



Report on the 3rd High Level Panel on Gender Equality and Women's Empowerment

Kigali, Rwanda
08 – 09 July, 2016

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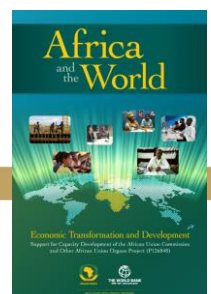


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ACRONYMS

AUC	African Union Commission
AULA	African Union Leadership Academy
AU	African Union
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CSOs	Civil Society Organisations
EAC	East African Community
ECOWAS	Economic Community of West African States
FGM	Female Genital Mutilation
GEWE	Gender Equality and Women's Empowerment
GBS	Gender Budget Statement
GBV	Gender Based Violence
GIMAC	Gender Is My Agenda Campaign
GRB	Gender Responsive Budgeting
HIV/ AIDS	Human Immunodeficiency Virus/ Acquired Immuno Deficiency Syndrome
HLP	High Level Panel
NGOs	Non-Governmental Organisations
NHRIs	National Human Rights Institutions
OBL	Organic Budget Law
OHCHR	Office of the UN High Commission on Human Rights
PHD	Post-Graduate Degrees
PPD	Policy Program Panel
RECS	Regional Economic Communities
SADC	Southern African Development Community
STEM	Science, Technology, Engineering and Math
SOTU	State of the African Union
UN	United Nations
UNICEF	United Nations International Children's Emergency Fund
WDGG	Women, Gender and Development Directorate
WIP	Women in Parliaments

Executive Summary



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 3rd High Level Panel on Gender Equality and Women's Empowerment (3rd HLP GEWE), from 08 – 09 July 2016 on the margins of the 27th 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 panel was divided into thematic roundtable discussions as outlined below.

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

The session focused on assessing the successes, drawbacks and challenges faced in the implementation of the Maputo Protocol. The Protocol has the potential to benefit millions of women when governments not only ratify but also ensure its domestication in national laws, with accompanying resources for its implementation, otherwise, it remains just a piece of paper. Despite the far reaching human rights guarantees contained in the Protocol and the national legislative and policy frameworks of most countries, there is still a huge gap between commitments pursuant to the ratification of the texts and the reality of women's lives in Africa. Deadlines fixed in the AU Policy to achieve full ratification by 2015 and domestication by 2020 have not been met.

Women's Participation in Local Governance

This session provided an opportunity to highlight the current status of women's participation in local governance, to identify the challenges as well as to pave way for a significant and

increased participation of women in the local governance architecture on the continent. Different legal and policy frameworks including the Maputo Protocol, the Beijing Platform of Action as well as the 2007 African Charter on democracy, elections and governance demonstrate the commitment of African countries to guarantee that women play a significant role at the community level. However, despite the fact that women represent the majority of voters in many African countries, they remain the least represented in governance and political decision making positions. Regarding their representation in local governance in the SADC region, progress remains slow, with a slight increase from 23% in 2009 to 24% in 2015. Some of the challenges hindering women's participation in local government include insufficient numeric representation, limited access to information, illiteracy and lack of education. The successes that have been achieved in some countries are mainly due to institute affirmative action, constitutional quotas, rules to enforce gender quotas, proportional representation, among other factors.

Gender Equality and Education

Achieving universal quality education, particularly educating girls and women is fundamental to achieving both Agenda 2063 and the SDG's – which both include ambitious goals on both education and gender equality. 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 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 widening¹. Simply getting girls into primary school does not guarantee that they will 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. Girls drop out from schools for many reasons; 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.

Women, Peace and Security Agenda

Since the launch of the UNSCR 1325, Africa has built up an extensive body of instruments and policies aiding the Women, Peace and Security agenda, chief among these are the Maputo Protocol and the Solemn Declaration on Gender Equality in Africa (SDGEA). However, in spite of all these initiatives, monitoring and reporting remains insufficient. While, the AU boasts a total membership of 54 states, as of July, 2016 only 19 had developed and adopted the 1325 National Action Plans (1325 NAPs).² Statistics further, indicate that there is low representation of Southern, Central and Northern Africa countries in the implementation of 1325 NAPs. This low representation however is not to suggest that the respective countries are not actively engaged in facilitating the resolutions and recommendations of the 1325

¹ Education for All Global Monitoring Report 2015 Gender Summary

² African Union Commission, Implementation of the Women, Peace and Security Agenda in Africa

NAPs. The majority of East and West African countries adopted the 1325 NAPs, however with notable diversity in approach and priority, as a result of the unique contexts of the respective countries. Further augmenting this notion of regional coordination would be the regional co-operation of SADC, who, based on the SADC Protocol on Gender and Development have developed and adopted a Regional Gender Policy. The AU Commission also hails the role of civil society in facilitating the implementation of the WPS agenda in the continent.

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

Human rights defenders, NHRIs and 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, the 3rd HLP challenged participants to reflect on how existing cooperation between civil society and mechanisms could be further enhanced. Critically, to explore how human rights mechanisms could work in collaboration with civil society to tackle the many human rights challenges in the region.

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

The session aimed at reflecting on how a better cooperation and coordination could be put in place in order to entrench a human rights culture in Africa, prepare a space to clarify challenges faced by human rights defenders and CSOs in Africa. The need to strengthen the cooperation between the United Nations and regional arrangements in the field of human rights was underscored. Some modalities of the proposed cooperation reinforcement include establishing focal points, improving information sharing, and ensuring the cross-reference of jurisprudence and recommendations of human rights mechanisms.

Financing and Accountability for Gender Equality in Africa

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. Women everywhere need prioritized, dedicated and consistent investment and resources. However, investments in gender equality are vastly insufficient and only a small proportion of aid addresses women's specific needs. 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 2012.³ A common thread throughout the panel sessions was the challenge posed

³ 2011 AWID Global Survey "Where is the Money for Women's Rights?" Preliminary Research Results

by the AU Chairperson Dr. Nkosazana Dlamini-Zuma urging all women to contribute to the financing of the work towards gender equality and women's empowerment.

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.

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 3rd High Level Panel on Gender Equality and Women's Empowerment (3rd HLP GEWE), from 08 – 09 July 2016 on the margins of the 27th AU Ordinary Summit of the Heads of State and Government 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 first part of the report provides a brief background to the 3rd HLP GEWE, while contextualizing it within the broader framework of the African Union Commission and other regional human rights mechanisms. It also provides a rationale for the HLP, its objectives and profile of the participants who attended the session. The second part of the report provides a reflection and analysis of the main discussions held under the various themes from the roundtable discussions. Recommendations for the AUC, AU and its organs, RECS, Member States, Civil Society Organisations, Development Partners and the Private Sector on accelerating the ratification, domestication and implementation of the Maputo Protocol are also provided. Lastly, the report provides a summary of the conclusion and outcomes that emerged from the roundtable discussions.

Background to the 3rd HLP GEWE

The African Union High Level Panel on Gender Equality and Women's Empowerment (the 'AU HLP on GEWE') was instituted in June 2014, by Executive Council Decision EX.CL/Dec.823 (XXV) at its 25th Ordinary Session based on provisions of Commitment 1 of the 2009 AU Gender Policy and the Declaration of the 5th Ordinary Session of AU Ministers of Gender and

Women's Affairs in 2013.⁴ The inaugural HLP was held in September 2013 under the theme **"The Post 2015 Agenda for Women within the Context of Economic Empowerment"**. The second edition of the HLP was organized in June 2015, under the theme "Financial Inclusion of Women in Agribusiness" and followed 2 critical key priorities areas of the AU theme of that year i.e. Economic empowerment of Women & Agriculture.

While the above commitment provides for the convening of high-level panels to review the different aspects of gender equality, gender justice and the empowerment of African women, the African Union Leadership Academy (AULA) seeks to transform such meetings from simple consultations into concrete knowledge-sharing forums and knowledge products. This falls within AULA's Policy Program Panel (PPD) Sessions that are intended to provoke panel 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 meeting was hosted by the AU Gender Directorate in collaboration with AUC Departments, UN and the Government of Rwanda. Special thanks and acknowledgement to the following for their specific contributions to the HLP:

AUC Departments:

- Department of Political Affairs
- Department of Rural Economy and Agriculture

UN Agencies:

- UNDP
- UNWOMEN
- OHCHR
- UNECA (specifically Land Policy Initiative (LPI).

CSOs:

- FEMNET
- GIMAC

Rationale for the 3rd High Level Panel GEWE

It is widely recognized that Africa is endowed with some of the most progressive legal instruments compared to the rest of the world. There is however a disconnect between the ratio of legal instruments adopted and their effective implementation at national level, and countries register varying levels of compliance. To these continental commitments towards the multi-dimensional upliftment of African women, implementation is not always shared effectively and repeated elsewhere and key elements are forgotten. Thus, the Panel provided a platform for knowledge-sharing on how, for example, the increasing trends in girls finishing primary education and proceeding to complete secondary and tertiary levels, can be used to leverage their future in society and workplaces; lessons of increased gender parity in local governance, gender equality in public service appointments and legislature can be scaled up for better service delivery.

⁴ Commitment 1: *"High Level Policy Dialogues, consultations, think tank reviews and technical reviews on aspects of gender equality, gender justice and upliftment for African women"*

Essentially, the 3rd HLP leveraged on the AU 2016 theme “African Year on Human’s Rights with a particular focus on the Rights of Women” and critically assessed and reflected on the state of implementation of the Maputo Protocol. The panel session generated a myriad of ideas and identified strategies to achieve greater execution of commitments by Member States. It also reviewed on how the mandates of various AU organs could leverage on the establishment and implementation of accountability and monitoring mechanisms to protect women’s rights in line with the Maputo Protocol. As the Chairperson of the African Union Commission, Dr. Nkosazana Dlamini-Zuma has emphasized that the AUC (and other Organs) is a ‘learning organization,’⁵ the HPL, therefore, constituted a timely reflective moment. It is said that knowledge must prove itself in action, hence the need to create a disciplined practice of knowledge, capture lessons and share progress made and challenges experienced in implementing gender equality commitments. The Panel also provide a multi-lateral exchange and international knowledge sharing in which several parties had the opportunity to learn from each other.

While commendable progress continues to be made, it is also an acceptable reality that despite the existence of many well-intended mechanisms such as the ones highlighted above, African women still long to see their enforcement in a satisfactory manner. It is therefore critical that accountability mechanisms are strengthened in order to ensure that concrete actions are taken to enable women and young girls to fully and adequately enjoy the rights in the treaties ratified by their countries. There are still many legal, economic, social, cultural and religious barriers that deny women access to their rights. Understanding these challenges and sharing documented lessons on each of them, would allow for a better development of strategies to reverse the tide and ensure proper mechanisms are set to monitor the implementation of these instruments.

Objectives of the 3rd HLP on GEWE

The main objective of the Panel 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 Panel 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

⁵ African Union Learning and Development Strategy (2015)

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.

Profile of the Participants

Participants to the AU HLP on GEWE included:

- African Union Ministers responsible for Gender Equality and Women's Affairs;
- African Union Commission and African Union Organs with a human rights mandate, such as the African Commission on Human and People's Rights, the African Court on Human and People's Rights;
- National gender machineries such as Commissions on Gender Equality and Human Rights Commissions dealing with gender equality;
- Civil Society Organisations working on gender equality and women's empowerment issues, including, among others, trade unions, youth organisations, people with disabilities, particularly disabled women, female traditional leaders, academics, especially female scholars;
- Regional Economic Communities and other regional mechanisms;
- United Nations agencies and;
- Private sector

Significance of hosting the 3rd HLP on GEWE in Rwanda

"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

The hosting of the High Level Panel session in Rwanda was both strategic and be-fitting. 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;
- 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 in each country 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 should 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;
- Furthermore, Rwanda has surpassed the minimum quota (30%)⁶ 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.”⁷

Other Meetings and Key Events

Notably, the following side events also took place on the margins of the HLP:

- The meeting of the Bureau of the Specialized Technical Committee (STC) on Gender and Women Empowerment on 7 July 2016
- The launch of the “#Follow the Protocol Campaign” hosted in collaboration with FEMNET on 08 July 2016
- The launch of the “30% Women’s Land Rights Campaign” convened in collaboration with the AUC Department of Rural Economy and Agriculture (DREA) and the Land Policy Initiative (LPI) on 08 July 2016
- The launch of the Solemn Declaration on Gender Equality in Africa (SDGEA) Index in collaboration with GIMAC on 08 July 2016
 - a. Consultation meeting of AU Ministers responsible for Gender Equality and Women Affairs on 09 July 2016.

Importantly, during the opening ceremony of the Gender Pre-Summit, H.E Dr. Nkosazana Dlamini Zuma, Chairperson of the African Union Commission (AUC), received a standing ovation from participants in recognition for her remarkable leadership in promoting women development in all sphere of lives including rural women and the youth. An award was also handed over to her during the occasion by Hon. Silvana Kock-Mehrin, President of Women in Parliament (WIP) for her outstanding role in empowering women to occupy leadership positions in all sectors.

On 9 July, Dr. Nkosazana Dlamini Zuma together with the President of the Republic of Rwanda Paul Kagame were also awarded the Gender Championship award. This was bestowed to them by the African Women Movements, a coalition of women’s groups across the continent in recognition of their tireless efforts in promoting women empowerment and gender equity.

During the awards ceremony, President Kagame lauded the AU Chairperson for being a great example of a complete leader;

⁶ In response to an active civil society movement and rising awareness of women’s rights, in 1990 the UN Economic and Social Council set a target of 30% female representation in decision making bodies by 1995. The 1995 UN Beijing Conference on Women went a step further, by providing an impetus for quota policies by calling for governments to “ensure equal representation of women at all decision-making levels in national and international institutions.”

⁷ As above.

“She is a complete leader formed by the struggle for equality in South Africa. I thank the African Women Movements for promoting gender equality and women empowerment and encouraging everyone to do what is right to ensure that women take their rightful place in global matters,” (President Kagame during the Gender Championships Award Ceremony).

Dr. Nkosazana Dlamini-Zuma also praised President Kagame for leading the liberation struggle and for putting women empowerment at the centre of all government’s programmes.

“You are an inspiration for all us not because you are the President of Rwanda but because you grew up in difficult circumstances but you didn’t let them define your future. When the world was failing this country, you were able to get it out of Genocide. You understood there cannot be freedom for men without freedom for women,” (Dr. Nkosazana Dlamini Zuma during the Gender Championships Award Ceremony)

Reflections on the current status of women's human rights in Africa



This section details on a thematic analysis based on the Roundtable Discussions held during the HLP.

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

In 2003, African states made formidable progress by jointly adopting the Protocol to the African Charter on the Rights of Women in Africa, also known as the Maputo Protocol. This instrument has been welcomed as the 'missing link in the African Charter's protection of women.'⁸ The Protocol aims to confront the continual discrimination, abuse and marginalization of women and guarantees comprehensive rights to women.

Value and Potential of the Protocol

The Maputo Protocol has been referred to as a 'home grown tool'⁹ 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:

- Affirms reproductive choice and autonomy as a key human right (Article 14)
- Provides specific legal protection against violence against women both in the public and private sphere (Article 4)

⁸ Ndirangu & Karmel (in 2 above).

⁹ Roselynn Musa, *Provisions of the Protocol: Breathing Life into the Protocol on Women's Rights in Africa*, SOAWR, 2006

- Articulates a women's right to abortion in specified circumstances (Article 14)
- Requires states parties to prohibit all forms of harmful cultural and traditional practices (Article 5)
- Protects widows' rights to equality (Article 20)
- Prohibits forced marriages and specifies 18 years as the minimum age of marriage (Article 6)

Furthermore, the Maputo Protocol 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.

The Status of Ratification

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 (out of 54 countries) 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. These ratifications are largely attributable to a relentless campaign by women's organisations and networks. The ratification campaign is a remarkable example of the resolve of African women and a model for advocacy, which can be carried over towards the Protocol's future implementation.¹⁰

To date, 17 countries have not yet ratified the Protocol and these are Algeria, Botswana, Burundi, Central African Republic, Chad, Egypt, Eritrea, Ethiopia, Madagascar, Mauritius, Niger, Sahrawi Arab Democratic Republic, Sao Tome and Principe, Somalia, South Sudan, Sudan and Tunisia. A few countries have made reservations upon ratification. These include: Cameroon, Kenya, Namibia, South Africa, Uganda and Rwanda.

Domestication and Implementation of the Maputo Protocol

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

¹⁰ G Ndirangu & S Karmal (eds) *The African Union Protocol on the Rights of Women in Africa: Not yet a force for freedom* (August 2004) campaign pamphlet published jointly by Equality Now, African Women's Development and Communications Network (FEMNET), Oxfam GB, CREDO for Freedom of Expression and Associated Rights, and Fahamu.

dimensions was shared during the 3rd HLP. For example, Rwanda has overcome its troubled past and is a global leader on gender equality with remarkable statistical achievements in women's political decision making and representation. 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.

Furthermore, during the panel 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, Dr. Nkosazana Zuma alluded that gender inequality remains the most flagrant threat to the realization of human rights in all 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. The deadlines set through the AU Gender Policy to achieve full ratification by 2015 has not been met and the commitment to domestication by 2020 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.

Human rights guarantees contained in the Maputo Protocol are far-reaching. However, harmonization with domestic law in several countries which have ratified the Protocol is yet to be conducted. There is also still huge gaps between commitments pursuant to the ratification of the texts and the reality of women's lives;

*"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."*¹¹

(Dinah Musindarwezo, Executive Director, FEMNET, during the HLP GEWE)

On the positive, gender policies have been developed in almost all countries and have resulted in the adoption of specific laws and reforms in areas such as family law, health, education and the judiciary taking into consideration the gender dimension. Several governments also now have full-fledged Ministries to empower 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 socioeconomic 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.

However, despite the far reaching human rights guarantees contained in both the Maputo Protocol and the national legislative and policy frameworks of most countries, there is still a huge gap between policy and practice.

Consequently;

*"Despite the relevant policy and legal frameworks to support the gender agenda, in most of our countries, more often than not, there is a missing link between policy and legal prescriptions and what actually happens on the ground"*¹² (Speaker of the Chamber of Deputies, Rwanda during the 3rd HLP GEWE)

Women still continue to face vulnerabilities due to the ineffective implementation of the Maputo Protocol, among other challenges and as noted by the Chairperson of the African Union, Dr. Nkosazana Dlamini-Zuma;

"...this (gender equality) struggle is not yet over. In fact, we are at a cross-roads, where we can decide that we are satisfied with the slow pace of change, with tinkering at the edges, or to take a qualitative leap in women's situation that is so necessary to build

¹¹ Ms. Dinah Musindarwezo, Executive Director, FEMNET during the 3rd HLP GEWE

¹² Speaker of the Chamber of Deputies, Rwanda, 3rd HLP GEWE

the Africa we want and envisaged by Agenda 2063.” (Chairperson of the African Union, Dr. Nkosazana Dlamini-Zuma)

The commitment by States Parties on the Solemn Declaration on Gender Equality has not been realized. Deadlines fixed in the AU Policy to achieve full ratification by 2015 and domestication by 2020 have not been met. Even in countries which have ratified the Maputo Protocol, women's rights are still being violated without the perpetrators being punished. 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 African Commission on Human and Peoples' Rights is not explored because of lack funding for legal aid support. It is crucial that efforts are stepped up in order for women in the continent to reap the promise of the Maputo Protocol.

Recommendations

The need for a multi-sectoral and integrated approach to implementation

The implementation of the Maputo Protocol is not the sole responsibility of any ministry or government agency dealing with human rights. The issue of women's rights is cross-cutting; one that requires the efforts of all stakeholders. In this regard, state and non-state actors should partner to ensure effective implementation of the protocol in all its dimensions. There are many women's groups such as the Gender Is My Agenda (GIMAC) organization, as well as other interested civil society organizations such as the State of the African Union (SOTU). Together, such civil societies can complement governments by conducting education programmes to sensitize communities about the rights of women and raising awareness about the Protocol.

The Role of Donor Agencies and United Nations Agencies

International organizations and donors are encouraged to support the establishment of pools of lawyers through small legal aid fund so as to ensure effective legal representation of victims. It is also imperative that specific budgetary resources are devoted to the compensation and reparation of victims. The donor community can also support the development of capacities for data collection and for managing of the monitoring and reporting on the progress in implementation.

Specifically, Member States were urged to:

- Ratify the Maputo Protocol, for those that have not yet done so
- Lift reservations made during ratification of the Maputo Protocol to ensure effective implementation of the same;
- Align national laws with the provisions of the Maputo Protocol;
- Give effect to the provisions of the Maputo Protocol to ensure that African women have access to domestic remedies in case of violations of their human rights. Where laws exist, focus on better enforcement, including strengthening institutional mechanisms, allocating resources and increasing the human capacity needed to ensure that enacted legislation serves its purpose;

- Repeal or amend domestic laws which are discriminatory towards women;
- Put in place comprehensive systems through which victims can report cases of human rights abuses. These systems must be confidential and be linked to healthcare, counselling and other comprehensive and integrated services which provide for support of victims;
- Strengthen data collection to reveal the true extent of women's human rights violations;
- Ensure the use of the Guidelines on State Reporting the Maputo Protocol adopted by the Commission during State Reporting under Article 62 of the African Charter;
- Prioritise, cost, budget and ensure adequate resources towards the full and effective implementation of the Maputo Protocol.

Building an Enabling Environment for Women's Participation in Local Governance

This session provided an opportunity to highlight the current status of women's participation in local governance, to identify the challenges as well as to pave way for a significant and increased participation of women in the local governance architecture on the continent. Different legal and policy frameworks including the Maputo Protocol, the Beijing Platform of Action as well as the 2007 African Charter on democracy, elections and governance demonstrate the commitment of African countries to guarantee that women play a significant role at the community level. However, despite the fact that women represent the majority of voters in many African countries, they remain the least represented in governance and political decision making positions. Regarding their representation in local governance in the SADC region, progress remains slow, with a slight increase from 23% in 2009 to 24% in 2015. Some of the challenges hindering women's participation in local government include insufficient numeric representation, limited access to information, illiteracy and lack of education. The successes that have been achieved in some countries are mainly due to institute affirmative action, constitutional quotas, rules to enforce gender quotas, proportional representation, among other factors.

The growing recognition of the need to increase women's participation in political leadership and all spheres of development, including their participation in decision-making at the international, regional and national level, is reflected in the creation of legislative frameworks to enable this. For example, the AU has developed a gender policy and other instruments that focus on addressing gender inequalities. Specifically, in 2011, the AU adopted a new resolution that calls on countries to take concrete steps to increase women's political participation and leadership and report back to the United Nations (UN) Secretary General in 2013. A number of resolutions aimed at facilitating and mobilising women participation at all levels of political leadership have also made. These include, the Maputo protocol of 2003; the Solemn declaration on gender equality in Africa 2004; African Charter on democracy, elections and governance of 2007; Beijing platform of action and Millennium Development Goals. Central to these initiatives is the objective of empowering and facilitating increased women participation in political, economic and social leadership. However, as earlier discussed, the disjuncture between policy and reality remains a challenge, at both national and international level.¹³

¹³ 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

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. 10 of the world's 195 capital cities are led by women.¹⁴ 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 set the bar high with a 64% women representation in the country's legislative seats.¹⁵

The Rwandan Trajectory

Sharing on the Rwandan experience, Mrs Judith Kazayire, Deputy Mayor of the City of Kigali underlined the importance of creating enabling conditions for the participation of women in local governance including; political will at the highest level, an inclusive approach, voter and civic education, training of female candidates on campaign issues and setting up of a Gender Monitoring Office (GMO) to monitor gender compliance in the electoral process. Member of the Rwandan parliament Hon. Juliana Kantengwa, also added that the Rwandan success was largely attributable to the visionary leadership of President Kagame and the establishment of a gender sensitive legal and institutional architecture.

Indeed, the adoption of gender sensitive policies, the constitutional and legal recognition for local democracy in Rwanda with 30% quotas at all levels of decision making, the land ownership collateral security, the reconfiguration of customary inheritance practices by giving girl child equal rights with boy children, the partnership between different spheres of government, among other factors accelerated women's engagement in local governance. In addition, specific mechanisms and institutions were established to ensure an inclusive participation of all the stakeholders. These include the National Dialogue Council, the National women Council, the Joint development forum, platform for dialogue and exchange with the civil society and the private sector, Gender Budget statements (GBS), Gender Distribution Employment (including all public procurement 30%- gender disaggregated data).

On legal and policy changes to encourage women's engagement in local governance, Mrs. Evehe Jeannine Sidonie (Independent consultant on Local Governance in Cameroon) stated that the countries where women are playing a key role in local government adopted progressive laws and policy frameworks whose objective was to create an enabling environment for women's participation in politics. However, she noted that the simple adoption of a legal framework is not sufficient to make happen an effective participation of women in local governance. Action needs to be taken through the adoption of rules to enforce women participation at local level.

¹⁴ VSO Women in Power Report Nath, 2013.

¹⁵ As above

The table below provides a comparison of statistics on women representation at various levels of local government in Rwanda between 2011 and 2016.

Year	People elected in 2011		People elected in 2016	
Level	Total	% of Women	Total	% of Women
Villages	74,070	38.7	73,975	39.4
Cells	30,536	43.9	39,448	41.7
Sectors	8,654	45.1	8,836	42.7
Districts	820	43.2	894	43.6
Kigali City	-	-	33	47.4

Source: National Electoral Commission (Rwanda), 2016¹⁶

As noted through the words of the President of the Republic of Rwanda, Paul Kagame, the above statistics are not by coincidence:

“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”

Challenges to Women’s Participation in Local Government

Some of the noted challenges to women participation in local government included; negative cultural attitudes and the influence of the geographic and political context. Lack of self-confidence, limited information, absence of programs to support or encourage women, weak support from men and families, poverty, illiteracy and lack of education were also identified as some of the major challenges. Further, women might also be constrained from entering local government politics due to lack of campaign finances and time constraints stemming from commitment to domestic responsibilities. The notion of “politics is dirty” also creates some stigma towards women involved in politics.¹⁷

Strategies to Foster Women’s Participation in Local Government

Changes to the systems within which local government operates

Implement a quota of reserved permanent seats for women in countries where few women have been elected. Political parties to take deliberate steps to recruit women candidates. Also, allocate adequate funding and resources for gender and development, with an emphasis capacity building, advocacy and networking.

Shift norms and attitudes towards women in local government

Gender awareness programs for women and men are important to shift and transform negative social and cultural norms that discriminate against women. Consensus style politics that accommodates women in the political environment needs to be encouraged. Further,

¹⁶ 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

¹⁷ Ibid.

women should be given opportunities to learn more about local government to fully appreciate their role in governance.

Strategies to increase the number of women

Institutions should proactively transform policies and structures that perpetuate women's subordinate status. Local government and civil society needs to work closely in order to develop communities and services that satisfy the needs of women. Creation of a network for women councilors to bring about the power to speak with one voice, this can also be extended to women who have aspirations of getting into governance. In that way these networks will as pipeline for women leaders.

Training

Civil society, political parties, political and educational institutions to aid women in local government to develop skills and self-confidence, to enable them to operate effectively within the scope of governance. Ongoing workshops on gender awareness to educate men and women on women's rights and gender equality are to be provided. Girls and young women's education should include training on self-reliance, self-confidence and enhancing their potential for decision making positions.

Gender Equality and Education

Education is a basic human right and essential for the exercise of all other human rights. International legal obligations for the right to education have been endorsed by AU Member States. Governments have the obligation to fulfil these legal and political commitments and ensure not only access to education but also quality education. Yet millions of children and adults, especially girls and women remain deprived of educational opportunities.

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.

However, despite progress 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 widening¹⁸.

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 discussed a number of reasons why girls drop out from schools. These included; early marriage and pregnancy, gender-based

¹⁸ Education for All Global Monitoring Report 2015 Gender Summary

violence in and around schools, poverty, household chores, lack of gender-sensitive curricula and environments, as well as inadequate teaching strategies.

Gender equality in education remains a serious issue of social justice. Gender equality is a more complex notion than gender parity and harder to measure. It requires moving beyond counting the numbers of boys and girls in school to exploring the quality of girls' and boys' experiences in the classroom and school community, their achievements in education institutions and their aspirations for the future.

During the Panel, barriers to girls' access to education were discussed. These included; the high cost of education, rendering it difficult for most parents to afford schooling, unsafe school environments for girls, with reported high incidences of gender violence and teenage pregnancies leading to drop outs in schools. According to the World Bank group, girls with little or no education are far more likely to be married as children, suffer domestic violence and live in poverty. Further, 65 percent of women with primary education or less globally are married as children, lack control over household resources, and condone wife-beating, compared with 5 percent of women who finish high school¹⁹. The report distills vast data and hundreds of studies to shed new light on constraints facing women and girls worldwide, adding that across 18 of the 20 countries with the highest prevalence of child marriage, girls with no education were up to six times more likely to marry than girls with high school education. In 2012, almost one in five women married were between 15 and 19 years of age. Meanwhile, nearly one in five girls in developing countries becomes pregnant before age 18, while pregnancy-related causes account for most deaths among girls 15-19 in the developing world, with nearly 70,000 dying each year.²⁰

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 emphasised 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. Education ministers and other relevant stakeholders in Africa, need to reaffirm their commitment to gender equality, and commit to strengthening collaboration among various partners in order to optimise the use of available resources for regional and continental gender equality interventions. Achieving universal quality education, particularly educating girls and women is fundamental to achieving both Agenda 2063 and the SDG's – which both include specific goals on both education and gender equality.

Recommendations

Address structural barriers and negative social norms

Addressing structural barriers and entrenched discriminatory social norms which contribute to gender inequality, including early marriage and early motherhood, gender-based violence, traditional seclusion practices, the favouring of boys in families' education investment, and the gendered division of household labour.

Gender sensitive training for teachers

Increasing the number of female teachers and gender-sensitive teacher training is important in order to help schools to effectively challenge gender stereotypes and entrenched

¹⁹ Klugman, Jeni, et al. *Voice and agency: Empowering women and girls for shared prosperity*. World Bank Publications, 2014.

²⁰ As above.

discriminatory social norms. Governments should also recruit, train and support teachers effectively to address gender imbalances in school. They should improve the remuneration and training of teachers and ensure there is an equitable balance of female to male teachers in schools at all levels, including in school leadership.

Challenge customary laws and policies

Promote gender-sensitive classroom practices

Promoting gender-sensitive classroom practices provide an important framework for achieving gender equality. Teachers at all levels of the education system from pre-school upwards play a critical part in shaping young people's understanding of gender roles. All teachers should receive good quality pre- or in-service training in gender-sensitive practices so they can challenge social norms and their own gender attitudes. Teachers who understand gender dimensions can challenge gender discrimination and violence so schools are safer and more equitable places for all children.

Use of gender-sensitive curricula

Teaching and learning materials that question gender stereotypes and promote equitable behavior should be developed and used.

Recommendations on the implementation of education commitments

- Build on common position adopted by African Union on need to put an end to child marriage. Accelerate implementation of campaign on ending child marriages launched in 15 countries. Also need to put in place economic, social and health related strategies to contribute to putting an end to child marriages.
- Put policy into practice: put in place monitoring mechanisms and adequate resources to ensure sustenance of actions
- Create platforms where various ministries plan together and develop holistic responses to ensuring the sustenance of girls in schools
- CSOs also need to work together towards holistic and tailor made solutions and share best practices with government
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Women, Peace and Security in Africa

This session provides a summary of the **“Implementation of the Women, Peace and Security Agenda in Africa report”** launched during the second day of the Panel sessions. The report was published by the Office of the Special Envoy on Women, Peace and Security of the African Union Commission.

In October 2015, Africa and the world at large celebrated the 15th anniversary of United Nations Security Resolution 1325 (UNSCR 1325)-a landmark global commitment on Women, Peace and Security midwifed by Africa. 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, it must be acknowledged that progress has been registered broadly. This has predominantly been in terms of process - but deeper implementation, impact, and monitoring has been weak.²¹

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, only five (5) Member States have reported on the measures they have taken to implement the Maputo Protocol. 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 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.

It is with this recognition that the 476th meeting of the African Union Peace and Security Council (AU PSC) in December 2014 “urged the AU Commission, through the coordination of the Office of the Special Envoy on Women, Peace and Security to formulate a Continental Results Framework to monitor the implementation by AU Member States and other relevant stakeholders of the various instruments and other commitments on women, peace and security in Africa.” Subsequently, AU Heads of State, during the 25th AU Summit in June 2015 resolved to “develop, implement, and report on National and Regional Action Plans on UNSCR 1325 to accelerate the Women, Peace and Security Agenda”. These two calls by policy and decision makers emphasize the need to address the specific concerns and priorities of women of Africa on issues of peace and security-recommitting to the immense work that needs to continue at a national level-but also reiterating the critical role of regional organizations in accelerating the implementation of the women, peace, and security agenda on the continent.

²¹ This section is partly based on the concept note for the Panel Discussion and Launch of the Report on the Implementation of the Women, Peace and Security

The Office of the Special Envoy then has embarked on the process of developing the continental results framework to monitor performance on women, peace, and security commitments at all levels, as well as produce in parallel the first report on the state of implementation of women, peace, and security in Africa as part of this roadmap. The report 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 25th AU Summit, 70th 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.²²

The report then 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 moreover identifies key intervention areas to accelerate implementation, performance, and impact for women across the continent.

Implementation of the Women, Peace and Security Agenda

Since the launch of the UNSCR 1325, Africa has built up an extensive body of instruments and policies aiding the Women, Peace and Security agenda, chief among these are the Maputo Protocol and the Solemn Declaration on Gender Equality in Africa (SDGEA). However, in spite of all these initiatives, monitoring and reporting remains insufficient. While, the AU boasts a total membership of 54 states, as of July, 2016 only 19 had developed and adopted the 1325 National Action Plans (1325 NAPs).²³ Statistics shared during the panel dialogue, indicate that there is low representation of Southern, Central and Northern Africa countries in the implementation of 1325 NAPs. This low representation however is not 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.

The majority of East and West African countries adopted the 1325 NAPs, however with notable diversity in approach and priority, as a result of the unique contexts of the respective countries. West Africa has the largest concentration with 13 of its 15 ECOWAS member states implementing the 1325 NAPs. Further augmenting this notion of regional coordination would be the regional co-operation of SADC, who, based on the SADC Protocol on Gender and

²² This section is partly based on the concept note for the Panel Discussion and Launch of the Report on the Implementation of the Women, Peace and Security

²³ Report on the Implementation of the Women, Peace and Security Agenda in Africa, AUC, July, 2016

Development have developed and adopted a Regional Gender Policy. The OSE noted that there could be a link between Regional Action Plans (RAPs) and subsequent adoption of 1325 NAPs. Relatively stable countries exhibit variation from countries emerging from conflict. The AU Commission also hails the role of civil society in facilitating the implementation of the WPS agenda in the continent.

Civil Society Contributions to UNSCR 1325

Beyond playing a key role in government led initiatives civil society has played a significantly proactive role in UNSCR 1325 implementation. Civil society has and continues to play a critical role in advocacy for the formulation and implementation of 1325 NAPs that respond to the context specific needs because they better understand the situation owing to their ‘on the ground presence’. The AUC reports excellent violence prevention movements initiated and led by women. ‘Women’s situation rooms’ (as they are commonly known), aimed at addressing electoral violence and getting women to participate in elections both as voters as well as candidates. Nigeria, Zimbabwe, Mali, Kenya and Guinea Bissau are classic examples where these initiatives have been effectively adopted.²⁴

Civil society has also been instrumental in mobilizing, convening and organizing for active participation in conflict prevention, resolution and peace building initiatives through national and regional networks. For example, the establishment of the Mano River Women’s Peace Network in 2000, an organisation aimed at complimenting different national peace building initiatives at sub region level. Other organisations established at national level include; the platform for Women Leaders in Mali, South Sudan National Platform for Peace and Planete Femme in Central African Republic, focused on advocacy for greater participation of women in peace negotiation, strategy formulation and implementation post agreement.

Training institutions, Centres of Excellence and research institutions have also incorporated the WPS agenda into their programs, thereby serving as critical contributors to its promotion. Notable examples include, the Pan Africa Centre for Gender and Development in Senegal, the Kofi Annan International Training Centre’s Women, Peace and Security Institute in Ghana. The contributions of local service providers has also provided the much needed support for women in conflict, more specifically in relief and recovery. A case in point in the DRC, is an organisation called SOFEPADI which provides medical services, economic recovery and income generation support to victims of SGBV.

Challenges to Implementation

- Negative impact of conflict as a result of ongoing conflict and the threat of relapse. This threatens the security of women and the implementation and advancement of the WPS agenda.
- With the exception of Burundi and Sierra Leone, it emerges that the 1325 NAPs are centralized and as such the infrastructure for implementation at local level is poor, posing inefficiencies in the implementation thereof.

²⁴ As above.

- Long existing gender stereotypes and attitudes around gender roles. Negative cultural beliefs and deeply rooted attitudes of patriarchy continue to pose a threat to social transformation and implementation at all levels.
- The poor statistical capacity results in weak data collection, monitoring and research, makes it difficult to monitor the effectiveness of initiatives.
- Inadequate funding of the implementation of 1325 NAPs. There is strong reliance on external or donor funding with regards to the WPS agenda. It is thus imperative that 1325 NAPs should be integrated with other national goals in order to secure sustained funding from national budgets.

Opportunities for enhanced implementation

- Peace and security partnership between AU and UN both at strategic and operational level, this would ensue in the realization of synergy in the implementation of UNSCR 1325.
- 'Agenda 2063 and Silencing Guns by 2020' presents an opportunity for enhanced political will to end conflict across the continent.
- The need to strengthen global and regional development agendas and national statistical capacity. This is in line with Agenda 2063/2030, whose emphasis has been strengthening national statistical systems to monitor progress nationally.

Recommendations

- At national level, the Commission recommended the integration of 1325 NAPs with developmental planning in order to secure funding and realise synergies. The Commission also recommended bringing together of gender and defense ministries. National statistical bodies should incorporate WPS into national data collection systems along with increased documentation of good WPS practice, this will ensue in streamlined data for national reporting requirements, thus enable the assessment of the impact of interventions.
- At regional level, the Commission recommended sustained resourcing of regional WPS so as to enable them to advocate for the implementation of the agenda regionally. Support the development of regional plans to mainstream gender within regional organisation's peace and security frame work.
- At continental level, the commission recommended the establishment of continental platform for regional WPS forums and institutions. Collection of information and creation of a knowledge hub in order to develop research and empirical agenda for WPS in Africa engaging woman across practitioner, research and civil society. Streamlining of monitoring mechanisms and reporting procedure for member states on WPS performance for member states.
- Engage donors and partners to secure increased funding for the WPS agenda. Advocate and encourage adoption of good practice from various country experiences, for example the Somalia's community based neighborhood watch pilot initiative-in women's participation and leadership in countering violent extremism. The recognition of women's role as observer and advisory role in peace building is also key.

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 acknowledged the vibrancy of the African the human rights movement and how it has over the years actively engaged with the universal and regional human rights systems, contributing 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 reported 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.

The Role of 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.

There are also a number of joint activities by the UN and regional human rights mechanisms including; joint country visits, reports and publications, joint press releases, awareness raising and capacity building activities. The 3rd HLP was therefore considered timely, given the growing global trend of the shrinking space for civil society and human rights defenders. In various regions civil society voices are silenced through enactment and use of overly restrictive legislation that limits the exercise of public freedoms and the work by CSOs. Minority rights defenders and women rights defenders are particularly at risk of being targeted. This is seen through the obstructive regulation of online space, including through the blocking of websites and mass surveillance.

Furthermore, many human rights defenders and journalists are being subjected to harassment, stigmatisation and criminalisation. Increases in murders have been reported in a number of countries. Community activists working on issues related to natural resources and land continue to be at risk. It is also timely that the 3rd HLP was held just three months after the adoption of the latest Human Rights Council resolution on human rights defenders. The resolution expressed grave concern at the situation of defenders addressing environmental and land issues and corporate responsibility. The resolution also expressed particular concern about systemic discrimination and violence faced by women human rights defenders and called upon all states to protect them. Among those most at risk are defenders who expose discrimination, corruption and violence at the hands of States and business enterprises.

The ECOWAS Community Court of Justice

This court functions as the sole judicial organ of West African states. The Mandate of the Court includes; the interpretation and application of the Treaty of ECOWAS, the legality of regulations, directives, decisions and other subsidiary legal instruments adopted by ECOWAS and the determination of violation of human rights that occur in member states. ECOWAS has no Human Rights Bill, but has adopted the African Charter. The Court applies international human rights instruments to which member state are party especially the Universal Declaration of Human Rights. The Court is unique in that individuals have direct access to it on human rights abuse cases without the precondition of exhausting local remedies of the requirements for state parties' assent. Also, despite the absence of a specific provision in its legal instrument, the Court has allowed CSOs to submit *Amicus Curia* briefs in matters.

Over the years, the court has delivered a number of progressive decisions on various aspects of human rights, including the case on SERAP and 10 Others vs. the Federal Republic of Nigeria and 4 others where the court held that; by failing to prevent the violation of the plaintiff's rights to peaceful assembly or to carry out a thorough investigation on the violation of that right, in order to hold accountable those responsible for the unlawful disruption of the peaceful demonstration that took place in Bundu Community on 12, October, 2009. It further stated that the member state was to provide remedy for the victims of the arbitrariness of the security agents acting under public authority.

The Court also has a plethora of cases prosecuted by NGOs on behalf of victims of human

rights violations. One example is that of SERAP vs. President FRN and UBEC (2010)²⁵, where the court held the view that taking into account the need to reinforce the access to justice for the protection of human rights, a duly constituted NGO could file action on behalf of victims of abuse and all they need to show is that there is a public right worthy of protection. Further, the court has also given the notion of agents its widest meaning so as to allow NGOs to represent parties before it as was done in the Hadijatou Mani Koraou vs. Republic of Niger, where the court allowed Inter Rights counsels to represent the Applicant.²⁶

In order to create visibility, reduce litigation cost and bring the court nearer to the people of the sub-region, the court holds external court sessions in member states. The most recent was held in Abidjan in April, 2016. The court is also exploring possibilities of and modalities for establishing legal aid for the indigent and marginalized victims to enable them to prosecute their cases before the court. It also organizes seminars, conferences and trainings in member states for the bar associations, law faculties and CSOs. The court also organizes trainings and interactive sessions for judges in a bid to ensure harmony in the human rights adjudication.

The East African Court of Justice

Individuals, civil society and human rights defenders have the opportunity to access the East African Court of Justice as litigants, provided they are residents of East Africa. As the regional judicial body of the East African Community the court has jurisdiction to interpret and apply the EAC Treaty and to ensure that the five partner states comply with treaty obligations. According to Article 6 (d) the court has a role to see that fundamental principles of the community are upheld. These include good governance, rule of law, accountability, transparency, social justice, equal opportunities, gender equality, protection of human rights in accordance to the African Charter.

Despite Article 6 (d) the Treaty does not expressly give the Court jurisdiction over human rights as it anticipates this happening once the Court's jurisdiction is extended. Despite, this, within the last 14 years, the Court has heard and considered cases concerning human rights and fundamental principles. CSOs, non-state actors and inter-governmental organisations are also active users of the Court either as litigants or *amici curia*. However, to date no women's rights organisation has brought case before court.

The Kenyan National Commission on Human Rights

In the recent past, the work of the Commission has focused on much publicised closure of refugee camps by the Government of Kenya on May, 6, 2016. This was done through a statement that communicated Government's decision to end the hosting of refugees and to close down Dadaab and Kakuma refugee camps citing national security concerns. The

²⁵ Ladan, Muhammed Tawfiq. "The Prospect of Public Rights Litigation before the ECOWAS Court of Justice." *Available at SSRN 2547441* (2014).

²⁶ Ladan, Muhammed Tawfiq. "The Prospect of Public Rights Litigation Before the ECOWAS Court of Justice." *Available at SSRN 2547441* (2014).

Government also announces the disbandment of the Department of Refugee Affairs as first step towards the above measures.

Pursuant to this, the National Commission on Human Rights raised concerns with reference to its constitutional functions to promote the respect for human rights and to act as the principal organ for monitoring state compliance to human rights commitments raised concerns around this, and took the matter up before the constitutional court.

The Ethiopian Human Rights Commission

According to the Ethiopian Chief Commissioner, Dr. Addisu Gebreigzabhier, Ethiopia has a constitutionally grounded enabling legal and policy environment for the promotion and protection of human rights in general and the rights of women, girls, refugees, migrants and other nationalities in particular. The collaboration with the African Union, UN Women and other actors has provided a good opportunity to foster cooperation and coordination among the various human rights institutions protection and promotion mechanisms at national, regional and international levels.

Recommendations

- Need to strengthen cooperation between UN and AU mechanisms; through establishing focal points, improving information sharing and cross referencing jurisprudence and recommendations of human rights mechanisms. The Enhanced cooperation with other relevant stakeholders including national human rights institutions is also key
- Urgent need to reverse the negative trend of closing civil society spaces. As requested by Human Rights Council Resolution 27/31, the High Commissioner will at the June session present a compilation of practical recommendations for the creation and maintenance of a safe and enabling environment for civil society, based on good practises and lessons learnt
- Improve implementation and follow up to decisions and recommendations resulting from African and UN human rights mechanisms
- African women and women rights and gender organisations challenged to make use of existing sub-regional courts.
- Need to create joint human rights training programs for human rights systems and CSOs in order to strengthen their capacities and to establish good networking relations
- It is necessary to explore possibilities of establishing a standing link for exchange of judgements and journals among various systems and civil society.

Strategic Partnerships for Gender Equality: The Role of Parliament and the Diaspora in facilitating the implementation of the Maputo Protocol

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

The Role of Parliaments

The Maputo Protocol is a landmark instrument for gender equality in Africa. It has the power to be a giant's leap for advancing societies as a whole. Its comprehensive and broad nature is an important tool for parliamentarians, who ought to understand that Women's Rights are Human Rights. However, good instruments alone are not enough to change the lives of women. According to the President of Women in Parliaments (WIP);

"...we need to beware of the nice words and the silver tongue...and actually, Verify the Delivery! (of the Maputo Protocol)" Silvana Kock-Mehrin, President, Women in Parliaments

The representative of the Women in Parliament emphasized that parliamentarians have a critical role to play by ensuring that the implementation of the Maputo Protocol is well monitored. Member states need to take advantage of the democratic control of parliamentarians to accelerate the domestication of the legal framework for gender equality in Africa. Furthermore, she pointed out that parliamentarians should be at the forefront of the national reporting processes of the Protocol.

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.'²⁷ Statistics shared during the Panel 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; 13.6 million in the Caribbean; and 3.5 million in Europe.²⁸ Given the above statistics, the panel called for greater involvement and engagement with the African Diaspora in the Gender Equality and Women's Empowerment agenda.

According to Bokwey Burnely 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". 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 Panel estimated that, by 2050 Africa's population is estimated to be about 2.4 Billion, and by the end of the

²⁷ <http://www.cnn.com/2013/11/01/opinion/africas-secret-weapon-diaspora/index.html>

²⁸ Ibid.

century 4.2 Billion. Effectively, this means that 40% of the human population will be African. In of this, the Panel 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. According to Bokwe Burnely;

“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 Burnely, Diaspora African Forum during the 3rd HLP on GEWE)

Specifically, the Diaspora could significantly support with financial, intellectual and infrastructural contributions to promote education and training for women at all levels and in all disciplines, particularly in the STEM fields, as well as in the fields of Law Enforcement, Judiciary, Peace Keeping, Business Administration, Management, Leadership, Economics and Arts. According to Ms. Bokwe Burnely, Diaspora African Forum;

“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 Burnely, Diaspora African Forum)

Additionally, collaborations between continental Africa and the Diaspora could push for the significant mobilization of bilateral Exchange Student Programs. This push will improve educational standards as children in continental Africa could be inspired, encouraged and challenged to pursue their educational dreams from networking and associating with the diaspora students. According to Ms. Bokwe Burnely, this could potentially reduce the rates of teenage pregnancies.

Furthermore, Diaspora universities could add countries in Africa as part of their study abroad programs, where students earn college credit for their participation. Many other developing countries in other parts of the world are already benefiting from such arrangements. Member States of the AU could also help local schools in the continent meet criteria to qualify for the program to receive students from non-African nations particularly, USA and Europe. Also,

making student study visas more accessible for university students who want to do a study abroad program in Africa could bring training opportunities to the African continent, improve the quality of education, and help in reducing the brain drain in Africa. These are some of the tangible practical examples of how the Diaspora can collaborate with continental Africa towards gender equality and women's empowerment.

Women in Maritime

Throughout the Panel, a strong message on the key role of African women in the Blue Economy was sent, urging the African Union to pay closer attention to the maritime domain in Africa and its capacity to generate jobs, thereby contributing to the wellbeing of African citizens.

During the Panel the African Union 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.'

The 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.

Recommendations

Specific recommendations to the Ministers of Gender and Women's Affairs of the AU, were as follows:

- Implement African women's rights to the gender parity in the maritime sector and related areas throughout Africa.
- Acknowledge the need of updated national policies and procedures to enable more training for women to gain experience from maritime sector training opportunities and therefore implement a high standard strategy, which includes, the promotions of targeted, comprehensive and continuous, investment in educational initiatives for women and youth in the African maritime sector and related areas.
- Promote and facilitate the access of women and youth to the education programmes related to Ocean economy; Marine economy; Coastal economy; Estuary economy and Island economy as this will contribute for Food Security, Water Employment.
- Ensure scholarships for training programmes and short courses and field visits as well as Post-graduate degrees (Master, PHD), on the fields of Integrated Management of Port and

Maritime activities in general with a particular emphasis on Coastal Zones; Technology on Fish Processing; Technology on Aquaculture.

- Prioritise technical and financial assistance in the area of Aquaculture Technology in order to increase aquatic production (seafood), which provides an important source of protein for food security in Africa.
- Conduct socio-economic studies of the fisheries communities (Target: women in maritime activities such as fish processing and commercialisation); protection and conservation of sensitive areas (estuary, mangrove, island) and promotion of small scale aquaculture.



The State of Funding for Gender Equality and Women's Empowerment

'The emancipation of women is not an act of charity'

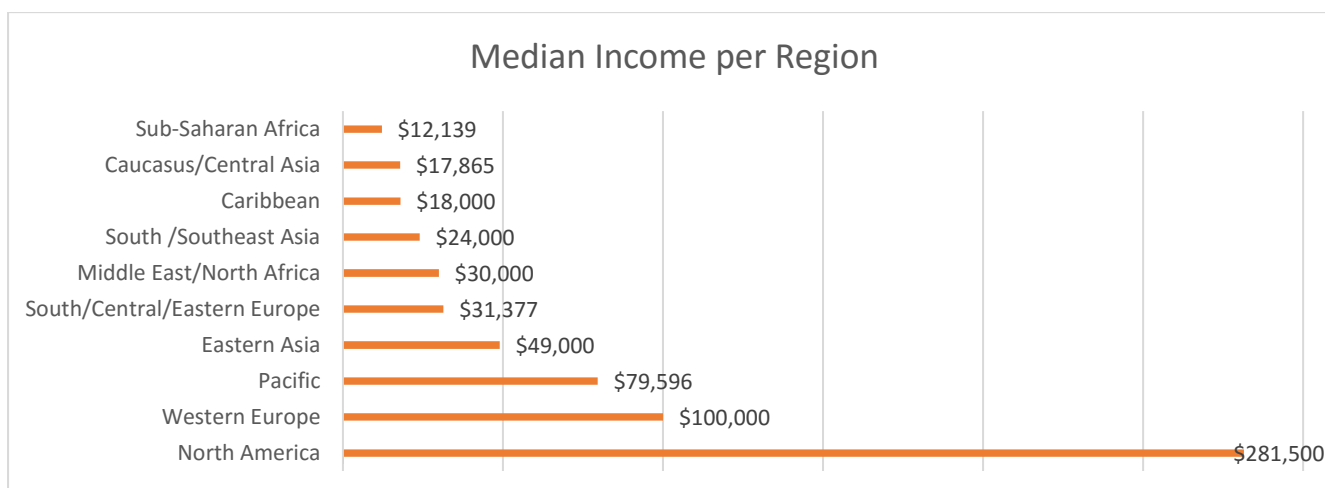
Samora Machel

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"*.²⁹ 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 of 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 2012.³⁰

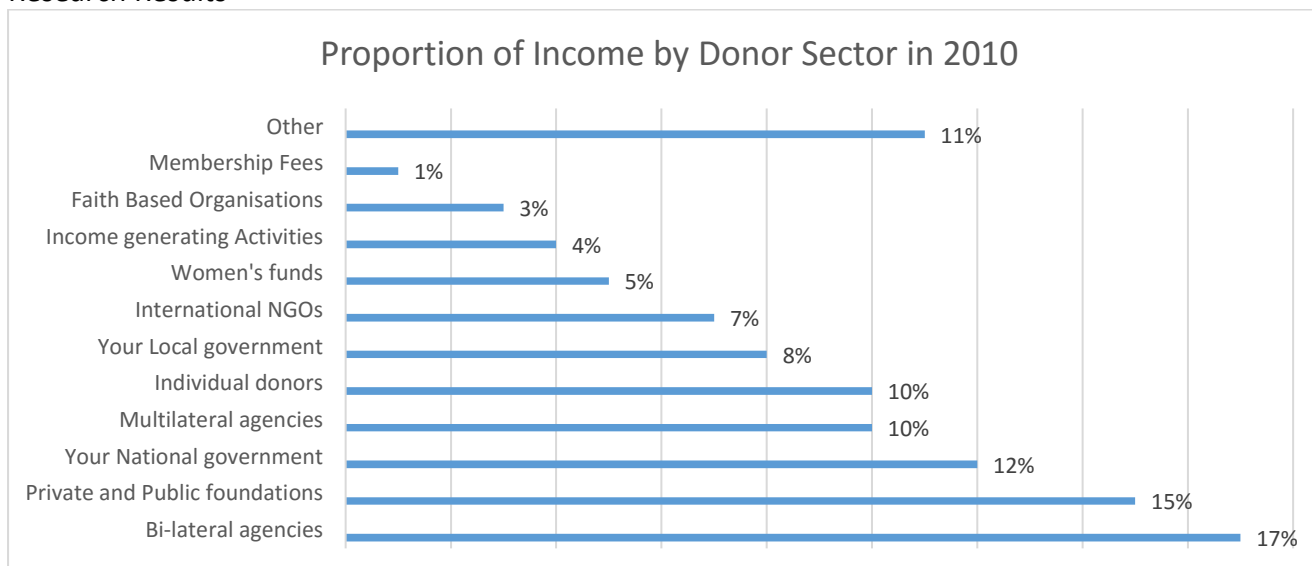
What is the current reality?

²⁹ Dr Nkosazana Dlamini-Zuma during her Opening Remarks at the 3rd HLP on GEWE

³⁰ 2011 AWID Global Survey "Where is the Money for Women's Rights?" Preliminary Research Results



Source: 2011 AWID Global Survey “Where is the Money for Women’s Rights?” Preliminary Research Results



Source: 2011 AWID Global Survey “Where is the Money for Women’s Rights?” Preliminary Research Results

The above statistics emerge from the 2011 AWID Global Survey 740 women’s organisations’ incomes and financial sustainability in 140 countries across the globe. According to this survey, the median income for women rights organizations in Sub- Saharan Africa was reported at \$12,139 in 2010, which is significantly lower than North America and Western Europe who boast a median annual income of \$281,500 and \$100,000 respectively. This could be partly linked to the level of economic development of the respective regions.

In terms of actual dollar donation income globally, Bi-lateral agencies constitute the biggest single group of funders at 17% followed by private and public foundations at 15%, national and local governments represent a total of 20%, with national governments contributing 12% of that. A trend of “self-funding” was identified in the survey”. The survey report also indicates that Sub Saharan organisations raised 17% of their annual budget from individual donors. Sub-Saharan women’s organizations, self-initiated fundraising projects accounted for the majority of income at 32% in contrast to North America (second in this rank) at 27%. Finally 49% of women organisations in Africa are funded through membership fees, most of these

are smaller organisations that cannot access donor funding and are not “visible” enough to appeal to the strategic branding of donors (mainly within the private sector). This is critical in that it demonstrates African women’s willingness and agency to lead and act to transform their situations.

The call to go beyond conventional forms of funding

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. She notes;

“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;

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. 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

- Member states urged to adopt gender-sensitive planning and budgeting schemes, with a view to accelerating the implementation of the Maputo Protocol and other gender related commitments through strengthened domestic resource mobilization and allocation for women’s and girls’ rights;
- African governments and development partners to give the necessary resources to women’s organizations and initiatives to ensure that women’s rights are protected and that women receive appropriate services;

- African Union Commission requested to organise a two day meeting between Ministers of Gender and Finance during one of the sessions;
- Women urged to mobilise own resources to facilitate self-reliant forms of income in order to facilitate gender equality and women's empowerment initiatives.

Summary of Outcomes and 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.

Conclusion

The 3rd HLP on GEWE provided a reflection and analysis of the Maputo Protocol its successes, drawbacks and challenges facing its implementation and full realization of its provisions. It is clear that some of the issues raised by the Maputo Protocol are being addressed, but more needs to be done. The Protocol has the potential to benefit millions of women when governments not only ratify but also ensure its domestication in national laws, with accompanying resources for its implementation, otherwise, it remains just a piece of paper.

It therefore remains as the resolve of AU member states to fix a new deadline to achieve full ratification and organize continental and regional campaigns for ratification. The Pan African Parliament and National Parliaments, for example should be involved in these campaigns. Academia should contribute to the popularization of the Protocol. Civil Society Organisations and women's groups also have an important role to play in popularizing the Protocol especially at the grassroots and assisting victims in prosecuting their rights. States that have ratified should take urgent measures to domesticate the Protocol. Critically, as the region continues to celebrate the Decade of African Women's Rights and there is an acceleration of efforts towards the implementation of the Sustainable Development Goals and Agenda 2063, there is need to ensure that women remain at the forefront of such interventions, including re-thinking their contribution to funding for GEWE work.

The AU needs to build closer partnerships with regional and international institutions, Civil Society Organisations, African women in the Diaspora and Parliamentarians can make a difference in Africa. 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 equality between women and men. In this regard, CSOs are an essential partner in development and in the promotion of equal and democratic governance; the bottom-up feedback facilitates linkages between policy and practice.

The African Women's Decade and Agenda 2063 provide critical entry points for the promotion of gender equality in Africa through the mobilization of resources for the implementation of programmes of action agreed at sub-regional and regional levels. Regional and international human rights institutions and development partners should focus their support on this issue, taking into account the fact that expertise for gender equality is available in Africa and putting in place creative resource mobilization strategies in order to promote sustainability.

Finally, while noting that the AU is making efforts to monitor the implementation of regional policies at the national level, the AU Commission, through the leadership of the Gender Directorate should step up its advocacy, and monitoring role, and conduct proper assessments and evaluations of the impact of gender instruments reinforcing the mechanisms in place to track progress.

List of Annexes

- Acronyms
- Concept Note – 3rd High Level Panel on Gender Equality and Women's Empowerment
- Declaration - 3rd High Level Panel on Gender Equality and Women's Empowerment
- Highlights/Key Messages from the Opening Ceremony
- Work Programme - 3rd High Level Panel on Gender Equality and Women's Empowerment

