrice Costa, HER MILE: WOMEN'S RIGHTS AND ACCESS TO LAND. THE LAST STRETCH OF ROAD TO ERADICATE HUNGER (2010), available at [http://www.actionaid.it/filemanager/cms\\_actionaid/images/DOWNLOAD/Rapporti\\_DONNE\\_pdf/HerMile\\_AAItaly.pdf](http://www.actionaid.it/filemanager/cms_actionaid/images/DOWNLOAD/Rapporti_DONNE_pdf/HerMile_AAItaly.pdf).

<sup>58</sup> *Id.* at 2.

<sup>59</sup> *Id.* at 3.

<sup>60</sup> *Id.* at 6.

<sup>61</sup> *Id.*

over land, housing and property is a determining factor in women's overall living conditions, particularly in developing countries. Some would argue, it is the most critical factor in women's empowerment and their struggle for equality in gender relations."<sup>62</sup> Despite this statement, women rarely control the land they are working on or how they use the land's harvest.<sup>63</sup> Women own only 1-2 % of all titled land worldwide and are often denied the right to inherit land.<sup>64</sup> Again, using the example of Uganda, although 7% of women own land, women's right to land is "mainly considered a mere right of use, without the possibility to make decisions (on selling, hiring, changing its use)."<sup>65</sup>

**46.** Both customary and constitutional or statutory law can contribute to such disparity. In several Sub-Saharan African countries, women's access to land disappears in cases of absent male presence.<sup>66</sup> If a man takes another wife and cannot afford to support both wives, a married woman may be evicted from her marital home.<sup>67</sup> Often, when a man sells the family land and leaves for the city, women are left landless.<sup>68</sup> Similar customary systems of property tenure that tend not to grant gender equality in access to land account for at least 75% of the land in most African countries.<sup>69,70</sup> In the absence of statutory enforcement, such traditional practices, norms and power structures within the household and community dominate.<sup>71</sup> In addition, state actors' policies of forced evictions, resettlement schemes, slum clearance, development projects, and armed conflicts also lead to displacement and destruction of women's homes and communities.<sup>72</sup>

**47.** The inability to own land increases women's vulnerability to poverty and further discrimination.<sup>73</sup> Land "can serve as a base for food production and income generation, as collateral for credit and a means of holding savings for the future."<sup>74</sup> According to the Swedish International Development Cooperation Agency (SIDA), evidence demonstrates that women's rights to land "reduce domestic violence, that women who own land are more capable of exiting violent relationships and negotiating safe sex."<sup>75</sup> Exclusion of women from land ownership "pushes them towards the cities, where they often join the ranks of the increasing number of women headed households in slum areas."<sup>76</sup> In an East African country, over 25% of women slum dwellers migrated from

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<sup>62</sup> Nadia Steinzor, WOMEN'S PROPERTY AND INHERITANCE RIGHTS: IMPROVING LIVES IN A CHANGING TIME (2003), available at [http://pdf.usaid.gov/pdf\\_docs/PNADA958.pdf](http://pdf.usaid.gov/pdf_docs/PNADA958.pdf).

<sup>63</sup> *Id.* at v.

<sup>64</sup> *Id.*

<sup>65</sup> Costa, *supra* note 1, at 7.

<sup>66</sup> Marjolein Benschop, WOMEN'S RIGHTS TO LAND AND PROPERTY (2004), available at [http://www.unhabitat.org/downloads/docs/10788\\_1\\_594343.pdf](http://www.unhabitat.org/downloads/docs/10788_1_594343.pdf).

<sup>67</sup> *Id.*

<sup>68</sup> *Id.*

<sup>69</sup> Swedish International Development Cooperation Agency, QUICK GUIDE TO WHAT AND HOW: INCREASING WOMEN'S ACCESS TO LAND, available at

<http://www.oecd.org/social/genderequalityanddevelopment/47566053.pdf>.

<sup>70</sup> Benschop, *supra* note 10.

<sup>71</sup> *Id.*

<sup>72</sup> *Id.*

<sup>73</sup> Costa, *supra* note 1, at 5.

<sup>74</sup> Swedish International Development Cooperation Agency, *supra* note 13.

<sup>75</sup> *Id.*

<sup>76</sup> Benschop, *supra* note 10.

their rural homes because of land dispossession.<sup>77</sup> Finally, food security increases with the advent of women's rights to land.<sup>78</sup>

**48.** Notwithstanding African countries have that leadership in the issue of women's access to land and provides a wide range of best practices to learn from several African governments have made progress in the fight against unequal land distribution. In general, Mozambique, South Africa and Ghana have combated gender discrimination in land rights the most actively and adequately.<sup>79</sup>

**49.** Due to the deprivation of widow's land rights after the Rwandan genocide, Rwanda's civil code now allows widows to inherit property.<sup>80</sup> Recently, the Kenyan High Court validated gender equality found in the national Constitution, the African Charter and the UN Committee on the Elimination of Discrimination against Women.<sup>81</sup> Thus, the court disregarded traditional Maasai law, which would have prevented a daughter from inheriting from her father's estate.<sup>82</sup> Likewise the High Court in Botswana ruled in a landmark case supporting the notion that Botswana's customary inheritance law discriminated against women and so was unconstitutional.<sup>83</sup> In 2007, Sierra Leone approved two laws that advance women's rights to property and inheritance of material assets: the law on marriage registration and divorce, which permits women's acquisition and use of assets as individuals; and the law on the transfer of property, which allows women to inherit without the extended family's consent.<sup>84</sup> Finally, three years ago, Liberian President Sirleaf Johnson created a Land Commission that "suggest[s] modalities and tools to remove existing barriers to women's land ownership."<sup>85</sup> In essence, although there is gross disparity between the property rights of men and women, the African continent is taking note slowly, but surely.

### **Article 8: Education for Girls and Women**

**50.** Education is one of the strongest tools in breaking the cycle of poverty. In African countries, education is especially important to escape the cycle of poverty as well as to provide opportunities for growth and empowerment.<sup>86</sup> Historically women and girls have not had the same access to education as their male counterparts. It is also important to note that while the male breadwinner stereotype still exists, women headed households now dominate statistics across the continent. Furthermore, studies show that women who have an education and obtain employment give 90% of their earnings to their family, while men put 40% of their earnings to the family.<sup>87</sup> According to the United Nations Population Fund (UNFPA), "about two thirds of the illiterate adults in the world are female. higher levels of women's education are strongly associated with both lower

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<sup>77</sup> *Id.*

<sup>78</sup> Swedish International Development Cooperation Agency, *supra* note 13.

<sup>79</sup> Costa, *supra* note 1, at 6.

<sup>80</sup> Benschop, *supra* note 10.

<sup>81</sup> Costa, *supra* note 1, at 6.

<sup>82</sup> *Id.*

<sup>83</sup> <http://www.osisa.org/law/botswana/huge-boost-womens-rights-botswana>

<sup>84</sup> *Id.*

<sup>85</sup> *Id.*

<sup>86</sup> United Nations Population Fund, Gender Inequality. <http://www.unfpa.org/gender/empowerment.htm>

<sup>87</sup> Aid For Africa. <http://www.aidforafrica.org/girls/why-girls/>

infant mortality and lower fertility, as well as with higher levels of education and economic opportunity for their children.”<sup>88</sup>

**51.** Women who matriculate through the educational system are more likely to get married at a later age, which has a tremendously positive impact on female economic potential. They are also more likely to have fewer children; and because of their education, their children are projected to be healthier and have a higher chance to live past the age of five.<sup>89</sup>

**52.** Sub-Saharan African nations are struggling to educate women and girls. According to the Forum for African Women Educationalist (FAWE), this region has the “lowest rates of completion rates as well as the highest numbers of irregular patterns of school attendance.”<sup>90</sup> Additionally, in 54 African countries, fewer than fifty percent of female students complete primary school and a lower member enrolled in secondary school due to girls school dropouts. The United Nations Girls Education Initiative highlights that one of the best practices to educate girls in East Africa is to focus on “gender sensitization” which combats early childhood negative gender socialization that is harmful to girls. Another equally important element is to focus on transitioning girls into secondary school by providing substantial assistance while still in primary school.<sup>91</sup>

### **All Africa Progress on Article 12: Commitment to Annual Reporting**

**53.** The table below provides an overall picture of the status of reporting by Member States while the table that follows shows the frequency of reporting by Member States from the period 2006 to 2012. The results show that (a) 13 Member States have not submitted a report on the SDGEA, and (b) of the 41 Member States that submitted their reports most have reported only once, 21 have submitted 2-3 reports and only one has submitted more than three reports. This is a disturbing matter given that it has been 8 years since the adoption of the SDGEA. As the AU celebrates 50 years anniversary, the 13 Member States are particularly urged to submit their base report so that they are captured in the 10 year anniversary Report on SDGEA.

Countries that have reported to-date	Countries that have not reported
Algeria, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Chad, Congo, Cote d’Ivoire, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, The Gambia, Ghana, Guinea, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Namibia, Niger, Nigeria, Rwanda, Sahrawi Arab Dem Republic, Senegal, Seychelles, Sierra Leone, The	Angola, Cape Verde, Central African Republic, Comoros, DR Congo, Eritrea, Kenya, Malawi, Mozambique, Sao Tome and Principe, Somalia, Guinea Bissau and South

<sup>88</sup>United Nations Population Fund, Gender Inequality. <http://www.unfpa.org/gender/empowerment.htm>

<sup>89</sup>Aid For Africa. <http://www.aidforafrica.org/girls/why-girls/>

<sup>90</sup>Forum for African Women Educationalist.[http://www.fawe.org/activities/research/case\\_studies/index.php](http://www.fawe.org/activities/research/case_studies/index.php)

<sup>91</sup>United Nations Girls Education Initiative. <http://www.ungei.org/files/UNGEI-BROCHURE.pdf>

Sudan, South Africa, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe	Sudan
41	13

(Source: African Union: [www.africa-union.org](http://www.africa-union.org))

Year	Initial reports Submission	Second report Submission	Third report Submission	Forth Report Submission	Fifth Report Submission
<b>2006(2007 Summit) (9 Countries)</b>	Algeria, Burundi, Ethiopia, Lesotho, Mauritius, Namibia, Senegal, South Africa and Tunisia (9 countries)				
<b>2007(2008 Summit) (7 Countries)</b>	Burkina Faso, Cameroon, Cote d'Ivoire, Ghana, Mali, Nigeria, and Rwanda (7 countries)				
<b>2008(2009 Summit)(3 Countries)</b>	Niger, Zimbabwe (2 countries)	Senegal (1 country)			
<b>2009(2010 Summit) (23 Countries)</b>	Benin, Chad, Congo, Djibouti, Egypt, The Gambia, Gabon, Liberia, Libya, Seychelles, Swaziland, Togo and Uganda(13	Algeria, Burkina Faso, Chad, Ethiopia, Ghana, Lesotho, Mauritius, Namibia, Niger, Nigeria and	Burkina Faso, Chad, Mauritius and Senegal		

Year	Initial reports Submission	Second report Submission	Third report Submission	Forth Report Submission	Fifth Report Submission
	countries)	Togo (11 countries)			
<b>2010(2011 Summit)(3 Countries)</b>	Zambia (1 country)	South Africa and Rwanda (2 countries)			
<b>2011(2012 Summit)(8 Countries)</b>	Equatorial Guinea, Sahrawi Arab Democratic Republic, Tanzania (3 countries)	Congo, Zambia, and Seychelles (3 countries)	Namibia (1 country)	Senegal (1 country)	
<b>2012(2013 Summit)(14 Countries)</b>	Botswana, Guinea, Sudan (2 reports), Madagascar, Mauritania, Sierra Leone (6 countries)	Uganda, Cameroon, Sahrawi Arab Democratic Republic, Zambia (4 countries)	Rwanda, Nigeria, Algeria (3 countries)		Senegal (1 country)

(Source: African Union: [www.africa-union.org](http://www.africa-union.org))

#### IV. CONCLUSION

**54.** The AUC Chairperson commends Member States' efforts at implementing the SDGEA and for the good progress many are making to make the SDGEA a reality. As a result, some fundamental progress, notably an increase in women's political participation, is shaping up in the continent though some countries are doing better than others. As AUC continues to keep track of progress towards the main goal of the SDGEA, Member States are once again urged to take concrete actions that lead to honoring the commitments the Heads of State and Government made to African women. Member States ought to give special attention to Peace and Security (article 2), Child soldiers and abuse of the girl child (article 3); Violence Against Women (article 4), Women's Human Rights (article 6), Rights to Land, Property and Inheritance (article 7) and the Protocol on the Rights of Women in Africa (article 9).

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**SYNTHESIS OF REPORTS OF 14 MEMBER STATES ON THE  
IMPLEMENTATION OF THE AU SOLEMN DECLARATION  
ON GENDER EQUALITY IN AFRICA (SDGEA)**

**SYNTHESIS OF REPORTS OF 14 MEMBER STATES ON THE IMPLEMENTATION OF THE  
AU SOLEMN DECLARATION ON GENDER EQUALITY  
IN AFRICA (SDGEA)**

**I. INTRODUCTION**

1. The 2012 country reports on the African Union's Solemn Declaration on Gender Equality in Africa (SDGEA) is the seventh synthesis report on the gender equality instrument since reporting began in 2006. The thrust of the report is on the administrative and legal frameworks for the promotion of gender equality in each Member State that submitted its report for 2012, and the policies and programmes that have been formulated to ensure the implementation of the Articles of the SDGEA. The 2012 SDGEA synthesis report comprises of fourteen country reports namely from Algeria, Botswana, Cameroon, Guinea, Madagascar, Mauritania, Nigeria, Rwanda, Sahrawi, Senegal, Sierra Leone, The Sudan, Uganda and Zambia. The reports from Botswana, Guinea, Madagascar, Mauritania, Sierra Leone and The Sudan represent these countries initial periodic submissions. Cameroon, Sahrawi, Uganda and Zambia are reporting for the second time, while, Algeria, Nigeria and Rwanda are presenting their third periodic reports and Senegal its fifth country report.

2. Overall, 41 Member States have sent in their country reports, while 13 countries are yet to submit their initial periodic reports for analysis, as shown in the table below:

Countries that have reported to-date	Countries that have not reported
Algeria, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Chad, Congo, Cote d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, The Gambia, Ghana, Guinea, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Namibia, Niger, Nigeria, Rwanda, Sahrawi Arab Dem Republic, Senegal, Seychelles, Sierra Leone, The Sudan, South Africa, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia and Zimbabwe	Angola, Cape Verde, Central African Republic, Comoros, DR Congo, Eritrea, Kenya, Malawi, Mozambique, Sao Tome and Principe, Somalia, Guinea Bissau and South Sudan
41	13

Year	Initial reports Submission	Second report Submission	Third report Submission	Forth Report Submission	Fifth Report Submission
<b>2006 (2007 Summit) (9 Countries)</b>	Algeria, Burundi, Ethiopia, Lesotho, Mauritius, Namibia, Senegal, South Africa and Tunisia (9 countries)				
<b>2007 (2008 Summit) (7 Countries)</b>	Burkina Faso, Cameroon, Cote d'Ivoire, Ghana, Mali, Nigeria, and Rwanda (7 countries)				
<b>2008 (2009 Summit) (3 Countries)</b>	Niger, Zimbabwe (2 countries)	Senegal (1 country)			
<b>2009 (2010 Summit) (23 Countries)</b>	Benin, Chad, Congo, Djibouti, Egypt, The Gambia, Gabon, Liberia, Libya, Seychelles,	Algeria, Burkina Faso, Chad, Ethiopia, Ghana,	Burkina Faso, Chad, Mauritius		

Year	Initial reports Submission	Second report Submission	Third report Submission	Forth Report Submission	Fifth Report Submission
	Swaziland, Togo and Uganda (13 countries)	Lesotho, Mauritius, Namibia, Niger, Nigeria and Togo (11 countries)	and Senegal		
<b>2010 (2011 Summit) (3 Countries)</b>	Zambia (1 country)	South Africa and Rwanda (2 countries)			
<b>2011 (2012 Summit) (8 Countries)</b>	Equatorial Guinea, Sahrawi Arab Democratic Republic, Tanzania (3 countries)	Congo, , Zambia, and Seychelles (3 countries)	Namibia (1 country)	Senegal (1 country)	
<b>2012 (2013 Summit) (14 Countries)</b>	Botswana, Guinea, (2 reports), Madagascar, Mauritania, Sierra Leone and Sudan (6 countries)	Cameroon, Sahrawi Arab Democratic Republic, Uganda, Zambia (4 countries)	Algeria Rwanda, Nigeria, (3 countries)		Senegal (1 country)

## II. CONDENSED ANALYSIS OF SYNTHESIS REPORT

### ARTICLE I: HIV/AIDS AND OTHER RELATED INFECTIONS DISEASES

3. Out of 14 Member States that reported on the Solemn Declaration on Gender Equality in Africa (SDGEA), all except two reported on this Article namely, Algeria, Botswana, Cameroon, Republic of Guinea, Mauritania, Nigeria, Rwanda, Senegal, Sierra Leone, Sudan, Uganda and Zambia. Only Madagascar and Sahwrawi Arabi Republic did not report on this article.

4. From the analysis, Algeria and Rwanda demonstrated good practice with Algeria providing female HIV/AIDS patients with micro credit loans as part of government's gender equality programmes and Rwanda reducing HIV/AIDS prevalence from 10.8% in 2004 to 1.7 % in 2011 intervening findings in the Report.

5. Sudan's report shows that HIV/AIDS prevalence rate is higher among men than a woman which is reversed in other countries as women tend to have higher HIV/AIDS prevalence. Further research is needed to find out if women fear reporting or have limited access to VCT facilities on a non-HIV related report.

6. Zambia has a best practice of providing all pregnant mothers with Malaria drugs and insecticide treated bed nets and this too commendable as it reduces Maternal and clued morbidity and mortality.

7. Senegal's annual health budget of 10.4 per cent exceeds the 9 per cent recommended by the World Health Organisation (WHO) for the sector.

8. Most of the Member States that reported demonstrate Member States seriousness in tackling HIV/AIDS as they have put policies in place, are growing numbers of patients receiving ARV drugs and working hard to reduce PCMT in their countries.

## **ARTICLE 2: PEACE AND SECURITY**

9. Out of the 14 Member States that reported 11 countries namely, Algeria, Cameroon, Republic of Guinea, Madagascar, Mauritania, Nigeria, Rwanda, Sahrawi Arab Republic, Senegal, Sierra Leone and Uganda reported on this Article, while three (3) countries Botswana, Sudan and Zambia did not report on this commitment.

10. From the analysis, Algeria report shows that a Algerian woman, Mrs. Laila Zaroqi was appointed in August 2012 as Special Representative of the UN Secretary General for children in Armed Conflicts another Algerian women serves as Deputy Special Representative of the UN Secretary General in the DRC.

11. In Cameroon, women have been used as mediators in inter-ethnic conflicts to restore peace, social cohesion and harmony.

12. In the Republic of Guinea, women's organizations have organized sub-regional meetings, undertaken a needs assessment survey on women in conflict zone.

13. In Madagascar, the Association of Malagasy Female Artisans of Peace was established in 2010 to engage Malagasy women in the process of conflict resolution.

14. In Mauritania, since 2009, Mauritania has been implementing a pilot project entitled "conflict prevention" in the four agro-pastoral border regions. Under the project, advocacy, sensitization and capacity building programmes have been carried out for the benefit of 350 local stakeholders including local women leaders, NGO members and women in the management of community affairs.

15. The formation of a National Women's Network by female police officers within the Rwandan Police Force to address gender issues within the force and the nation, the mainstreaming of gender issues across all the sectors of Senegalese Armed Forces and Sierra Leone adoption National Action Plan on United Nations Resolutions 1325 and 1820 in 2010 are the best practices identified under this Article.

## **ARTICLE 3: CHILD SOLDIERS**

16. Seven (7) of the 14 reporting countries, Algeria, Cameroon, Guinea, Mauritania, Nigeria, Sierra Leone and Uganda made submissions on this Article, while Botswana, Madagascar, Saharawi Arab Republic, and the Sudan did not report at all and Rwanda, Senegal and Zambia had reported in earlier submissions.

17. In Republic of Guinea, 25,000 Child Soldiers recruited during the rebel attacks against the Republic of Guinea have been disarmed, demobilized and reintegrated.

## **ARTICLE 4: VIOLENCE AGAINST WOMEN**

18. All 14 reporting countries gave account of the activities that they have undertaken to protect women and girls from violence. The outstanding activities comprise Cameroon's inclusion of female genital mutilation and other traditional harmful practices among offences listed in the draft criminal code that is currently under review and Sierra Leone's Domestic Violence Act criminalises violence against women.

19. In Zambia, the Government adopted the Anti-Gender Based Violence Act.

#### **ARTICLE 5: GENDER PARITY**

20. All Member State who submitted their country report except Botswana made submissions on Article 5. Seven (7) of the 14 reporting countries namely, Algeria, Mauritania, Rwanda, Saharawi, Senegal, Sudan, Uganda, have adopted gender quota for women in politics ranging from 20%-50%. Rwanda is leading the global ranking of countries with women in electoral politics at 56.25%. However, Algeria's implementation of a gender quota, the increased the country's global classification in the Inter-Parliamentary Union's Women in National Parliaments from 122<sup>nd</sup> to 25<sup>th</sup> globally, first among Arab nations and 8<sup>th</sup> on the African continent. In Mauritania, the principal of establishing a national list of 20 women during parliamentary elections was adopted by both the ruling and opposition parties at the end of the political dialogue in October 2011.

21. The Sahrawi state has adopted a number of measures to ensure equality in the country's political landscape. These include the adoption of 50% to be filled by women without an election. Female representation in the People's Council is 99% and 100% in the Municipal Council.

22. In Sierra Leone, in 2008, a landmark appointment of a woman as Chief Justice in the history of the country was made.

#### **ARTICLE 6: WOMEN'S RIGHTS**

23. All reporting countries in this cycle stated the measures they have instituted to promote and protect the human rights of women. The best practices under this commitment include the Algerian Government's launch of two electronic websites as a gateway for the dissemination of information on women's human rights, Madagascar's abrogation of provisions in the penal code that are incompatible with CEDAW, *Mauritania's mobilisation of Islamic scholars to lift the country's general reservation on CEDAW and Senegal's harmonisation of its national laws with international and regional treaties that the country has ratified.*

#### **ARTICLE 7: RIGHT TO LAND, PROPERTY AND INHERITANCE**

24. Eleven (11) of the reporting countries Algeria, Botswana, Guinea, Madagascar, Mauritania, Nigeria, Senegal, Sierra Leone, Sudan, Uganda and Zambia reported on this Article, while Cameroon, Rwanda and Sahrawi Arab Republic made no new submission.

25. In relation to best practice, the Central Bank of Nigeria (CBN) has set up an entrepreneurship development centre to train women to enable them access credit and form cooperatives to improve their economic situations. Zambia has proposed a 30 per cent quota for women in the on-going Lands Act review including land in the rural areas.

#### **ARTICLE 8: EDUCATION**

26. Except the Saharawi Republic, all other countries reported on this Article. Algeria's outstanding example of allocating 22% its national budget to education, has put the country on track to achieve MDG 2 on Universal Primary education by 2015.

27. In Cameroon, 500 scholarships of excellence to the tune of 100,000CFA Francs were awarded to female students admitted to study engineering of higher technical courses in technical and professional educational institutions across the country.

28. The government of Sierra Leone initiated the girl-child education scheme in 2004. This project provides full scholarship to all girls who enter Junior Secondary School in the entire country.

29. In Sudan, the State has made consideration efforts to improve the standard of education by developing programmes for the education of the rural women and inclusion of gender in the school curricula.

30. Uganda Government introduced the Universal Post Primary and Technical Education Policy in 2007. Under this scheme free secondary education is provided by government.

31. In Zambia, the government has introduced a re-entry policy for girls who fall pregnant to go back to school and implementation of a revised curricula aimed at eliminating gender stereotyping and encourages boys and girls to progress in education.

#### **ARTICLE 9: PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLE'S RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA**

32. Eight (8) of the reporting countries have ratified the Protocol, this include Cameroon, Guinea, Mauritania, Nigeria, Rwanda, Senegal, Uganda and Zambia. Six countries have not yet signed and/or ratified the protocol. These include Algeria, Botswana, Madagascar, Sahrawi Arab Republic, Sierra Leone and Sudan.

### **III. COMPREHENSIVE SYNTHESIS REPORT OF MEMBER STATES ON THE IMPLEMENTATION OF THE SDGEA BY COUNTRY**

#### **A. THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA**

##### **Article 1- Article 1-HIV/AIDS and other Related Infectious Diseases**

33. Despite the low HIV/AIDS prevalence rate of 0.1 per cent, the Algerian Government has earmarked the fight against the disease as one of its national priorities and has in place special budgetary allocation for prevention and support to all sufferers of the disease. Two strategic frameworks for 2002-2006 and 2008-2012, and a programme of Action for follow-up and appraisal, were adopted as part of this effort.

34. 90 female HIV/AIDS patients have benefitted from micro-credit loans as part of the Government's gender equality and women's programme coordinated by the Ministry of Family and Women's Affairs and UN AIDS. Furthermore, Algeria's proposal on HIV/AIDS to the AU's Fund for African Women, an initiative of the African Women's Decade 2010 – 2020 was successful.

35. Algeria's free and compulsory TB vaccination for babies with a 90 per cent national coverage is one of the factors that have helped in the remarkable reduction in the rate of infection from 170 in the immediate post-independence period to between 37 and 40 cases for each 100,000 inhabitants. Added to this, the Government introduced two national programmes between 2000-2005 and 2011-2015 to curtail TB infection rate in the country.

## **Article 2: Peace and Security**

**36.** Mrs. Laila Zaroqi was appointed in August 2012 as Special Representative of the UN Secretary General for children in Armed Conflicts. Another Algerian woman serves as Deputy Special Representative of the UN Secretary General in the Democratic Republic of Congo (DRC).

## **Article 3: Child Soldiers**

**37.** The Algerian Government has ratified the African Charter on the Rights and Welfare of the Child and has developed a National Action Plan (2008 2015) (PNA) for its implementation. Also, the Government, in collaboration with UNICEF, adopted a National Strategy to combat violence against children.

**38.** The Penal Code was amended in 2009 to include law number 09-01 of 25<sup>th</sup> February, 2009 on human trafficking. Human trafficking is punishable by detention from five to fifteen years and a fine from J.D 500,000 to J.D 1,500,000 if it is committed against vulnerable children, especially mentally and physically handicapped individuals.

## **Article 4: Violence Against Women**

**39.** A National Strategy to combat Violence Against Women and Girls has been adopted. Since 2008, the Government in collaboration with civil society groups have celebrated the 16 Days of Activism on Violence Against Women as an awareness raising event. A photo-fair of drawings by children is part of the awareness campaign to sensitise them on the risks of violence against women and inculcate the principles of equality, tolerance and respect for each other.

**40.** Women and girls who are victims of violence and women in difficult situations are provided with psychological and medical support in specialised national centres by legal organisations and institutions responsible for the reintegration of the family. Civil society organisations provide counselling and advisory services to victims of violence. There are also national call centres (hotlines) at various state institutions.

## **Article 5: Gender Parity**

**41.** A legislative amendment incorporating Article 31 into the Constitution was adopted and Law No. 12-03 of 12<sup>th</sup> January 2012 enacted with a gender quota of between 30 -50 per cent, to increase women's political representation at all levels of governance. The law also states that political parties that do not comply with the regulation will be disqualified from the electoral process. The state is also proposing to provide financial support to parties that encourage women's participation, based on the number of women contestants on their lists. These reforms have increased women's participation in politics. In the legislative elections held on the 10<sup>th</sup> of May 2012, women won approximately one-third of the seats of the National People's Assembly i.e. lower chamber of parliament.

**42.** The successful implementation of the law increased Algeria's global classification in the Inter-Parliamentary Union's Women in National Parliaments from 122<sup>nd</sup> to 25<sup>th</sup>, thus, putting Algeria first among Arab nations and 8<sup>th</sup> on the African continent.

## **Article 6: Women's Human Rights**

43. The Algerian Government has put in place two electronic websites as a gateway for the dissemination of information on women's human rights and included principles such as tolerance, equality, respect for the others and the culture of peace in civic education as part of its efforts to strengthen national awareness on women's human rights.

44. Furthermore, the Algerian Government invited seven Special Rapporteurs from the Council of Human Rights to visit Algeria in 2011. Two delegations from the African Commission for Human and People's Rights visited Algeria in December 2009 and in December 2010, as part of its commitment to upholding human rights in the country.

## **Article 7: Right to Land, Property and Inheritance**

45. Women and men have the same rights to access credits from financial institutions. As a result, 61 per cent of micro-credit businesses are women-owned, and women have also benefitted from the Government's lowlands and land reclamation programme through concession allowing them to set up special farmer's cooperative with 99 year lease-holding. This has resulted in the increase of women farmers from 31,702 in 2007 to 42, 413 in 2012.

## **Article 8: Education**

46. Education is the centre-piece of Algeria's development and as such, the sector has the largest budgetary allocation of 22 per cent from the national treasury. As a result, the Government's target of achieving Goal 2 of the Millennium Development Goals (MDGs) by 2015 is highly possible. The gross percentage of school-going children aged 6 years old in the 2010-2011 academic year reached 98.16 per cent of whom 97.91 per cent were girls. Considerable improvement was also achieved in the overall enrolment rate in girls' education. For instance, girls' enrolment increased by 2.2 points at the secondary level, 0.8 points in Middle school and 0.6 points at the Primary school level. These increases contributed to girls' edging out boys in examination success rate including the Bachelors' Certificate (Senior Secondary) with an average of 38.65 per cent.

47. The Government's anti-literacy campaign is targeted at women and girls aged 15-49 years, especially those living in the rural areas. Following the Dakar plan of Action of 2000, the goal is to reduce illiteracy by 50 per cent by 2012 and to totally eliminate it by 2016. As part of this effort, the state allocated more than J.D 48 billion, employed 21,604 teachers between 2010-2011 and graduated 43,515 citizens of whom 36,857 were women aged 15-24 years.

## **Article 9: Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

48. The process for the finalisation of ratification of the Protocol has started.

## **B. REPUBLIC OF BOTSWANA**

### **Article 1: HIV/AIDS and other Related Infectious Diseases**

49. Botswana, like most countries in the Sub-Saharan African region has seen HIV & AIDS affect the nation as a gendered epidemic with the prevalence among women recording 20.4 % as compared to men's 14.2% in 2008. Key drivers of the epidemic include GBV including sexual abuse, substance abuse and Multiple and Concurrent Partnerships (MCPs); with men reporting

more sexual partners as compared to women. Among the young people, key drivers include low risk perception and intergenerational sexual relationships.

50. With the setup of the Botswana National AIDS Coordinating Agency (NACA), strides have been realised with regards to treatment, care and support. Through NACA most health facilities could provide Anti-Retroviral Therapy and PMTCT services. NACA also provided support to specific HIV programmes in Botswana.

51. NACA set up a Women Sector Strategic Plan that will guide the multi-sectoral and decentralised response for women and girls with regards to HIV & AIDS. This strategy is 3 pronged (Structural, Behavioural and Biomedical) and also handles cross cutting issues like Gender Mainstreaming.

#### **Article 2: Peace and Security**

52. No submission was made on this Article.

#### **Article 3: Child Soldiers**

53. No submission was made on this Article.

#### **Article 4: Violence Against Women**

54. A number of strategies have been utilised to address the escalating gender violence. Though useful, violence against women and girls is one area that still needs action. Botswana does not have a National Strategy to combat Violence Against Women and Girls as yet but the state does have a number of quasi-policy and legal documents that serve as blue print for dealing with some aspects of GBV in the country; these include the various international agreements Botswana is signatory to.

#### **Article 5: Gender Parity**

55. The state acknowledges the need for equal participation of women and men in decision making positions but however there has been a decline in women's political participation since 2002 from 18.2% to 7% in 2009. Nevertheless in the public sector there has been a slight improvement. There is more to be done so that the 50-50 parity is achieved.

#### **Article 6: Women's Human Rights**

56. The government has also put in place legal measures to eliminate all forms of discrimination against women and facilitate gender balance. These legal measures cover a number of issues including domestic violence, citizenship, property rights, marriage and power. However, there are still a number of challenges. Addressing these challenges hinge on institutional mechanisms, resources, authority and partnerships. There is therefore need to invest more in this regard.

#### **Article 7: Land, Property and Land Rights**

57. The state set up structures to support the economic empowerment women including legislation allowing them to own property including land. Much has been achieved through state and the CSO's especially empowering women and enabling them to procure land and houses.

## **Article 8: Education**

58. The enrolment of female students at primary and junior secondary school are usually high compared to male students but the number of female students who proceed to senior secondary school and tertiary institutions usually decline. This decline has attributed to poor performance by female students during the final exam and pregnancy, among others. It is also reported that in Vocational and Technical institutions female enrolment never exceeded 35%. The main reason was gender biased teaching materials, stereotyping and marriage.

59. However the government has set out as one of its main strategies to mainstream gender into all sections of the Education sectors to achieve gender equity in educational access, retention and gender sensitivity to enhance the quality of life of the students.

60. The CSO's have also been playing key roles in reaching out to female students including those that have dropped out due to various reasons. There has been some policy reviews and these have enabled many female students to enrol.

## **Article 9: Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

61. No submission was made on this Article.

### **C. REPUBLIC OF CAMEROON**

#### **Institutional Mechanisms for Promoting Women's Empowerment and Gender Equality**

62. A senior official was appointed as a Gender Focal Point to liaise with all Ministries, Departments and Agencies (MDA) and regularly updates the Prime Minister on their activities and propose measures as needed to speed up the Government's gender equality objectives, and the implementation of all Cameroon's international and regional commitments. Furthermore, the following Ministries - the Ministry of Economic Affairs, Planning and Regional Development (MINEPAT), the Ministry of Agriculture and Rural Development (MINADER), the Ministry of Public Health (MINSANTE), the Ministry of Livestock Development, Fisheries and Animal Industries (MINEPIA), and the Ministry of Tourism (MINTOUR) – are part of the Government's gender budgeting project. Additionally, a national gender disaggregated programme is being initiated to ensure the inclusion of gender-issues in national development planning.

#### **Article 1: HIV/AIDS and other Related Infectious Diseases**

63. In 2011, a total of two billion CFA Francs was allocated to strengthen the Prevention of Mother-to-Child HIV/AIDS Transmission (PTME). In addition, 9,366,031 Euros was allocated towards the prevention of HIV/AIDS, paediatric care for HIV/AIDS infected children, personnel training in family planning and obstetric diseases. As a result of the increasing budgetary allocation, the number of facilities dispensing services for PTME rose to 2,069 in 2010 from 1,159 in 2006, representing a geographical coverage of 99.4% and the number of HIV/AIDS patients on ARV increased from 28,403 in 2006 to 76,228 in 2009.

64. Malaria treatment is free for children aged 0 to 5 years. In furtherance of its campaign to reduce malaria, the Government has distributed eight million six hundred and fifty-four thousand, seven hundred and thirty-one (8,654,731) Long-Action Mosquito Treated Nets (MILDA) to individuals and families and community groups across the country.

## **Article 2: Peace and Security**

65. Internally, women have been used as mediators in inter-ethnic conflicts to restore peace, social cohesion and harmony. Trainings have also been provided for women to build their capacities in peace building activities.

## **Article 3: Child Soldiers**

66. The Government of Cameroon has taken preventive measures to combat the economic exploitation of children by signing the Multilateral Cooperation Agreement to Combat Trafficking in Persons especially Women and Children in West and Central Africa, the Resolution on Combating Human Trafficking and the African Youth Charter in 2009. The Government launched a national campaign to combat trafficking and sexual exploitation of children in February 2011.

## **Article 4: Gender-Based Violence**

67. A National Strategy on Violence Against Women was adopted in 2009. The strategy is currently being popularised and 13 hotlines to report cases of domestic violence are now in place. It is expected that the hotlines would reduce cases of domestic violence by at least 10 per cent a year as outlined by the Head of Government in the Road Map of the Ministry of Women's Affairs and the Family.

68. Female Genital Mutilation and other traditional harmful practices are among offences listed in the draft criminal code that is currently under review. A five-year plan to combat Female Genital Mutilation has been adopted and 6<sup>th</sup> February designated the "Day of Zero Tolerance Against Female Genital Mutilation" with emphasis on awareness-building and advocacy.

## **Article 5: Gender Parity Principle**

69. No submission was made on this Article.

## **Article 6: Women's Human Rights**

70. Between 2009 and 2010, a large number of law enforcement officers such as magistrates, bailiffs, solicitors, paralegals, journalists and investigating police officers were trained, in the implementation of Convention Eliminating all forms of Discrimination Against Women (CEDAW).

## **Article 7: Land, Property and Land Rights**

71. No new submission was made on this Article.

## **Article 8: Education**

72. The Government of Cameroon has adopted various policy measures to increase attendance, retention and completion rates for girls' at all levels of the educational system. At the primary school level, the state:

- provides free primary education primarily to the rural populations; and established Priority Education Zones (ZEP) to encourage girls to attend and stay in school;

- constructed 12,161 separate toilets in schools between 2009 and 2010;
- Introduced school feeding programmes and the provision of school supplies to motivate parents to send and keep their daughters in schools;
- in cooperation with PLAN Cameroon and UNICEF, 2,500 children of school going age were issued birth certificates;
- awarded scholarship to 2,600 girls in primary school;
- developed a Girls Education Strategy including the building of “Children and Girls Friendly Schools” with separate toilets in schools in the northern parts of the country; establishment of “Mothers-Pupils Association” with the responsibility to monitor the school attendance of primary school girls in the same area; and
- recruited 37,200 temporary teachers for primary level education between 2007 and 2009;

### **Secondary Education**

- 500 scholarships of excellence to the tune of 100,000 CFA Francs were awarded to female students admitted to study engineering or higher technical courses in technical and professional educational institutions across the country;
- 500 prizes of excellence of 150, 000 CFA Francs were awarded to the most deserving female students in technical and vocational studies; and
- Increased sensitisation of parents on the importance of education for girls.

### **Article 9: The Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa**

73. The Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa was ratified by Decree No. 2009/143 of 28<sup>th</sup> May 2009 and signed by the Cameroonian President.

### **D. THE REPUBLIC OF GUINEA**

#### **Institutional Mechanisms for Promoting Women’s Empowerment and Gender Equality**

74. The Guinean Constitution and the Ministry of Social, Women and Children Affairs are the primary mechanisms to promote women’s rights and gender equality.

#### **Article 1: HIV/AIDS and other Related Infectious Diseases**

75. A National AIDS Control Committee (CNLS) has been established to reduce the spread of HIV/AIDS. The Committee, which is multi-sectoral, comprises all the Ministerial departments, trade unions, non-governmental organizations (NGOs) and groups likely to contribute effectively to combat the pandemic. The prevalence rate is 2.8 per cent. Also, a national strategy and operational plan of action to combat the feminisation of HIV/AIDS is in place. A law ensuring the protection of HIV/AIDS sufferers from discrimination has been enacted.

**76. 72 of the 81 Operational Plans of Action of the Ministerial Departments have been financed whilst 29 of the Regional Aids Control Committees have been funded.**

77. Malaria poses grave danger to the health of pregnant women, nursing mothers and their new born babies. The Government has created awareness on the use of treated mosquito nets and ensured the availability of Nivaquine medicine in all health posts and centres in the country.

## **Article 2: Peace and Security**

78. The Government of Guinea, in pursuance of UN Resolution 1325, has encouraged and supported women's organisations working on peace and security issues such as the Network of Women Ministers and Parliamentarians, the Mano River Women's Peace Network and the Lansana Conte Foundation for Peace. Through this support, these organizations have organized sub-regional meetings, undertaken a needs assessment survey on women in conflict zones, trained and sensitized local women's groups in field advocacy and lobby techniques.

## **Article 3: Child Soldiers**

79. As part of its international obligations and national commitment against the recruitment and the use of children in armed conflicts, Guinea has signed and ratified all necessary regional and international conventions that protect children from all forms of violence.

80. In addition to these measures, the partnership between the Ministry of Women, Social, and Children's Affairs and SABOU-Guinea, an NGO in cooperation with GTZ has resulted in the disarmament, demobilisation and the socio-professional reintegration of 25 000 child soldiers recruited during the rebel attacks against the Republic of Guinea.

## **Article 4: Gender-Based Violence**

81. Guinean legislation, especially the penal code, specifies and prescribes punishment for various forms of physical and moral violations of women. In addition to a national sensitization campaign and training programmes for paralegals and social workers, the Government has developed a ten year strategic plan aligned to the global Plan of Action against harmful traditional practices and female genital mutilation (FGM); established 22 violence observatories in schools; recognises and celebrates 6<sup>th</sup> February as the International Day of Zero Tolerance Against FGM and established a National Committee on Human Trafficking and a sensitisation campaign to create awareness on the issue.

## **Article 5: Gender Parity Principle**

82. The principle of equality of the sexes is enshrined in Article 8 of the Constitution. Despite this commitment, women's representation in most decision making is abysmally low. For example, there are only 19.29 per cent of women in the National Assembly, 15.62 per cent in Cabinet, 8.57 per cent as Mayors, 26.15 per cent as deputy Mayors and 12.44 per cent as councillors.

## **Article 6: The Human Rights of Women**

83. The promotion and protection of the fundamental rights of women are among the priorities of the Government of the Republic of Guinea and as such, the country has adopted all

conventions and declarations on women's human rights. This action has been followed up with the submission of the country's initial and periodic reports to CEDAW and the CRC, the establishment of national and regional committees to monitor the implementation of CEDAW and the CRC, and the translation of CEDAW into national languages.

#### **Article 7: Rights to Land, Property and Inheritance**

**84.** Guinean women have equal rights to own and dispose of property as they wish, and they have inheritance rights also. The legal reforms, initiated since the beginning of the Second Republic, have strengthened women's property rights especially in access to housing and land.

**85.** In terms of women's access to credit, the Government, with the assistance of its development partners, has established various income-generating activities for women to increase their financial independence.

#### **Article 8: Education**

**86.** The Guinean Constitution states that education is a right to be enjoyed by all its citizens. In view of this commitment, the Government has adopted various sectoral policies such as the Adjustment Programme in the Education Sector PHASE I and II (1990 - 2001), the SRDP, the Implementation of the National Programme on Education for All (EFA) and the establishment of a National Commission for Basic Education for All (CONEBAT) and equity committees, to ensure that the rights and interests of girls and women are included in all educational programmes.

**87.** Additionally, the following strategies and programmes have been adopted to increase girls and women's education: the revision of curricula and textbooks containing discriminatory stereotypes; significant reduction in direct costs of schooling through grants and donations of books and school supplies to girls; the granting of scholarships and awards to encourage girls schooling, the construction of schools with separate latrines and water points for girls; and the launch of a comprehensive literacy programme involving more than 300,000 women across the country by MASPFE in collaboration with the EC-MEPU.

**88.** As a result of the above, the gross enrolment rate of girls in primary education increased from 70 per cent to 73 per cent between 2004 and 2005, boys rose from 83 per cent to 84 per cent in the same period. In high school, the proportion of girls is 137,619 against 278,092 boys, for the 2004-2005 school year.

**89.** The literacy rate of women, compared to men aged 15 and over, increased from 17.8 per cent to 41.9 per cent in 2003.

#### **Article 9: Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

**90.** The Republic of Guinea has ratified, without reservations, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women by law L/2004/018 November 2, 2004, and has also deposited its instrument of ratification with the African Union; and has not adhered to the Optional Protocol to CEDAW. In August 2005, the Ministry of Social Affairs, Promotion of Women and Children, in collaboration with UNICEF organized a series of regional workshops across the country to disseminate the Protocol.

## **E. REPUBLIC OF MADAGASCAR**

### **Institutional Mechanisms for Promoting Women's Empowerment and Gender Equality**

91. The Constitution and the laws of Madagascar prohibit gender discrimination in all spheres of life. The Ministry of Population and Social Affairs is responsible for women and gender issues.

92. A National Gender Policy (PNPF) promoting gender equality was adopted in 2000 and a National Strategic Plan for mainstreaming gender in all Government programmes, projects and institutions and a National Action Plan for Gender Development (*PANAGED*) were approved in 2001 and 2003 respectively to strengthen the country's gender equality architecture.

#### **Article 1: HIV/AIDS and other Related Infectious Diseases**

93. No new submission was made on this Article.

#### **Article 2: Peace and Security**

94. The Association of Malagasy Female Artisans of Peace was established in 2010 to engage Malagasy women in the process of conflict resolution, and to combat the struggle against violence women and girls. The main objective of the association is to disseminate information and carry out intense lobby for the implementation of the United Nations Security Council Resolution 1325 on Women, Peace and Security to complement the implementation of CEDAW.

#### **Article 3: Child Soldiers**

95. No new submission was made on this Article.

#### **Article 4: Violence Against Women**

96. In response to the Gender Policy of the Indian Ocean Commission (COI), national platforms against gender-based violence and a multi-Sectoral Action Plan to combat the scourge of violence in the society are currently in place in eight of the country's 22 regions. The Plan recommends comprehensive assistance to victims, a robust advocacy and sensitisation campaign to mobilise communities, including the young and the old, so that they subscribe to the initiative for preventing and reducing violence and provide a wide-ranging response to all forms of gender-based violence.

97. In response to the above initiative, the Ministry of Population and Social Affairs has been sensitising traditional leaders to secure their commitment to promote the rights of women and help prevent all forms of gender-based violence.

98. With respect to Malagasy female migrant workers who are victims of violence in countries such as Lebanon, the Ministry of Population and Social Affairs, in collaboration with the Ministry of Public Service, has repatriated them at the request of their families. The cost of repatriation is borne by the Presidency of the Republic; and there is the prohibition of women from travelling abroad to work without prior agreement between the host country and Madagascar.

#### **Article 5: Gender Parity Principle**

99. The 1992 constitution of Madagascar guarantees all fundamental rights to citizens of both sexes, including the right to vote and to stand for elections. The state has organised a series of leadership training workshops to sensitise women about their right to participate in public life. Women have participated actively in the country's electoral process as reflected in the following data - 1990: 10 females out of 137 Parliamentarians or 7.2%; 2001 : 10 female Senators out of 90 were elected; 2002 : 10 females or 6.25 females out of 160 Parliamentarians were elected; 2003 : 62 female Mayors out of the 1510 were elected; 2009 – 2012 : 65 females or 17 per cent of 365 Parliamentarians or 17% (Political transition period); 2009 – 2012: 9 or 26 per cent Female Ministers out of 34 were appointed.

100. During the last presidential elections, there were two female candidates, providing ample proof of the determination of women to accede to the highest elective office.

### **Article 6: Women's Human Rights**

101. To follow up on the Convention on the Elimination of All Forms of Discrimination Against Women (**CEDAW**) commitments, the Republic of Madagascar has prepared an information and education manual entitled: "Miralenta hoan'ny Fampandrosoana" (Gender Equality for Development) to gradually eliminate the harmful effects of some customary practices that discriminate against women.

#### ➤ **Legislative measures**

102. **Marriage** - Act n° 2007-022 of 20/08/2007 on marriages harmonises legal minimum age of marriage at 18. However, before the attainment of the minimum legal age and for very sound reasons, legal authorities may authorise a marriage with the express consent of the child to be married. Women have the right to pass on citizenship rights to their children. Review of the code on marriage and matrimonial regimes is being carried out, in collaboration with the Ministry of Justice.

103. **In the Event of Adultery** - All provisions in the penal code that are incompatible with CEDAW have been abrogated. Thus, the punishment imposed on women and men are now the same, unlike in the past when women were given stiffer punishment.

### **Article 7: Right to Land, Property and Inheritance**

104. According to Article 34 of the 2010 Constitution, "the State guarantees the right to individual property. No one shall be deprived of this right except by means of expropriation which is in the public interest and upon payment of fair compensation from the State. The State shall facilitate access to the landed property through appropriate legal institutions and instruments and transparent management of land-related information".

105. In terms of integrating rural women effectively into the economy, the Ministry of Population and Social Affairs has put in place the following initiatives:

- Provide rural women in some districts of Madagascar with agricultural tools and equipment as well as technical assistance to enable them to diversify their crops.
- Carry out advocacy on behalf of rural women farmers for local authorities to assist them access productive resources or benefit from support services to enable them to increase production.

## Article 8: Education

- Development of programmes to support the training of girls who have dropped out of school to acquire skills.

## Article 9: The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa

106. No new submission was made on this Article.

### F. THE ISLAMIC REPUBLIC OF MAURITANIA

#### Institutional Mechanisms for Promoting Women's Empowerment and Gender Equality

107. The National Secretariat for Women Affairs (Secrétariat d'Etat à la Condition Féminine) established in 1992 was elevated to the Ministry of Social, Children and Women's Affairs (MSCWA). The Government of Mauritania has adopted the following strategies and Action Plans as part of its gender equality and women's empowerment framework:

- National Strategy for the Promotion of Women (**NSPW, 2004 – 2008**);
- Strategic Evaluation of Gender Challenges in Mauritania (2006);
- National Action Plan for Rural Women (MPFEF, 2008);
- National Strategy for Institutionalisation of Gender (NSIG), (November 2011).

#### Article 1: HIV/AIDS and other Related Infectious Diseases

108. Despite the country's low HIV/AIDS prevalence rate of 0.8 per cent, difficulties persist in dealing with the pandemic as only a fifth of women are capable of identifying methods of preventing the transmission of the disease and only 36.4 per cent of women are familiar with the three modes by which the virus is transmitted from mother to child.

109. Between 2001-2004, a National Strategic Framework for combating HIV/AIDS was developed and validated, and the National AIDS Control Board, the Executive Secretariat of the National AIDS Control Programme were established. In 2007, the law on the prevention, management and control of HIV/AIDS was enacted.

110. In spite of these achievements, the fight against AIDS and, by extension, the protection of women against this pandemic, met with constraints which may be summarised as insufficient coordination, inadequate ownership and limited internal resources for national response on the one hand, and insufficient knowledge of management procedures, on the other. The National Programme is to be fine-tuned with the introduction of mother-to-child HIV/AIDS transmission (MCTP) to prevent prenatal transmission.

#### Malaria Control

111. There's no effective strategy in place for malaria control in the country because of the delay in the implementation of community approaches in managing the illness.

112. However, the following major activities have been undertaken to improve performance in the sector:

- i) Preparation and adoption of a three-year plan covering 2010-2012;
- ii) Development of an action plan to attain the MDGs; and
- iii) Review of the 2009-2011 MTEF, the organisation of annual review of the sector and reinforcement of activities oversight and control.

### **Article 2: Peace and Security**

113. The Government of Mauritania has taken measures to implement Resolution 1325, especially in the area of conflict prevention and post-conflict reconstruction. Since 2009, Mauritania has been implementing a pilot project entitled "conflict prevention" in the four agro-pastoral border regions. Under the project, advocacy, sensitisation and capacity building programmes have been carried out for the benefit of 350 local stakeholders (religious leaders, village chiefs, local women leaders, NGO members and women cooperatives) on the modes of conflict prevention, participation of women in the management of community affairs, advocacy on female leadership and the role of women in conflict prevention.

### **Article 3: Child Soldiers**

114. Mauritania has ratified most of the relevant international and regional conventions pertaining to the protection of children including the African Charter on the Rights and Welfare of the Child and the two Optional Protocols on the Convention on the Rights, and the Sale of Children, Prostitution of Children, Child Pornography and the use of Children in Armed Conflicts.

115. Concurrently, Mauritania has introduced a basket of legislative and regulatory laws to crack down on acts of exploitation and sexual violence. For instance, Law No. 2003-025 of 17 July 2003 prohibits acts of exploitation and sexual violence, and it is complemented with provisions from the Penal Code on rape and other related crimes, and Articles 1, 2, 3 and 5 and legislative instrument 2005-015 of 5 December 2005 on penal protection of children. Article 12 of the child protection legislation prohibits all forms of mutilation of the genitals of a girl-child and severely punishes such acts. The enactment of these laws has reinforced the existing legal framework against child exploitation and sexual violence.

116. The legal reform process has been followed up with practical measures to protect children from sexual abuse. For example, training modules on reproductive health, STI/AIDS and peer education were developed in 2004, information, education and communication campaign (IEC) was organised for trained girl volunteers and a psychosocial assistance project to assist victims of sexual violence, many of whom were minors, has been established. These activities are strengthened with regular sensitisation campaigns and the annual celebration of 6<sup>th</sup> February as a National Day of Zero Tolerance Day to Female Genital Mutilation.

### **Article 4: Gender-Based Violence**

117. Mauritania is in the process of establishing three (3) complaints centres for victims of gender violence to be operated by NGOs with the support of the Ministry. The Government has also undertaken the following measures to protect women and girls from gender-based violence.

- Production of a film on gender-based violence in collaboration with the BBC;
- Establishment of a Police Child Protection Unit and a Child Investigation Office;
- Establishment of National Commission Against Gender-based Violence including FGM;
- Establishment of a Technical Unit to combat Gender-based violence including FGM in 2008;

#### **Article 5: Gender Parity Principle**

**118.** To reduce the gender gap in politics and public policy spaces, the Government has adopted various positive discrimination measures including the

- Promulgation of an organic law establishing a 20 per cent quota for women on all electoral lists. This resulted in women winning 19 per cent of the seats in Parliament and over 30 per cent of the seats in municipal councils in the 2006-2007 elections;
- The principle of establishing a national list of 20 women during parliamentary elections was adopted by both the ruling and opposition parties at the end of the political dialogue in October 2011;
- The organisation on November 21 of a competitive examination to recruit 50 additional women into Ecole Nationale d'Administration, Journalisme et de Magistrature (School of Administration, Journalism and Law).

#### **Article 6: Women's Human Rights**

**119.** Mauritania is party to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as well as by other relevant instruments such as CEDAW. The Government of Mauritania has invested considerable efforts in defining sector based strategies and action plans for the promotion and protection of the human rights of women and girls. Currently, it has embarked on a new process of consolidating and institutionalising the said efforts.

#### **120. Measures taken to disseminate CEDAW:**

- Distribution of sensitisation tools on CEDAW;
- Translation of the recommendations of CEDAW into French and Arabic;
- Recording of CEDAW recommendations on audio tapes in the four languages of the country (Hassaniya, Halpoular, Soninké and Wolof);
- Organisation by the Government and its technical and financial partners of several sensitisation campaigns in public institutions. The campaigns were carried out on the basis of contracts between the State and NGOs in the context of

communication, sensitisation and advocacy partnership on CEDAW at the national and regional level. Ulemas (Islamic scholars), magistrates, police officers, lawyers, court clerks and *Hakems* (Prefects of Departments) have gained from the sensitisation campaign as they now have a clear idea of the norms of CEDAW and their obligation to enforce them.

- Mobilisation of *ulemas* (Islamic scholars) to lift the general reservation on CEDAW.

### **Article 7: Land, Property and Land Rights**

**121.** Despite the principle of equality before the law, women still have very limited access to land, especially in rural communities where land is one of the main sources of income. Almost everywhere, it is the traditional ownership system that still predominates with women serving as employees, farmers or tenant farmers, but hardly land owners. Even where women owned land, this was generally in the form of collective ownership (cooperatives, market gardening parcels).

### **Article 8: Education**

**122.** Mauritania has achieved improved rates of access in girls' education. The 2008 PSSLVH shows that the gross primary school enrolment rate increased from 71.6 per cent in 2000 to 76.7 per cent in 2004; 82.3 per cent in 2007 and 90.9 per cent in 2008. The percentage of girls is higher than that of boys and the ratio stands at 1.02 per cent.

#### **123. Several factors account for the quantitatively leap in girls' enrolment in school:**

- (i) Institutional and legal reforms including the reform of the educational system and the establishment of a National Programme for the Development of the Educational Sector;
- (ii) Extensive awareness-raising campaigns, efforts at expanding reception capacity (construction of classrooms), recruitment of teachers, availability of textbooks and the establishment of libraries;
- (iii) Involvement of communities especially women in the establishment of the Association of Mother Educators (AME);
- (iv) Strong political commitment, implementation of crucial programmes notably those focussing on building of schools, all aimed at improved school coverage, the practice of the Multi-grade system in rural areas and double shift system in the urban areas, double vacation system, establishment of schools in remote sparsely-populated villages, and the recruitment of large numbers of teachers (600).

#### **124. Other measures have also boosted school enrolment of girls, namely:**

- (i) Introduction of school feeding programme;
- (ii) Organisation of an IEC campaign on the need to send girls to school; and
- (iii) Establishment of Girls Education Support Fund.

## **Article 9: The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

125. Mauritania has affirmed its international commitment to promote and uphold the rights of women by ratifying the Protocol in 2005.

### **G. THE FEDERAL REPUBLIC OF NIGERIA**

#### **Article 1-HIV/AIDS and Other Related Infectious Diseases**

126. The national response to HIV/AIDS is guided by the National Strategic Framework 2010 - 2015, which is designed among other things to promote and protect the rights of women, children, young people and marginalised groups as well as reduce their vulnerability to HIV infection. The national prevalence has stabilised between 2005 and 2010 as shown by the reported prevalence rates 4.4 per cent in 2005, 4.6 per cent in 2008 and 4.1 per cent in 2010. The nation's target is to ensure that at least 50 per cent of eligible adults and 50 per cent of eligible children receive ART by 2011; and 80 per cent of eligible adults and 80 per cent of eligible children receive ART by 2015.

#### **Malaria Prevention**

127. The Federal Government of Nigeria and its partners are taking important steps in malaria prevention and control. To drive the national response, a National Malaria Control Policy and a National Malaria Strategic Plan 2009 – 2013 (NMSP) were developed in 2009. Programmes and services for Malaria, HIV/AIDS and Tuberculosis are being integrated into primary health care delivery system to accelerate the achievement of targets set in the policy and strategic plan.

#### **Tuberculosis**

128. Nigeria has one of the highest tuberculosis (TB) burdens in the world of 311 per 100,000, the largest in Africa. Activities have been designed to reduce TB transmission, improve diagnosis, and manage multi-drug-resistant-TB cases, especially among HIV positive patients.

#### **Article 2: Peace and Security**

129. Consequently, several measures have been put in place structurally and administratively to entrench peace and security in the Nation. There has been appreciable progress made in mainstreaming gender in conflict resolution, prevention and peace-building processes in Nigeria. At the policy level, the Institute for Peace and Conflict Resolution (IPCR) identified gender inequality as a factor against peaceful co-existence in Nigeria and formulated a National Peace Policy Framework in 2009, for mainstreaming gender in peace processes in Nigeria. In order to give effect to this Policy, the IPCR in collaboration with the United Nations Development Programme (UNDP) designed and organised programmes for women NGOs for mainstreaming gender in conflict resolution and peace building in Nigeria. The first programme was held in 2010 in three cities and a follow-up programme held in 2011 in two cities.

#### **Article 3: Child Soldiers**

130. The Government of Nigeria has been highly successful in curbing the excesses of most of the militant groups, except that of the *Boko Haram*, and it is in the process of formulating strategic actions to limit their activities.

#### **Article 4: Gender-Based Violence**

**131.** The Violence Against Persons (Prohibition) Bill 2008 was formally presented to the House of Representatives on 9<sup>th</sup> December 2009 during a Public Hearing on Violence Against Women (VAW). The Bill went through second reading in October 2010 but suffered a set-back as a result of activities for the April 2011 General Elections.

**132.** The Federal Government, in an effort to address Trafficking in Persons (TIP), strengthened the National Agency for the Prohibition of Traffic in Persons (NAPTIP) through the amendment of its 2005 enabling Law.

#### **Article 5: Gender Parity Principle**

**133.** The Gender and Affirmative Action Project developed two Bills aimed at ensuring the adoption of affirmative action. The Bills (An Act to Amend Section 14 (3) and 147 of the 1999 Constitution and An Act to Amend Section 32 of the Electoral Act) were sponsored by female members of the House of Representatives and passed First Reading before the end of the 6<sup>th</sup> National Assembly. The bills seek to reserve a minimum of 35 per cent ministerial appointments for women and 20 per cent of seats fielded by political parties. There are plans to re-introduce the bills in the current parliamentary session of the 7<sup>th</sup> National Assembly.

#### **Article 6: Women's Human Rights**

**134.** The Gender and Equal Opportunities Bill, is a harmonization of a number of Bills on gender equality including CEDAW, the Nigerian National Gender Policy and the Maputo Protocol. In 2009 and 2010, Raising Her Voice (RHV) embarked on community dissemination through radio jingles to popularize the provisions of the bill to promote public awareness, generate local support for adoption by States, and dialogue with local and Federal representatives for passage of the Bill when debated in the National Assembly. In December 2011, a meeting of Stakeholders was initiated by FMWASD with the present 7<sup>th</sup> Assembly to strategize on effective ways of passing the Gender and Equal Opportunities Bill.

**135.** Additionally, the National Coalition on Affirmative Action (NCAA) in collaboration with FMWASD and Raising Her Voice project (RHV), organized a National Summit with women's rights activists, legislators and senior Government officials to review the process of domestication of international and regional treaties that Nigeria has ratified on women's rights and formulate the way forward on the Gender and Equal Opportunities Bill.

**136.** To promote women's political rights, the Violence Against Women in Politics programme, which is an initiative of UN Women, carried out a pilot study through a Coalition of Nigerian Civil Society Organizations, activists and volunteers. The study documented incidences of violence against women in politics during campaigns and elections days. The information was shared with domestic and international observers and used to send recommendations to the Independent National Electoral Commission as well as government at the state and federal levels.

#### **Article 7: Land, Property and Inheritance Rights**

**137.** The Gender and Equal Opportunities Bill has provisions for protecting women's inheritance and property rights, and mandates all to 'accord to women, children, and other person's equality before the law.

**138.** Wide gender gaps still exist in access to most forms of credit in Nigeria. The reviewed policy Micro-Finance Policy requires all Micro-Finance Banks to include in their periodic returns gender disaggregated data of their products and services. Further to this, the Central Bank of Nigeria (CBN) has set up an entrepreneurship development centre to train women in entrepreneurship development and the formation of cooperatives to enable them access credit from Bank of Industry (BOI) and National Economic Reconstruction Fund (NERFUND).

#### **Article 8: Education**

**139.** The Nigerian Government has recognised the importance of pre-primary education and has integrated it into its formal education structure. The overall national pre-primary school enrolment figure (public and private combined) for females which was 49.97 per cent in 2008 fell to 46.04 per cent in 2009 and increased to 48.87 per cent in 2010.

**140.** The overall national primary school enrolment figure for females in public schools had a marginal increase from 46.04 per cent in 2009 to 46.35 per cent in 2010 while that of the males had a slight decrease from 53.96 per cent in 2009 to 53.65 per cent.

**141.** In spite of progress made, there are still barriers to access to Universal Basic Education (UBE). According to the Roadmap for the Nigerian Education Sector, Federal Ministry of Education (2009), an estimated 11 million children of Early Childhood, Primary, Junior Secondary, as well as Adult and Non-Formal Education, are still not enrolled in school.

**142.** The MDG report 2010, notes that adult education programmes in the country are making good progress in ensuring that there is an increase in literacy rate in the country.

**143.** The Federal Government of Nigeria has improved the policy environment that promotes the right of every Nigerian child to quality education through:

- A Roadmap for the Nigerian Education Sector, 2009;
- A One Year Strategic Plan for the Development of the Education Sector (May 2010-April 2011);
- The Transformation Agenda, 2011 – 2015 (Federal Government's Key Priority Policies, Programmes and Projects).

#### **Article 9: The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

**144.** The proposed Gender and Equal Opportunities Bill 2010, is a bill to incorporate and enforce CEDAW, the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa and the Nigerian National Gender Policy.

**145.** The Federal Ministry of Women Affairs and Social Development, in line with its mandate, organised a capacity building programme for principal officials of State Ministries of Women Affairs and Social Development.

#### **H. REPUBLIC OF RWANDA**

##### **Article1- HIV/AIDS and Other Related Infectious Diseases**

**146.** The HIV/AIDS prevalence rate in Rwanda reduced from a 10.8 per cent in 2004 to 1.7 per cent in 2011. The country is moving toward universal coverage in different aspects of HIV/AIDS treatment. 452 of the country's 485 health facilities provide HIV/AIDS testing. 85 per cent of adult HIV patients receive ART prophylaxis, 91 per cent of children, and 81 per cent of health facilities provide antiretroviral therapy services to patients. Furthermore, 85 per cent of health facilities provide PMTCT services, 94 per cent of pregnant women are receiving prophylaxis treatment.

**147.** In terms of malaria control, malaria morbidity has been reduced by 66 per cent between 2005-2010. From 70 per cent of children aged 0-5 years sleep under insecticide-treated nets, expectant mothers with access to ITN increased from 60 per cent in 2008 to 72 per cent in 2010 and households having at least one ITN increased from 56 per cent in 2008 to 82 per cent in 2010.

**148.** About 194 centres provide One Stop TB/HIV services. As a result 7,000 TB patients are treated every year with a high treatment success rate of 86 per cent for infectious TB cases.

### **Article 2: Peace and Security**

**149.** A Women Police Network has been established in the Rwanda National Police (RNP) with the aim of bringing together police officers together. It serves as an information sharing and confidence building forum for female police officers. The aim is to strengthen the role of the RNP in addressing gender issues affecting female officers, the police force and the nation at large.

**150.** About 400 female police officers have participated in redeployment trainings and most of them have been in UN missions with 179 women police officers serving as peacekeepers.

### **Article 3: Child Soldiers**

**151.** No new submission was made on this Article.

### **Article 4: Gender-Based Violence**

**152.** The immigration service was granted the power to investigate human trafficking with the enactment of Law No. 04/2001 of 21/03/2011.

### **Article 5: Gender Parity Principle**

**153.** 45 out 80 Deputies in the Chamber of Deputies are women totalling 56.25 per cent. The Chamber is led by a female Speaker. In the Senate, 10 of the 26 Senators are women representing 38.4 per cent of the total number.

### **Article 6: Women's Human Rights**

**154.** Rwanda ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) by Presidential Order No. 34/01 of 14<sup>th</sup> July 2009.

### **Article 7: Land, Property Rights and Inheritance**

**155.** No submission was made on this Article.

## **Article 8: Education**

**156.** The Rwandan Government's Fast-Tracking Policy in Basic Education has resulted in a significant increase in recent years with gross enrolment in primary schools reaching 127.3 per cent and net enrolment 92.9 per cent in 2009. Based on the Fast-Track policy, girls' enrolment increased to 50.9 per cent in 2011. Although, the net enrolment rate at the primary school level for girls is high at 96.5 per cent, the promotion rate of 76.2 per cent needs to be improved upon. One out nine girls dropped out of primary school in 2010. Similarly, while the number of girls in secondary school has increased by 58 per cent since 2007, their net enrolment rate remains at 23.7 per cent.

## **Article 9: The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

**157.** No new submission was made on this Article.

### **I. THE SAHRAWI ARAB REPUBLIC**

#### **Institutional Mechanisms for Promoting Women's Empowerment and Gender Equality**

**158.** The Sahrawi Constitution stipulates that every Sahrawi citizen shall enjoy the rights and freedoms guaranteed by the Constitution without discrimination based on race, origin, colour, sex, language, religion or political opinion.

**159.** The National Union of the Sahrawi Women caters for women's affairs and addresses all issues relating to the welfare of women, including cooperation, family, reproductive health, media, culture, governance, among others.

#### **Article 1: HIV/AIDS and Other Related Infectious Diseases**

**160.** No submission was made on this Article.

#### **Article 2: Peace and Security**

**161.** The rights of women in the occupied territories totally lack a mechanism that guarantees economic, social and political rights of the Sahrawi women in these territories. Women in these territories also suffer from insecurity, instability, and violence.

#### **Article 3: Child Soldiers**

**162.** No Submission was made on this Article

#### **Article 4: Gender-Based Violence**

**163.** The Sahrawi State guarantees security to its citizenry especially the protection of women from all forms of violence, including physical or psychological. However, women in the Occupied Territories endure arrests, kidnapping, torture and other forms of violence perpetrated by the Moroccan authorities. It is estimated that more than 35 per cent of Sahrawi women have been abducted at least once in their life.

### **Article 5: Gender Parity Principle**

**164.** The Sahrawi State has adopted a number of measures to ensure equality in the country's political landscape. These include:

- The allocation of 24 per cent seats to women in the electoral processes; and
- The Adoption of 50 per cent vacancies to be filled by women without an election

**165.** The political rights of women enable them select their own representatives and occupy positions in government either through election or appointment. Women are members of the General Secretariat and 24.52 per cent of them are members of parliament. Women are heads of two out of six parliamentary committees and female representation in the diplomatic corps has reached 17 per cent. In addition, women are the main actors in the constituencies and states.

**166.** Female representation in the People's Council is 99 per cent and 100 per cent in the Municipal Council chairpersons whilst there is one female governor out of 6.

### **Article 6: Women's Human Rights**

**167.** Women enjoy their rights relating to social services and protection as individual working women in institutions. They are entitled to promotion, leave and other labour rights such as full pay for working women on maternity leave. Women in the camps, particularly pregnant women, are also provided with free health services, including medical check-ups, vaccination and other related services. In addition, the State prohibits female genital mutilation including circumcision.

### **Article 7: Land, Property Rights and Inheritance**

**168.** No Submission was made on this Article

### **Article 8: Education**

**169.** The Constitution gives women the right to education. Sahrawi women receive free education at all levels of the academic cycle.

### **Article 9: The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

**170.** No Submission was made on this Article.

## **J. REPUBLIC OF SENEGAL**

### **Article 1: HIV/AIDS and other Related Infectious Diseases**

**171.** The annual budget of the Ministry of Health and Prevention currently accounts for 10.4 per cent of the state's operating finances and exceeds the 9 per cent recommended by the World Health Organisation (WHO).

### **HIV/AIDS**

**172.** To reduce the high vulnerability of women to HIV/AIDS and strengthen response to the gender dimension of the pandemic, Senegal's priority interventions focus on advocacy and

promotional campaigns on Prevention of Mother-to-Child (PTME) HIV/AIDS Transmission, the conduct of systematic cost-free screening test, and the decentralisation of services to health facilities all over the country. The implementation of PTME activities revolves around the provision of systematic screening and counselling services to women undergoing antenatal consultations, prophylactic treatment of women and support for infected women and children.

**173.** These interventions resulted in the reduction of the gender-ratio of 1:6, that is, 5 HIV infected men as against 8 women in 2011, whereas this ratio in 2005 was 2.25 or 4 men to 9 women.

### **Malaria**

**174.** The periodic funding of NGOs takes cognisance of women's groups. Presently, several women's NGOs are sub-beneficiaries of rounds 4 and 7 subventions of the Global Fund. These include the Network of Women's Associations in West Africa (RAFAO), the Federation of Women's Associations of Senegal (FAFS) and the National Federation of Women's Advancement Groups (FNGPF).

### **Tuberculosis**

**175.** Tuberculosis (TB) occurs mainly in the active population, 85 per cent of cases being persons aged between 15 and 44 years with 2.3 gender ratio in favour of men. The National Tuberculosis Control Programme (NTP) in collaboration with Cheik Anta Diop University in Dakar will conduct a study on "**Tuberculosis and Gender**" taking into account the social and biological specificities of each gender in regard to tuberculosis, in order to identify the systemic and avoidable inequalities and propose solutions to the authorities.

### **Article 2: Peace and Security**

**176.** Women have been integrated into all Armed Forces training facilities. They participate at the same level as men, in security service missions, and in peace and security activities. Several female doctors are in the Republic of Côte d'Ivoire as part of the ONUC1 and in the Democratic Republic of Congo in MONUSCO missions respectively. Women police are part of the Formed Police Unit (FPU) contingents deployed in Darfur, the Democratic Republic of Congo and Haiti.

**177.** Following the opening of the military corps to female personnel, the Armed Forces Ministry began a process of institutionalising and mainstreaming gender across all its branches in 2011. This process involved the mainstreaming of a gender dimension in a cross-cutting manner in the policies, programmes, projects and procedures initiated in the Army. Enhancing the gender capacity of Armed Forces personnel was the first action to be achieved and 2012 will be devoted to a series of activities designed to ensure effective mainstreaming of gender in the Armed Forces. This will involve:

- Official launch of the Armed Forces Gender Sector Strategy (SSG/MFA);
- Organisation of a training workshop for trainers on gender and the security sector for supervisory personnel, human resource services personnel, and senior management staff of military garrisons and cantonments;

- Establishment of mechanisms in support of the implementation of the Armed Force's gender sector strategy: gender bureaus, cells and units based on the Armed Forces classification.

### **Article 3: Child Soldiers**

178. No new Submission was made on this Article

### **Article 4: Gender-Based Violence**

179. The Ministry of Women's Affairs, in conjunction with relevant sector ministries, is developing a joint programme to curb gender-based violence and the promotion of women's human rights under the United Nations Development Assistance Framework Plan (UNDAF) 2012-2016. The objective of this programme is to create a safer and more just environment for women and girls in the society through the eradication and control of gender-based violence, and the institutionalisation of the gender dimension of human rights in public policies.

180. With specific reference to the control of FGM, the second National Action Plan on the Acceleration of the Elimination of Circumcision (2010-20) is in its implementation stage and a plan for monitoring and evaluation of the Action Plan 2010-2015 was developed in September 2011.

### **Article 5: Gender Parity Principle**

181. An extensive programme of expansion and ownership of the Parity Law was designed and implemented in the first half of the 2012 as part of celebrations to mark the first year of the application of the Parity Principle in Senegal.

182. As a result, 65 or 43.3 per cent of women were elected as Deputies out of a total of 150 Deputies; the Bureau of the Assembly comprises 4 women out of a total of 9 members. Of the 11 committees, 5 are presided over by women, three of the chairs of the Bureau of the Assembly are women, and three women are vice-presidents out of a total of seven Deputies.

### **Article 6: Women's Human Rights**

183. Senegal introduced a programme to align its laws on gender equality and gender mainstreaming with international law. Toward this end, the Government undertook an analysis of international and regional instruments on gender equity and equality and their application in Senegal in June 2011. Following this study, it was agreed that the harmonisation process should take a stage-by-stage approach and was flagged off with the alignment of the Family Code with international/regional instruments. The on-going project is aimed at supporting civil society organizations in their work of enlightening and sensitizing communities on the content of laws and also to undertake advocacy actions among parliamentarians for the enactment of more gender-sensitive laws.

### **Article 7: Land, Property Rights and Inheritance**

184. Despite the existence of a conducive legal framework guaranteeing women's land rights in Senegal, women continue to face discrimination in accessing their rights. As a result the Government has:

- Put in place mechanisms enforcing the laws and procedures in relation to women's land rights as well as the harmonisation of legislation with international instruments to ensure women's effective participation in the management and control of land resources;
- Speed up the operationalization of the parity law to allow for equal presence of women in decision-making bodies (including crown land allocation bodies);
- Developed a female entrepreneurship strategy to improve the information systems, strengthen the capacities of women entrepreneurs, facilitate their access to factors of production and promote development at the international level;
- In the same vein, the micro-finance sector has adopted positive discrimination with respect to women. Thus increasing women's access to financial systems in 2011. For instance, the average credit allocated to women rose from 225,220 CFA Francs to 377,690 CFA Francs. However, the credit level is still below the average credit valued at 648,000 CFA Francs given to men.

#### **Article 8: Education**

**185.** A major initiative of the Ministry of Education was the establishment of the Coordination of Interventions on the Education of Girls Framework (CCIEF) to consolidate all its activities on increasing girls' and women's access to education. Since 2011, the CCIEF through the Girls' Education Support Project (PAEF), undertook various projects to increase girls' education throughout the country, including among others the:

- Gender training of 520 school inspectors;
- Provision of school kits and school uniforms to 20,000 boys and 20,000 girls;
- Support to 80 women's associations affiliated to the educational system to the tune of 3 million CFA Francs for each association to enable them undertake income generating activities, with part of the returns paid to the schools;
- Training of 480 teachers in gender and current life skills;
- Implementation of a communication plan designed for different targets (counselling cards, TV commercials on girls' education, etc.);
- Establishment of a scientific committee on VBG in schools; and
- Development of an action plan on VBG in schools.

**186.** In relation to adult literacy, the State's intensive literacy programme (PAIS-State) resulted in the training in 2011 of some 13,896 students in the regions, of whom 75 per cent were women.

#### **Article 9: The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

**187.** No submission was made on this Article.

## K. REPUBLIC OF SERRA LEONE

### **Institutional Mechanisms for Promoting Women's Empowerment and Gender Equality**

**188.** Sierra Leone's institutional mechanisms for gender equality and women's empowerment includes its Constitution, the Ministry of Social Welfare, Gender and Children's Affairs, regional gender affairs officers and gender focal points in line ministries.

**189.** A National Policy on the Advancement of Women and a Policy on Gender Mainstreaming were developed by the Ministry in 2000. In 2010, National Gender Strategic Plan (2010 – 2013) and the Sierra Leone National Action Plan on United Nations Resolutions 1325 and 1820 were added to country's gender equality policy framework.

### **Article 1: HIV/AIDS and other Related Infectious Diseases**

**190.** The National AIDS Secretariat is the institutional mechanism for HIV/AIDS prevention. The Secretariat works with the Government Ministries, Departments and Agencies, UN System, Civil Society Organisations, private sector, and traditional leaders.

**191.** In terms of policy and legislative measures, the Sierra Leone Parliament enacted the HIV and AIDS Prevention and Control Act in 2007.

**192.** Sierra Leone has a low level HIV epidemic with a population based prevalence estimated at 1.53 per cent, and an HIV prevalence of 4.4 per cent among pregnant women. The HIV prevalence rates varied according to sex and geographic location with 1.7 per cent prevalence among women, 1.2 per cent among men, 2.5 per cent, for urban residents and 1.0 per cent for rural residents. HIV prevalence is more than two times higher in urban areas than the rural areas at 2.5 per cent and 1.0 per cent, respectively.

**193.** HIV prevalence among pregnant women seeking care at ANC was 2.9 per cent in 2003, 4.1 per cent in 2006, and 4.4 per cent in 2007. There are 13 ANC Sentinel sites; 337 PMTCT sites; 384 VCCT sites and 103 ART facilities.

### **Article 2: Peace and Security**

**194.** To ensure effective implementation of United Nations Security Council Resolutions 1325 (2000) and 1820 (2008), the government of Sierra Leone with leadership and coordination from the Ministry of Social Welfare, Gender and Children's Affairs developed and launched the Sierra Leone National Action Plan (SiLNAP) on 8<sup>th</sup> June 2010 with institutional mechanisms to monitor the full implementation of the project.

### **Article 3: Child Soldiers**

**195.** Sierra Leone is signatory the Convention on the Rights of the Child which was signed and ratified in 1990. The country is similarly committed to the implementation of provisions enshrined in the African Charter on the Rights of the Child. In pursuance of the aforementioned, the government of Sierra Leone enacted the Child Rights Act on the 7<sup>th</sup> June 2007 for the promotion and protection of children against all forms degrading treatment.

**196.** Although the recruitment of children by all the armed factions was rampant during the war, the Republic of Sierra Leone Armed Forces, the Sierra Leone Police and the Sierra Leone

Prisons have clear policies on the recruitment of persons in their forces stipulating age 18 as the minimum for entering the forces.

#### **Article 4: Gender-Based Violence**

**197.** The Government of Sierra Leone promotes a zero tolerance policy on gender-based violence especially violence against women in the country. It is in this spirit that the Former President Ahmad Tejan Kabbah gave a certificate of urgency for the passage of the three Gender Bills namely, the Registration of Customary Marriage and Divorce; the Domestic Violence; and the Devolution of Estates law on the 14<sup>th</sup> June 2007 by the Sierra Leone Parliament. The Ministry of Social Welfare, Gender and Children's Affairs has coordinated major advocacy events during the International Women's Day and 16 Days of Activism Against Gender Violence, to garner support from stakeholders in addressing the issues of gender-based violence in the country.

**198.** The Government of Sierra Leone, through the House of Parliament, enacted a very robust Sexual Offences Bill 2012 on the 23<sup>rd</sup> August 2012. The Ministry of Social Welfare, Gender and Children's Affairs is now working with partners to develop an abridged version of the Law and ensure its popularisation across the country.

**199.** In addition to the legislative framework outlined above, the following institutional mechanisms have also been put in place:

- The Family Support Unit of the Sierra Leone Police was established in 2002;
- A National Committee on Gender-Based Violence (NaC-GBV);
- Validation of the National Action Plan on Gender-Based Violence. The Plan is expected to be launched for full implementation before the end of 2012;
- Developed a National Referral Protocol for Victims/Survivors of Sexual and Gender-Based Violence;
- Enactment of the Anti-Human Trafficking Act, Act No. 7 of 2005;
- Article 5-Gender Parity Principle.

**200.** Article 6 Section 31 of the Sierra Leonean Constitution guarantees every citizen over the age of 18 and of sound mind, the right to vote and be voted for in all elections – local and national and public referenda.

**201.** To enhance women's participation in decision-making, **Section 95 (2c) of the Local Government Act 2004** provides that within every District, the Ward Development Committees i.e. the level closest to the community - pursues a statutory 50/50 gender balance affirmative policy.

#### ***Participation of women in political and public life***

**202.** Women's participation in politics and public decision-making spaces is below the internationally agreed minimum 30 per cent quota, except in the judiciary.

**Executive:** In 1996, there were 8 per cent women; in 2002, the number increased to 14.3 per cent women in cabinet; in 2007, it started with 14.3 and later decreased to 9.5 per cent women in cabinet.

**Parliament:** In 1996, there were 6.25 per cent female members of parliament; female representation increased to 14.5 per cent 2002 and decreased to 13.7 per cent in 2007.

**Judiciary:** According to the Master and Registrar of Courts, 9 out of 21 High Court Judges are women, while 4 out of 7 of the Supreme Court Justices are women. In 2008 a landmark appointment of a woman as Chief Justice in the history of the country was made.

**Local Government:** In the local council elections of 2004, 52 females were elected representing 11 per cent of elected councillors. In 2008, the number of elected female councillors increased to 86 or 18.9 per cent.

**203.** The Local Government Service Commission has been established and charged with the responsibility of recruiting staff in the Local Councils. The Commission comprises eight (8) members, three (3) of whom are women.

#### **Article 6: Human Rights of Women**

**204.** Sierra Leone signed and ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on the 21<sup>st</sup> September and 11<sup>th</sup> November 1988 respectively without reservation. The Optional Protocol to CEDAW was signed in 2000 but it is yet to be ratified by the State Parliament. In 2007, the Government of Sierra Leone presented its Combined Initial, 2<sup>nd</sup>- 5<sup>th</sup> Periodic Report to the Committee of Experts on CEDAW in New York.

**205.** The Government of Sierra Leone established an independent Human Rights Commission by an Act of Parliament in 2004. The Commission has the mandate of investigating all human rights abuses in the country with a special department for Women and Children. It serves as a catalyst for the signing, ratification, domestication and implementation of all international bills of rights for women and other vulnerable categories.

#### **Article 7: Land, Property Rights and Inheritance**

**206.** There are no legal barriers against women owning property under General Law. However, the situation is different under customary law, where it is the duty of the husband to maintain the wife and as such women generally do not own property including land, house and/or bush. The wife's continued interest in the property depends on whether she bore children with the husband; and if on the death of the husband, she chooses to remarry a male relation of her deceased husband.

**207.** The Devolution of Estate Act 2007 was passed in Parliament on the 14<sup>th</sup> June 2007. The Act applies to every citizen of Sierra Leone irrespective of religion, or ethnic origin or type of marriage. In effect, with the Devolution of Estates Act, all other legislations on property distribution cease to operate and the Devolution of Estates shall take pre-eminence.

**208.** The National Land Policy is gender-sensitive.

## **Article 8: Education**

**209.** The female literacy rate increased from 10 per cent in 1995 to 29 per cent in 2004. However, additional input is still required to close the gap in literacy between males and females.

**210.** The primary school net attendance ratio (NAR) increased from 69 per cent in 2005 to 74 per cent in 2010. The Gender Parity Index (GPI) for primary school is 1.04, indicating that a higher percentage of girls attend primary school than boys. However, the indicator decreases to 0.83 for secondary education, as boys are more likely than girls to continue their formal education in secondary school. The secondary school NAR has almost doubled from 19 per cent in 2005 to 37 per cent in 2010. A substantial number of new secondary schools have been opened in the past five years in Sierra Leone and more children are transitioning from primary to secondary school than before.

**211.** The government of Sierra Leone, with support from partners, initiated the girl-child education scheme in 2004. This project provides full scholarships to all girls who enter Junior Secondary School in the entire country. However, the challenge is to ensure retention rate as they move on to higher levels in education.

## **Article 9: The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

**212.** Sierra Leone is a signatory to the Protocol and has made efforts to undertake community sensitisation and popularisation of the Protocol to the populace of the country before taking the instruments to Parliament for ratification and subsequent implementation of its provisions.

## **L. THE REPUBLIC OF THE SUDAN**

### **Institutional Mechanisms for Promoting Women's Empowerment and Gender Equality**

**213.** All Sudanese Constitutions since independence have guaranteed equal rights to both women and men and this was reaffirmed in Article 31 of the 2005 Transitional Constitution.

**214.** The Department of Women and Family Affairs, Ministry of Social Welfare and Security is the Government's central focal point for gender equality and mainstreaming at the Federal level. Female state advisors disseminate the Government's policies such as the 2007 National Policy for Empowering Women and 2008 National Family Strategy at the other levels of governance.

### **Article 1: HIV/AIDS and Other Related Infectious Diseases**

**215.** As part of the Government's national strategy for combating HIV/AIDS, a social policy on the prevention of the epidemic was developed by the Federal Ministry of Health. The policy considers women as an integral part in achieving this goal and has targeted them in its awareness raising programme. The prevalence rate in the Sudanese society is 1.4 per cent and 97 per cent of transmission has been through sexual intercourse. 85 per cent of cases are among the youth between 15-39 years of age. The cases of men are more than those of women. The spread of the disease is greater among mobile groups such as refugees, displaced persons, drivers, soldiers and the youth in general.

### **Article 2: Peace and Security**

**216.** No Submission was made on this Article.

### **Article 3: Child Soldiers**

217. No submission was made on this Article.

### **Article 4: Gender-Based Violence**

218. In conjunction with civil society and development partners, the national unit responsible for combating violence against women developed A National Strategy on Violence Against Women (2009-11).

### **Article 5: Gender Parity Principle**

219. Women's participation rate in politics increased from 9.7 per cent in 2001 to 25 per cent in 2010. Participation of women in public service has increased steadily over the past three decades to represent 26 per cent of the workforce in general and 45 per cent of the civil service.

### **Article 6: Women's Human Rights**

220. The Sudanese Transitional Constitution affirms the need to promote and protect all human rights and fundamental freedoms. It accords top priority to the consolidation of woman's rights in the socio-economic and political domains through positive discrimination.

221. Sudan has ratified the Universal Declaration of Human Rights of 1948, the UN Covenant on Civil and Political Rights of 1966, the UN Covenant on Economic, Social and Cultural Rights as well as other related instruments. Sudanese women enjoy the same labour rights as men and are entitled to maternity leave with pay.

222. The 2005 Transitional Constitution gave Sudanese women the right to pass citizenship to their children.

### **Article 7: Land, Property Rights and Inheritance**

223. A number of policies and strategies have been put in place to empower women economically and they include the following:

- Establishment of a Micro-finance Unit at the Bank of the Sudan with the objective of encouraging socio-economic banking, poverty alleviation, especially in the least developed rural areas and among women in particular and improvement of their standard of living;
- Facilitating women's access to agricultural services by providing medium term concessionary financing;
- Building women's capacity to form production and service organisations, especially in agricultural and artefact industries;
- Formation of the Association of Sudanese Business Women; and

- The National Project for the development of rural women empowers poor women and their families, especially female headed-households by providing financing opportunities to develop cottage industries.

### **Article 8: Education**

**224.** The Sudanese Government's goal in the education sector is in line with the Millennium Development Goals on access to basic education for all and ensuring gender equality at various levels of education.

**225.** The enrolment rate in primary, secondary and higher education levels has increased but girls' enrolment rate is still lower than boys.

**226.** The State has made considerable efforts to improve the standard of education by:

- Reforming the educational sector;
- Addressing the problem of female dropout rate;
- Provision of educational services;
- Increasing the number of girls enrolled at the various levels of the education system;
- Developing programmes for the education of the rural women; and
- Inclusion of gender in the school curricula

**227.** The completion rate for basic education among girls increased from 19 per cent in 2007 to 50 per cent.

**228.** Enrolment rate at the secondary level reached 28 per cent (26.3 per cent for girls and 29.6 per cent, for boys). The absorption rate for boys is at 29.6 per cent and for girls 26.3 per cent.

**229.** In the past three years, progress has been made in the education of nomads where the local enrolment of children jumped from 16 per cent to 33 per cent with boys accounting for 73.7 per cent and girls 61.8 per cent.

### **Article 9: The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

**230.** No submission was made on this Article.

## M. REPUBLIC OF UGANDA

### Article 1: HIV/AIDS and other Related Infectious Diseases

**231.** The current HIV prevalence in Uganda is estimated at 6.5 per cent among adults and 0.7 per cent among children. The prevalence rate is higher in urban areas at 10 per cent compared to 6 per cent in the rural areas.

**232.** Since June 2004 Uganda has been offering free ARVs medication to people living with HIV in partnership with World Bank, Global Fund and America's PEPFAR initiative. Currently just over 200,000 people in Uganda are receiving treatment an estimated 39 per cent of those in need. The proportion of HIV positive pregnant women receiving ARVs for PMTCT increased from 12 per cent in 2005 to 53 per cent in 2009.

**233.** In terms of policy, the State Party is continuing with its *ABC* strategy on HIV/ AIDS with emphasis on abstinence for the youth.

### Article 2: Peace and Security

**234.** Special provisions are being made for the most vulnerable groups which include women under the Peace Recovery Development Plan (PRDP) for Northern Uganda. The Women's Task Force for a Gender Responsive PRDP was constituted by the Ministry of Gender, Labour and Social Development and 18 women's organisations working in the North and Eastern Uganda to make women visible in the planning and implementation of reconstruction interventions. Ugandan women, and particularly those in Military forces, are also engaged in peacekeeping missions around the borders and in the neighbouring countries of DRC, Sudan and Somalia. There are currently between 30 to 50 women serving on the peace mission in Somalia, 16 women police officers serving in peacekeeping missions in East Timor, Liberia and the Sudan.

**235.** The Government of Uganda is committed to the implementation of the United Nations Security Resolutions (UNSCR) 1325 and 1820 and the Goma Declaration, as mechanisms for strengthening women's participation and involvement in the promotion of peace and security within the context of conflict prevention and resolution, eradicating sexual violence and ending impunity in conflict prone situations. These instruments compliment other national, regional and global policy and legal frameworks to which Uganda is a party, underscoring government's commitment to promote, protect and fulfil women's human rights in all spheres.

### Article 3: Child Soldiers

**236.** In Uganda, children of less than 18 years are currently participating in armed conflict, which is a violation of Section 22 of the Uganda People's Defence Forces Act of 1995.

**237.** Uganda ratified and adopted the United Nations Convention on the Rights of the Child in 1990. In addition, the optional protocol (treaty) to the convention on the rights of the Child was ratified in 2002. The provisions of the convention are taken care of in the Article 34 of Uganda's Constitution (1995).

### Article 4: Gender-Based Violence

**238.** Women are subjected to different forms of gender based violence including FGM, battery/ assault, defilement, rape and marital rape, which increases the risk of gynaecological problems and women's vulnerability to sexually transmitted infections and HIV/AIDS.

**239.** In addition to the Prevention of Trafficking in Persons Act (2009), the Domestic Violence Act 3 (2010) and *The Prohibition of Female Genital mutilation (FGM) Act 5 (2010)*, the Government recently amended the Penal Code Act Cap 120 and created the new offences of simple and aggravated defilement. In addition, it has conferred jurisdiction to try defilement cases to magistrates in an effort to ensure the speedy dispensation of justice. The Marriage and Divorce Bill as well as the Sexual Offences bill are also expected to boost legal protection mechanisms for women.

#### **Article 5: Gender Parity Principle**

**240.** With 35 per cent of women in parliament, Uganda is currently ranked 19 in the Inter-parliamentary Union (IPU) World Classification of Women in National Parliaments. Uganda elected its first female speaker in 2011.

#### **Article 6: Women's Human Rights**

**241.** The UN Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) was ratified in 1985. However, Uganda has not yet accented to the optional protocol on CEDAW, although the process of its ratification is on-going. Uganda has so far submitted four periodic reports to the CEDAW Committee.

**242.** The Country's Legislature has domesticated different provisions of the Convention by addressing them in the Supreme Law (the Constitution) and in specific areas of the instance under the Rights of Workers, women are guaranteed the following Rights:

- Same employment opportunities, same selection criteria;
- Equal remuneration and benefits, equal treatment for work of equal value and evaluation of quality work;
- Protection of health and safety in working conditions;
- Free choice of employment and profession, promotion, job security, right to achieve vocation training and retaining.

**243.** The National Action Plan for implementing the CEDAW was developed in 2007 with a purpose of guiding all actors in identifying key activities to be implemented under each of the 16 Articles of the Convention. The continued dissemination of the simplified versions of the CEDAW and BPFA, and Uganda's commitment to adhere to the provisions of the CEDAW is demonstrated by the submission of Country Status Reports since 1992.

#### **Article 7: Land, Property Rights and Inheritance**

**244.** The amendment of the Land Act of 1998 to include sections that increase the protection of the rights of women to own, use and inherit land is a major step as well as the enactment of the Equal Opportunities Act 2007 and the National Equal opportunities policy. Efforts are also underway to increase women's access to credit and hence their ability to engage in medium sized enterprises. The Government is therefore planning to expand rural financial services under its Rural Development Strategy and specifically for the Prosperity for All Programme. The aim of the programme is to promote economic growth and improve household incomes through the establishment of Savings and Credit Cooperatives (SACCO) at every sub-county.

## **Article 8: Education**

**245.** The introduction of the UPE programme in 1997 has increased access to primary education from 3.1m in 1996 to 7.4m in 2008. The ratio of girls to boys in primary schools is 0.99 to 0.96 while the ratio of literate women to men is 0.90 to 0.92.

**246.** The Universal Primary Education (UPE) policy has contributed to narrowing enrolment disparities in primary school education. The proportion of girls in primary schools improved from 44.2 per cent in 1990 to 49.8 per cent in 2006. In a bid to strengthen its programme of expanding access to education, the Government introduced the Universal Post Primary and Technical Education Policy in 2007. Under this scheme free secondary education is provided by government.

## **Article 9: The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

**247.** Uganda ratified the Protocol in July 2010.

### **N. REPUBLIC OF ZAMBIA**

#### **Institutional Mechanisms for Promoting Women's Empowerment and Gender Equality**

**248.** The amended 1996 Constitution is under review and Article 23 (1) and (4) (c) which protects all citizens from discrimination on the basis of sex and marital status but includes a clause exempting all forms of discrimination based on customary, family and personal laws has been repealed, the National Gender Policy is under review and gender equality is prioritised in the Sixth National Development Plan 2011-2015.

#### **Article 1: HIV/AIDS and other Related Infectious Diseases Tuberculosis (TB) Malaria**

**249.** As part of its HIV/AIDS control programme, the Zambian government launched a National Plan of Action (2010-2014) to Reduce HIV Infection among girls and amended the Criminal Code to criminalise the deliberate infection of a person with HIV/AIDS and bans discrimination based on an individual's HIV status. All HIV positive persons have free access to ARV and all pregnant women undergo free and compulsory HIV/AID testing and counselling.

**250.** All expectant mothers are entitled to free malaria treatment and are provided with insecticide treated bed nets to reduce malaria infections and mortality.

#### **Article 2: Peace and Security**

**251.** No submission was made on this Article.

#### **Article 3: Child Soldiers**

**252.** No submission was made on this Article.

#### **Article 4: Gender-Based Violence**

**253.** The Anti-Gender Based Violence Act No.1 of 2011 has been simplified in pictorial form and plans are underway to publish a simplified version of the Act in at least 7 local languages.

Service providers such as the SGBV units within the police force, health practitioners, prosecutors and psychosocial counsellors and traditional and religious leaders have been sensitised on the Act. A National Multidisciplinary Management Guidelines for Survivors of SGBV has been launched.

#### **Article 5: Gender Parity Principle**

**254.** Although the number of women in decision-making positions has improved over the years, it is way below the 50 per cent recommended by the Southern African Development Committee and the AU. For example, in 2012, women constitutes 20 per cent and 15.7 per cent of Ministerial and Deputy Ministerial levels Cabinet positions respectively, 19.4 per cent of parliamentarians and 7 per cent of local government councillors.

#### **Article 6: Human Rights of Women**

**255.** Sub-section (1) of Section 108 of Chapter 269 of the Industrial and Labour Relations Act prohibits discrimination in employment on the grounds of sex, race, marital status, religion, political affiliation or tribal extraction. Section 140 of the Penal Code criminalises child prostitution and the trafficking of adults for prostitution and stipulates a minimum of 20 years imprisonment and possible life imprisonment.

#### **Article 7: Land, Property Rights and Inheritance**

**256.** It has been proposed as part of the on-going Lands Act review that 30 per cent of all titled lands including those in the rural areas be reserved for women.

#### **Article 8: Education**

**257.** Zambia has achieved significant progress in school enrolment especially at the primary level with a net enrolment ratio of 0.96. Grade 7 completion rate in 2010 was 90.9 per cent with no significant difference between boys and girls. Grade 9 completion rate for all pupils was 53.2 per cent. The completion rate was higher for girls at 54.6 per cent compared to boys at 51.9 per cent. However, the completion rate for Grade 12 was higher among males than females.

**258.** The government has instituted the following measures in response to the situation above:

- Introduced a re-entry policy for girls who fall pregnant to go back to school;
- Enacted and Education Act; and
- The implementation of a revised curricular which aims at eliminating gender stereotyping and encourages boys and girls to progress in education.

#### **Article 9: The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa**

**259.** The Zambian government intends to ratify and domesticate the Protocol, to which it is a signatory.

#### **IV. CONCLUDING COMMENTS**

**260.** As has been noted in the fourteen country reports from Algeria, Botswana, Cameroon, Guinea, Madagascar, Mauritania, Nigeria, Rwanda, Sahrawi, Senegal, Sierra Leone, The Sudan, Uganda and Zambia, tremendous progress has been achieved in the implementation of the African Union's gender equality mechanism, the Solemn Declaration on Gender Equality in Africa. There has been a reduction in the HIV/AIDS prevalence rate, increased women's presence in peace and security, education, politics and public affairs. Moreover, laws to increase women's economic security and opportunities, to promote and protect their human rights in relation to sexual violence, human trafficking, and to end the sexual exploitation of children have been enacted.

**261.** While celebrating these successes, we must be mindful of the enormity of the task ahead in achieving gender equality and women's empowerment especially as entrenched patriarchal ideology is stifling progress towards achieving the goal of gender equality and women's empowerment at the continental level due to the non-existence of comprehensive and holistic legal framework to push and resources to move the agenda forward at national level.

2013

# Report of the Commission on the implementation of the solemn declaration on gender equality in Africa (Sdgea)

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