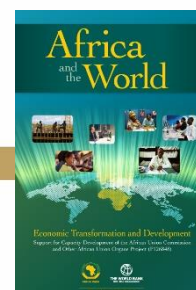




## The Contributions of the Maputo Protocol on Women's Rights in Achieving Gender Equality in Africa:

### Stocktaking, Opportunities and Accountability

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# Organizational Summary

The African Union Leadership Academy (AULA) is an ambitious vision born out of the desire to create a 'go to' center of excellence in the domain of public sector management capabilities to facilitate Africa's regional integration initiatives for its citizens. The vision stems from a need to equip our most critical public resources, the human capital, with the skills and mindsets needed to achieve the goals of Agenda 2063 – the Africa We Want. It is currently located within the African Union Commission Headquarters, Addis Ababa, Ethiopia. We acknowledge the financial support from the World Bank Group for this dialogue session within the framework of the Support for Capacity Development of the African Union Commission (AUC) and other African Union (AU) Organs Project for Africa (P126848).

# Introduction

The African Union Women, Gender and Development Directorate (WDGG) and the African Union Leadership Academy (AULA) in partnership with fellow AUC Departments, the Office of the Special Envoy, OHCHR, and CSOs partners hosted the African Union 3<sup>rd</sup> High Level Panel Dialogue on Gender Equality and Women's Empowerment (3<sup>rd</sup> HLP GEWE), from 08 – 09 July 2016 on the margins of the 27<sup>th</sup> AU Ordinary Summit of the Heads of State and Government in July 2016, in Kigali, Rwanda. The Panel was framed within the 2016 AU theme of the "*African Year of Human Rights with a particular focus on the Rights of Women*", under the theme "*The Contributions of the Maputo Protocol on Women's Rights in Achieving Gender Equality in Africa: Stocktaking, Opportunities and Accountability*".

The AULA supported this event under its Policy Program Dialogue (PPD) Sessions that are intended to provoke a dialogue and sharing of experiences around African Union program implementation more broadly through a programme of knowledge and experience sharing seminars, workshops and collaborative learning opportunities. All PPD Sessions are aligned to the implementation of Agenda 2063 priorities and are organized in partnership with focal departments and AU Organs. This report emerges from a bigger and detailed overall report and should be read in the context of the main 3<sup>rd</sup> HLP GEWE Report. Its aim is to elaborate the policy dialogue program of AULA.



## The African Union's Gender Architecture

The AU has enshrined its commitment to gender equality in article 4(l) of the Constitutive Act of the AU. It has initiated the process of gender mainstreaming in its various organs and has included important provisions regarding women in protocols subsequent to the Act. Principally, the AU's gender architecture comprise four pillars namely, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (The Maputo Protocol); the Solemn Declaration on Gender Equality (SDGEA); the African Union Gender Policy (2009); and the African Fund for Women (2010). The SDGEA was adopted in 2004 in Addis Ababa, Ethiopia. African Heads of States and Governments commit to report annually on the progress made to promote women's empowerment and gender equality in their countries.

The Maputo Protocol entered into force in November 2005 after ratification by 15 member states. It is a legally binding supplement to the African Charter on Human and People's Rights. The Protocol is a holistic document covering the entire gamut of women's human rights. The African Fund for Women was created in 2010 and became operational in 2011. Its objective is two-fold; to ensure policy implementation of gender instruments ratified by MS and the effective mainstreaming of gender in policies, institutions and programmes across all sectors on the continent. Given these objectives, the Fund with contributions from member states and international partners funded 53 projects in 27 countries in 2012.

During the January 2015 Summit held in Addis Ababa, Ethiopia, the African Union (AU) Heads of State and Government declared 2016 as the African Year of Human Rights with Particular Focus on the Rights of Women. Coming on the heels of the 2015 theme of Women's Empowerment and Development towards Agenda 2063, the 2016 theme signifies the importance that the AU attaches to women's rights. The theme of the Decade is 'Grassroots Approach to Gender Equality and Women's Empowerment.' The year 2016 is therefore a crucial for women's rights, particularly because it is the first year of the global and regional development agendas, namely the 2030 Agenda for Sustainable Development and Agenda 2063 are being implemented.

Subsequently, 2016 has been pronounced the *Africa Year of Human Rights with particular focus on the Rights of Women*. The 27<sup>th</sup> AU Summit maintained this theme, facilitating within its margins, a host of activities, including the 3rd AU High Level Panel on Gender Equality and Women's Empowerment. Deliberations from key continental, global, national, civil society and government representatives in this panel were centred on assessing contributions of the Maputo Protocol on women's rights in transforming the lives of women in Africa and charting a way forward for better compliance.



## Objectives of the 3<sup>rd</sup> HLP on GEWE

The main objective of the dialogue was to share experiences, take stock of progress, identify innovative ways of promoting compliance and raise awareness on critical gaps that must be addressed to enhance prospects for the ratification, domestication and implementation of the Maputo Protocol. The specific objectives of the dialogue were to:

- Collaborate with AU Policy Organs and relevant Civil Society Organisations in identifying the challenges and opportunities to recognize and protect women's human rights despite the adoption and ratification of regional instruments such as the Maputo Protocol;
- Take stock of the current status of women in Africa, in terms of progress accomplished with respect to their social, economic, political and cultural rights;
- Provide a knowledge-brokering and sharing platform on best practices & success stories on progress towards gender equality, gender justice and upliftment for African women across national boundaries and the implementation of the Maputo Protocol by Member States;
- Network between state and non-state actors, as well as development partners on ways to take forward the gender agenda in Africa in line with Agenda 2063 and the 2030 Agenda on Sustainable Development.

“Rwanda remains a shining example of gender equality and women's empowerment.”

Dr. Khabele Matlosa, AUC Director for Political Affairs Opening Ceremony of the High Level Panel

### Significance of hosting the 3<sup>rd</sup> HLP on GEWE in Rwanda

The hosting of the High Level Panel session in Rwanda was both strategic and befitting. There are a number of lessons and key success factors that can be learnt and emulated from the Rwandan experience:

- Visionary and transformative political leadership is required for gender equality and women's empowerment at the highest echelons of the state;
- Effective policies, enforceable laws and resilient institutions that persistently drive the agenda of gender equality and women's empowerment are necessary;



“Rwanda has surpassed the minimum quota (30%) for women representation in decision-making. Women in Rwanda constitute 64% of the Legislature; 40% of the Executive; 50% of the Judiciary; 50% of Provincial Governors and 44% of the District Councillors.”

Dr. Khabele Matlosa, AUC Director for Political Affairs Opening Ceremony of the High Level Panel

- Specifically, gender machineries including a dedicated ministry in charge of gender issues are necessary to champion the agenda of gender equality and women’s empowerment;
- With respect to increasing women’s participation and representation in political decision-making, the electoral model in place is critical; winner-take-all electoral models such as the First-Past-The-Post have tended to inhibit gender equality; while the Party-List Proportional Representation models tend to be facilitative of gender equality;
- Affirmative action measures of various types, including legislated gender quotas, do play a catalytic role towards gender equality and women’s empowerment;
- Since State power in democratic settings is accessed through political parties, it is in these institutions that women are encouraged to play meaningful leadership roles;
- Besides their effective and meaningful presence in political parties, women are encouraged to play influential and leadership roles in the larger society through inter-alia civil society, trade unions, media, academia, faith-based organizations, Community-Based Organizations and the private sector<sup>1</sup>

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<sup>1</sup> Based on Speech by Dr. Khabele Matlosa during the Opening Ceremony of the 3<sup>rd</sup> High Level Panel on GEWE





# Contributions of the Maputo Protocol to the Women's Rights and Gender Equality Agenda in Africa

The Maputo Protocol has been referred to as a “home grown tool”<sup>2</sup> developed by Africans, for the purpose of empowering local communities and fostering a rights-based approach in the fight against gender inequality, poverty and suffering as experience by African women. Its significance and potential lies in the fact that it contextualizes the situation of African women and makes explicit the protection of women's rights in areas which are not expressly provided for in other treaties, including for instance CEDAW and the Banjul Charter. The Protocol also contains a number of 'global firsts' in relation to women's human rights:

- It is the first human rights treaty to explicitly call for the elimination of Female Genital Mutilation (FGM).
- It presents the first articulation in an international human rights treaty, of a woman's right to abortion in cases of rape, incest and where the continued pregnancy endangers the life of the mother.
- It is also the first human rights instrument that specifically highlights women's rights in the context of the HIV/ AIDS pandemic. The Protocol provides for the right to self-protection and to be protected against sexually transmitted infections, including HIV/AIDS and the right to be informed of one's HIV status as well as that of one's partner.

Through the AU Gender Policy, adopted in 2009, Member States undertook to achieve full ratification and enforcement of the Maputo Protocol by 2015 and its domestication by 2020. However, as of July 2016, out of the 54 Member States of the AU, only 49 have signed the Protocol, 37 out of the 49 have ratified and only three countries have fully complied with the reporting requirements of the Protocol.

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<sup>2</sup> Roselynn Musa, Provisions of the Protocol: Breathing Life into the Protocol on Women's Rights in Africa, SOAWR, 2006

## Domestication and Implementation of the Maputo Protocol

*“By going with everybody (women and men) we will be going at 100%, isn’t that good economics, isn’t that good politics, isn’t that good law? Effective implementation of the Protocol will bring us closer to this”<sup>3</sup>*

Rwandan Justice Minister, Johnston Busingye, 3<sup>rd</sup> HLP, GEWE Apart from having progressive policy frameworks at continental level, specific African countries have taken lead in advancing the rights of women and their progress on specific dimensions was shared during the 3<sup>rd</sup> HLP. For example, Rwanda has overcome its troubled past and is a global leader on women’s participation and representation in political and public service. The country has a women parliamentary majority of 64%. Namibia, South Africa and Kenya have the most progressive Constitutions that guarantee human rights generally and women’s rights in particular. Cape Verde, South Africa and Tunisia have enacted progressive laws on Sexual and Reproductive Health and Rights (SRHR). The results of these progressive policies and different countries taking lead on women’s rights are yielding results. Across Africa, mortality rates for children under the age of five have decreased by 37% since 1990, and maternal mortality has fallen by 42%. Almost all African countries have laws prohibiting violence against women.

“We have countries that have not done much in terms of implementation, which is why gender inequality is still a problem in Africa...after ratification, the next step is implementation and that is the only time African women will enjoy the fruits of the protocol.”

Executive Director, FEMNET, Ms.  
Dinah Musindarwezo

Furthermore, during the dialogue, it was shared that almost all countries have adopted gender policies and this has resulted in the adoption of specific gender-responsive laws and reforms in areas such as family law, health, education and the judiciary. Several governments also now have full-fledged Ministries dedicated to the empowerment of women and girls. Most countries have adopted and implemented national gender policies, national action plans for the promotion of the rights of women, national action plans for implementing UN Resolution 1325, and relevant sectoral policies in the area of maternal and child protection. With regard to socio-economic achievements, several countries have adopted ambitious action plans to alleviate poverty among women by establishing funds for women’s empowerment and initiating land reforms with the aim of promoting women’s access to social housing, land and agricultural loans.

While the continent has made notable gains on women’s human rights, it was highlighted that their realization at scale, for majority of women and girls has been slow. In her Opening Remarks during the panel dialogue, Dr. Nkosazana Dlamini-Zuma highlighted that gender inequality remains the most flagrant threat to the realization of human rights in all

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<sup>3</sup> Rwandan Justice Minister, Johnston Busingye during the 3<sup>rd</sup> HLP GEWE

“By going with everybody  
(women and men) we will  
be going at 100%, isn’t that  
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Protocol will bring us closer  
to this”

Rwandan Justice Minister, Johnston  
Busingye

African countries and beyond. This inequality results in women being the majority of the poor; the dispossessed; the unemployed and those whose bodies are daily violated with little or no redress. The majority of women lack control over land and assets, disproportionately shoulder the burden of unpaid care and labour, are more likely than men to have low wages and poor working conditions, experience unacceptably high levels of maternal mortality and face the prevalence of HIV and AIDS, Female Genital Mutilation (FGM) and early and forced marriage.

Thus, despite the far reaching human rights guarantees contained in both the Maputo Protocol and the national legislative and policy frameworks of most countries, it was emphasized that there is still a huge gap between commitments pursuant to the ratification of the texts and the reality of women’s lives. The commitment by States Parties on the Solemn Declaration on Gender Equality has not been realized. Deadlines fixed in the AU Gender Policy to achieve full ratification by 2015 have not been met and the commitment to domestication by 2020 already seems to be off-track. Even in countries which have ratified the Maputo Protocol, women’s rights are still being violated without the perpetrators facing justice. It was indicated also that many women still do not know their rights. Those who want to prosecute violations of their rights, lack the financial means to do so. Legal aid is either not available or inaccessible and the promotional and protective mandate of the African Commission on Human and Peoples’ Rights is not effectively utilised because of lack funding. It is crucial that efforts are stepped up in order for women in the continent to reap the promise of the Maputo Protocol.



## Women's Participation in Local Governance

Despite progress in improving women's access to political institutions, including increasing their vote share and the representation of women in parliaments and other leadership positions, women are still underrepresented in government, particularly at local levels. Local governance is critical for providing services that are fundamental to guaranteeing a basic standard of living. However, women still face hurdles in achieving equal access to those services. Engaging women in local governments is necessary to overcome the shortcomings in gender equality of access to services and to ensure that women's concerns are addressed at all levels of government. A full session was set aside to take stock of progress on this dimension.

Local government is a major structure of political governance which is closest to citizens. Its main mandate is to deliver key services that directly impact peoples' livelihoods. It is seen as entry level into political decision making, and it is therefore critical to get women involved at this level of leadership. Women account for only 20% of councillors worldwide. Ten of the world's 195 capital cities are led by women<sup>4</sup>. All 13 SADC countries with elected local governments have failed to reach the 50% target. Women's representation in local government in the SADC region only increased 1%, from 23% in 2009 to 24% in 2015. With the exception of Lesotho and Namibia who have 49% and 42% respectively, women representation in local government Most AU member states still fall short of the 50% women representation in local government. It is key to note however, that women representation at parliamentary level is significant, above 40% in Senegal, Seychelles and South Africa. As indicated earlier, Rwanda sets the bar high with a 64% women representation in the country's legislative seats.<sup>5</sup>

"We believe that, besides improving gender relations in our country, this marks healthy progress toward realising our vision of a united, democratic and prosperous Rwanda"

Rwandan President, Paul Kagame

<sup>4</sup> VSO Women in Power Report Nath, 2013.

<sup>5</sup> VSO Women in Power Report Nath, 2013.

The lessons learnt from the case of Rwanda indicates that the combination of good political will, an inclusive approach, voter and civic education, training of candidates on campaign issues and multi stakeholder monitoring of compliance to gender equality are enabling factors towards the effective participation of women in local government politics. Other critical factors include, the effective institution of affirmative action and imposition of quotas through the Constitution<sup>6</sup>.

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<sup>6</sup> This section is partly based on presentations made by Chairperson, Rwanda Electoral Commission and Ms. Keneilwe Sadie Mooketsane, Lecturer, Department of Political and Administrative Studies, University of Botswana



## Gender Equality and Education

Agenda 2063 envisions a people-centered development, gender equality and youth empowerment, which place the African people at the centre of all continental efforts to ensure their participation in the transformation of the continent, and to build caring and inclusive societies. Emphasis is placed on the fact that no society can reach its full potential, unless it empowers women and youth and removes all obstacles to women's full participation in all areas of human endeavours. Africa must provide an enabling environment for its women, children and young people to flourish and reach their full potential.

Even though a lot of progress has been made in reducing gender disparities in educational systems, there still remains a lot of work to be done. Statistics shared during the dialogue show that out of 75% of girls starting school, only 8% finish in the African continent. Only seven in ten children who begin primary school in sub-Saharan Africa will stay in school until the last primary grade. Girls are more likely to drop out, with rates as high as 59% in Ethiopia and 57% in Liberia. Across sub-Saharan Africa less than one-quarter of secondary school-aged girls are enrolled in secondary education. Rates are nearly one-third lower in conflict-affected countries, and the gender parity gap is widening<sup>7</sup>

Simply getting girls into primary school does not ensure that they complete their schooling. In many African countries, girls face a distinctive set of barriers to learning, especially when they reach post-primary levels of education. The panel dialogue discussed a number of reasons why girls drop out from schools. These included; early marriage and pregnancy, gender-based violence in and around schools, poverty, household chores, lack of gender-sensitive curricula and environments, as well as inadequate teaching strategies.

These challenges are not exhaustive, but they are recurrent themes in many countries. They constitute additional hurdles girls need to overcome to benefit from quality education. The panel dialogue emphasized the need for a shift in focus from parity to gender equality so as to enable all, and especially girls and young women, to reap the full benefits from education. Achieving universal quality education, particularly educating girls and women is fundamental to achieving both Agenda 2063 and the SDG's – which both include goals on education and gender equality.

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<sup>7</sup> Education for All Global Monitoring Report 2015 Gender Summary

In their case study of the Productive Safety Net Programme in Ethiopia Zibagwe et al (2013) provide the argument that a deliberate child focus in both the design and implementation of the social protection programmes may lead to improvements in children's schooling and access to basic care services and protects them from child labour.<sup>8</sup> Additionally, gender sensitivity is also critical in such programmes in order to ensure equitable access and opportunities.

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<sup>8</sup> Zibagwe, S., Nduna, T., & Dafuleya, G. (2013). Are Social Protection Programmes Child-sensitive? *Development Southern Africa*, 30(1), 111-120.





# Status of the Implementation of Women, Peace and Security Agenda

This panel dialogue constituted the launch and presentation of the main findings and recommendations of the report on the state of implementation of the women, peace, and security agenda in Africa. The dialogue also provided a platform to discuss and reflect on the report. Following below is a summary of the discussions and some of the highlights from the report shared during the dialogue.

In October 2015, Africa and the world at large celebrated the 15<sup>th</sup> anniversary of United Nations Security Resolution 1325 (UNSCR 1325), a landmark global commitment on Women, Peace and Security. As a continent, Africa has embedded UNSCR 1325 in continental, regional, and national legal and policy instruments and programs. Major among these at the continental level are the Protocol to the African Union Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) and the Solemn Declaration on Gender Equality in Africa (SDGEA). As Africa embarks on a post-2015 agenda for UNSCR 1325 and the wider Women, Peace and Security agenda, the dialogue acknowledged that progress has been registered broadly. However, this has predominantly been in terms of process, while implementation, impact, and monitoring has been weak.

According to the report, monitoring and reporting (both statutory and voluntary) of this basket of women, peace, and security commitments has been, to date, limited and insufficient. At the continental level for instance, regular annual reporting on the SDGEA is provided for, but only thirteen (13) country reports were received for consideration in the tenth annual report (June 2015). Tools such as the Gender Scorecard have been launched recently (2015), and in its second iteration proposes to expand the political and civil rights cluster to include indicators on participation, prevention, and protection of women along the lines of UNSCR 1325. At a sub-regional level, the SADC Gender Monitor is an important monitoring mechanism. Increased accountability -through monitoring and reporting for these commitments is essential for greater performance and delivery.

The report also builds on a number of activities including consultations with AU Member States-from both Ministries of Gender and Defense-and

Regional Economic Communities (RECs) who have developed 1325 Action Plans, engagement with civil society, who have played a significant role in implementation and monitoring of UNSCR 1325 nationally and regionally, high-level advocacy and mobilization to galvanize support and build a constituency for the Framework during the 25<sup>th</sup> AU Summit, 70<sup>th</sup> UN General Assembly, and October 2015 UNSCR 1325 commemorations, and the Co-organization, with UN WOMEN, of an Africa Regional Consultative Meeting on the Global Study on UNSCR 1325 in January 2015, ensuring Africa's contribution to this global endeavor.

Further, the report outlines Member States' and Regional Economic Communities' implementation of UNSCR 1325 as an entry point to assessing the state of implementation of the broader Women, Peace, and Security agenda on the continent. It canvasses the legislative and administrative mechanisms and machineries put in place at national and regional levels to support the advancement of the Women, Peace, and Security agenda, as well as progress made on performance where data and information exists. The report also identifies key intervention areas to accelerate implementation, performance, and impact for women across the continent.

There was also consensus during the dialogue that monitoring and reporting to mechanisms on WPS remains insufficient. For example, while, the AU boasts a total membership of 54 states, as of July, 2016 only 19 had developed and adopted the United Nations 1325 National Action Plans (1325 NAPs).<sup>9</sup> Statistics shared during the dialogue further indicated that there is low representation of Southern, Central and Northern Africa countries in the implementation of 1325 NAPs. This low representation however is not a statement to suggest that the respective countries are not actively engaged in facilitating the resolutions and recommendations of the 1325 NAPs. For instance Namibia has a National Gender Policy and Action Plan with a specific chapter on peace and security. Sudan is another example of a country that is in process of bringing the 1325 NAPs into mainstream policy.

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<sup>9</sup> African Union Commission, Implementation of the Women, Peace and Security Agenda in Africa



## Enhancing Cooperation with International, Regional and Sub-regional Human Rights mechanisms, Human Rights Defenders and Civil Society

Human rights defenders, National Human Rights Institutions (NHRIs) and Non-Governmental Organisations (NGOs) play a fundamental role in monitoring the application of international human rights standards and in following-up on the implementation of judgments, decisions and recommendations by UN and regional human rights mechanisms. They also actively contribute to the strengthening of States' capacity to ensure implementation of international human rights standards. In view of this, this panel dialogue challenged participants to reflect on how existing cooperation between civil society and mechanisms could be further enhanced. Critically, the panel explored how regional and international human rights mechanisms could work in collaboration with civil society to tackle the many human rights challenges in the region.

The panel dialogue acknowledged the vibrancy of the human rights movement and how it over the years actively engaged with the universal and regional human rights systems, and contributed to their development. At a sub-regional level, the AU has provided guidance to the Regional Economic Communities (RECs) in complementing and harmonizing global and regional frameworks by integrating and translating various resolutions and commitments into their policies and plans of action. It was also reported during the dialogue that the RECs have already started implementing some coordination and harmonization mechanisms, which will help eliminate discrepancies; and support the establishment of priority areas of focus. However, bolder action is still needed, with the RECs expected to monitor the implementation of integration-related policies and programmes, to mobilize the necessary resources to support such policies and programmes, and to report on progress.

Furthermore, the RECs all possess dedicated gender units, which include declarations and tools for gender audits and mainstreaming. The Southern African Development Community (SADC) established a

Gender Unit in 1996, adopted a Gender Policy Framework in 1997 and established gender focal points at the sectorial level. An SADC Plan of Action for gender and development was created to audit the programmes and to mainstream gender; while the Economic Community of West African States (ECOWAS) has instituted a gender policy to guide its member states in gender mainstreaming. These mechanisms are all important in institutionalising the gender equality and women's empowerment agenda.



# Strategic Partnerships and their contributions to gender equality and the implementation of the Maputo Protocol

This panel dialogue included presentations from the Office of the UN High Commission on Human Rights, the African Diaspora and Women in Maritime.

## The OHCHR

Regional mechanisms have a crucial role in complementing universal human rights standards contained in international human rights instruments. The Office of the UN High Commission on Human rights (OHCHR) recognises the important role played by regional, sub regional and inter-regional human rights arrangements in promoting and protecting human rights. Accordingly, the OHCHR has been requested to hold every two years, international workshops to put forward concrete proposals on ways and means to strengthen cooperation between the UN and regional arrangements in the field of human rights. Since 2008, four workshops have been held on various thematic areas. Some of the lessons learnt from these events are the need for strengthened cooperation, including sharing of lessons and best practices.

## The African Diaspora

The African Diaspora is broadly defined by the African Union Commission as 'peoples of African origin living outside the continent, irrespective of their citizenship and nationality and who are willing to contribute to the development of the continent and the building of the African Union'.<sup>10</sup> Statistics shared during the panel dialogue indicated that; Africans in the diaspora are spread out across the continents; in North America, there are 39 million from the African Diaspora; 113 million in Latin America;

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<sup>10</sup> <http://www.cnn.com/2013/11/01/opinion/africas-secret-weapon-diaspora/index.html>

“There is no shortage of diaspora Elites, who would tutor, mentor encourage and inspire pupils in Continental Africa...(Also) educational institutions in Africa could garnish financial and intellectual capital for the Diaspora to provide education and enlightenment for girls and women in the fields of Law Enforcement, Judiciary, Peace Keeping, Business Administration , Management , leadership and Economics, Arts and STEM. This action would facilitate proper integration of a gender perspective in policy decisions, legislation, development plans, programs and activities and in all other spheres of life; and consequently those discriminatory laws would easily be identified and reforms made, and thus, the Maputo protocol objectives will be met.”

Ms. Bokwe Burnley, Diaspora African Forum

13.6 million in the Caribbean; and 3.5 million in Europe.<sup>11</sup> Given the above statistics, the panel dialogue called for greater involvement and engagement with the African Diaspora in the Gender Equality and Women’s Empowerment agenda.

According to Bokwey Burnley of the Diaspora African Forum, diaspora remittances now outweigh Western aid to Africa. According to a 2010 BBC report, "Africans living outside of the continent remitted \$51.8 billion to the continent. In the absence of formal welfare mechanisms in many African countries, diaspora remittances fill the void".<sup>12</sup> She further added that women and girls who form the majority of Africa's population should and would benefit from these injections of money. Another study (by UNICEF) shared during the dialogue estimated that by 2050 Africa's population is likely to be about 2.4 Billion, and by the end of the century 4.2 Billion. Effectively this means that 40% of the human population will be African. In light of this, the dialogue highlighted the critical and urgent need to prepare for this reality through the creation of strategic partnerships and alliances between the African diaspora and the African continent towards realizing the implementation of the Maputo Protocol.

### Women in Maritime

During the panel dialogue, the African Union (AU) was acknowledged for its show of leadership in pushing the agenda of Women in the Blue Economy. This is seen in the two events it hosted this year – one in Luanda, Angola in March on African Maritime Women: Towards Africa’s Blue Economy, and another in Addis Ababa, Ethiopia in July. Moreover, the theme of the AU summit in January was Women Empowerment in Africa, as a step towards achieving the goals of the AU’s Agenda 2063. Agenda 2063 states that Africa’s ocean economy, which is three times the size of its landmass, shall be a major contributor to continental transformation and growth.

AU Commission Chairperson Nkosazana Dlamini-Zuma was also applauded for her championship and important statements calling for greater participation of women in maritime industries, especially in the development of Africa’s Blue Economy. If achieved, this will see increasing interest in African countries that are developing maritime industries and this could translate into economic benefit from maritime resources for Africa as well as opportunities in fields such as ship ownership, fishing, manufacturing and shipbuilding, and natural resource extraction.

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<sup>11</sup> Ibid.

<sup>12</sup> Presentation by Rev. Bokwey Burnley, Diaspora African Forum during the 3<sup>rd</sup> HLP GEWE



# Financing and Accountability for Gender Equality in Africa

“Instead of always scrounging around and begging for money for these Gender events, often at the expense of our principles and our autonomy, is it not time that as women activists, we contribute and mobilise other women to contribute even just a dollar a month to fund the activities and programmes we think are important for African women? Why can’t we say, enough of begging... let’s put the first dollar ourselves and then ask the neighbours to help.”

(AU Chairperson, Dr. Nkosazana Dlamini Zuma)

The equal and effective participation of women in economic, social and political leadership is imperative and needs to be prioritised in government and other spheres. However, despite all the commitments on paper, practice indicates that gender equality and women’s rights institutions still struggle to secure funding and when they do, *“it’s often at the expense of our (women’s) principles and our autonomy”*.<sup>13</sup> Dr. Nkosazana Dlamini-Zuma further noted that the slow pace at which gender equality transformation is taking place in the continent can be partly attributable to the prevalent perception of gender equality ‘as an act charity and not priority’ by most donors and funders. She further emphasized the need to prioritize, dedicate and ensure consistent investment and resources for gender equality and women’s empowerment. For many decades funding for gender and women’s rights programs has been largely dependent on mainstream funders and donors. For example, in 2011, only 13% of women’s organizations had secured all of the funding they needed for that year and only 2% had secured all of their funding for 2012.<sup>14</sup> However, investments in gender equality are vastly insufficient and only a small proportion of aid addresses women’s specific needs.

A common thread throughout the panel sessions was the challenge posed by Dr. Nkosazana Dlamini-Zuma urging all women to contribute to the financing of the work towards gender equality and women’s empowerment.

At a practical level, it would take only one million women to commit to contributing a dollar a month raise US\$12 million dollars in one year (*enough to fund 923 women’s organisations assuming an annual budget of \$13,000, slightly above the median budget in Sub-Saharan Africa*). Scale this model to professional women, women in business contributing according to their earnings the model could amass even more resources.

<sup>13</sup> Dr Nkosazana Dlamini-Zuma during her Opening Remarks at the 3<sup>rd</sup> HLP on GEWE

<sup>14</sup> 2011 AWID Global Survey “Where is the Money for Women’s Rights?” Preliminary Research Results



Dr. Nkosazana Dlamini-Zuma further emphasized that by mobilizing their own funds, women's rights organisations can decrease their dependence on outside donors and solidify their position in negotiating the terms of the funding they get from mainstream funding sources. Creating their own streams of self-reliant funding, will afford women the much needed currency and power to define and shape their own agendas.

Important to note is that indigenous forms of giving are nothing new to African women. African women have traditionally been heralded for their generations of life-changing service to society. Women have always been at the forefront of indigenous forms of giving or philanthropy - through informal and sporadic ways – providing care and support to a sick family member or neighbour. With this embedded in the character African women, this provides potential assurance of the sustainability of such an initiative. It is not an overstatement to say that women, as managers of their individual, family, and shared wealth, have the potential to make a profound and lasting impact on society by actively engaging in philanthropy. Philanthropy is an inherent characteristic of African family life and community.



## Recommendations

Potential opportunities and policy recommendations that emerged from the various thematic roundtable discussions:

1. Although African leaders have undertaken to promote the principles of the AU, including respect for gender and human rights in all member states, implementation of these principles remains a challenge. Thus the AU Commission should step up its advocacy, follow-up and monitoring role, and conduct proper assessments and evaluations of the impact of gender instruments reinforcing the mechanisms in place to track progress.
2. The AU needs to foster close collaboration with the RECs, which are regarded as the pillars of the AU, and with civil society organizations (CSOs). The active involvement of a broad and diverse range of institutional actors from the public, private and voluntary sectors should be encouraged in order to work for gender equality and women's empowerment. Women's organizations have an important role to play in lobbying governments to ratify the Protocol and bring into force, while at the same time asking for the allocation of adequate financial, human and material resources for the WGDD to mainstream gender in the AU.
3. The AU to consider reviewing and updating the Constitutive Act of the AU to include all the gender equality instruments that have been adopted since 2002. A gender quota should be applied in the PSC and its structures such as the ASF and the Panel of the Wise (PoW). For instance, since the inauguration of the Panel of PoW in 2007, it is only in the 2014-17 cycle that women have exceeded men.
4. State Parties to the Protocol to comply with their obligations under the Maputo Protocol including under Article 21 (1) of the African Charter on Human and People's Rights to submit periodic reports, domesticate and implement the Protocol; and appeal to the remaining 17 countries who have not ratified the Protocol, to ratify without delay.
5. Member States urged to adopt gender-sensitive planning and budgeting schemes, with a view to accelerating the implementation of the Maputo Protocol and national, regional and international gender related commitments through strengthened domestic and international resource mobilization and allocation for women's and girls' rights and needs.
6. Women are urged to mobilise their resources towards financing their own initiatives, and to heed the call to save at least one dollar a

month by one million women. The AU to take the lead with support from Member States to fundraise to finance key activities that further the gender agenda.

7. Governments to adopt a holistic approach to realizing girls' rights to access, remain and complete their education, especially secondary and higher education levels, through meaningful collaboration among relevant ministries.
8. Member States to ensure that the number of women in the local government system at all levels including in international and intergovernmental organisations is increased and create an enabling environment, including reviewing electoral systems, to facilitate their effective and equal participation of women in political and development agendas at a local government level.
9. Encourage the strengthening of cooperation between UN and AU mechanisms, regional and national human rights mechanisms through establishing focal points, improving information sharing, cross referencing jurisprudence and recommendations of human rights mechanisms.
10. Finally, Member States to develop and implement comprehensive and integrated policies to strengthen collaboration between the African Diaspora and African Civil Society Organizations (CSOs); to involve youth and fund their initiatives to advance gender equality including investing in their education and entrepreneurship through public-private partnerships; and to partner with women in maritime to create employment opportunities for young women.

