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FIFTH REPORT OF THE CHAIRPERSON ON THE IMPLEMENTATION OF THE AU SOLEMN DECLARATION ON GENDER EQUALITY IN AFRICA (SDGEA)
LIST OF ACRONYMS AND ABBREVIATIONS

AfDB - The African Development Bank
AGDI - African Gender Development Index
APRM - African Peer Review Mechanism
APROB - Appointment, Recruitment and Promotion Board
ARV - Anti-Retroviral Treatment
AU - African Union
AUC - African Union Commission
AUWC - Africa Union Women’s Committee
AWA - AIDS Watch Africa
CEDAW - The United Nations Convention on Elimination of all forms of Discrimination against Women
FGM - Female Genital Mutilation
GBV - Gender-based Violence
GEWE - Gender Equality and Women Empowerment
GMU - Gender Monitoring Unit
GIS - Gender Information System
HIV/AIDS - human immunodeficiency virus/Acquired immune deficiency syndrome
HTPs - Harmful Traditional Practices
NACA - National Action Committee for the Control of AIDS (Nigeria)
PLWHA - People living with HIV/AIDS
PMTCT - Prevention from Mother to Child Transmission
SDGEA - Solemn Declaration on Gender Equality in Africa
SGBV - Sexual Gender-Based Violence
SOAWR - Solidarity for African Women’s Rights Coalition
TB - Tuberculosis
UNAIDS - The United Nations Body that coordinates global response to HIV/AIDS
UNICEF - United Nations Children’s Fund
UNIFEM - The United Nations Development Fund for Women
VAW - Violence Against Women
WFP - World Food Programme of the United Nations
WGDD - Women, Gender and Development Directorate
WHO - World Health Organization of the United Nations
FIFTH REPORT OF THE CHAIRPERSON ON
THE IMPLEMENTATION OF THE AU SOLEMN DECLARATION
ON GENDER EQUALITY IN AFRICA (SDGEA)

I. INTRODUCTION

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

2. This report is based in part on the reports received from several Heads of State in keeping with their own commitment under the SDGEA Article 12 to provide updates on progress made regarding the implementation of the Declaration. The AU Commission applauds those Member States that submitted reports, and encourages those who have not to do so without further delay.

3. Twenty-three Member States (23) have submitted their reports for inclusion in this Fifth Annual Report on Gender Equality in Africa. This the highest number of reports submitted since the adoption of the SDGEA. These are Algeria, Benin, Burkina Faso, Chad, Congo, Djibouti, Egypt, Ethiopia, Gabon, The Gambia, Ghana, Liberia, Lesotho, Libya, Mauritius, Namibia, Niger, Nigeria, Senegal, Seychelles, Swaziland, Togo and Uganda.

4. The report provides an executive summary followed by accomplishments at the AUC and by Member States that have submitted their reports.

II. EXECUTIVE SUMMARY

2.1 Introduction

5. This section gives an overview of the main points in the AUC Chairperson’s Fifth Annual Report on implementation of the SDGEA. The report looks at progress made in the past year based on country reports. The section mainly focuses on key issues noted in reports and offers recommendations as a way-forward in engaging in a meaningful implementation of the SDGEA.

2.2 Progress Report

2.2.1 African Union Commission Activities

The AU Women, Gender and Development Directorate (AUWGDD), as the focal point in overseeing the implementation of the SDGEA, continues to provide spaces for discussion and sharing information and strategies for implementation of the SDGEA at
country level. The Commission’s activities for 2009 are elaborated under section 3.2 of this report.

### 2.2.2 Country Reports

6. Country reports were reviewed to determine the extent to which commitments made under the SDGEA have been addressed, what good practices countries are offering as lessons learned, and any challenges noted as major obstacles in realizing these commitments are acknowledged.

### 2.2.3 Progress on Gender Mainstreaming

7. Country Reports need to inform from a systematic approach in which national plans have very strong elements of gender equality planned for with targets set in every sector of national development. The current reports point to a lack of planning from a gender perspective which in turn makes reporting difficult for most Member States.

8. Further, the lack of progress in several sectors shows that while tools and systems have been provided for by, for example, the African Gender Development Index (AGDI) these have not been applied. The AGDI covers both quantitative and qualitative issues that can be measured to show progress at the level of policy intervention as well as the human development and poverty reduction levels from a gender perspective and it is a tool that is developed in Africa and for Africa.

### 2.2.4 Standard Indicators as Measures of Gender Equality

9. The lack of standard indicators for measuring the SDGEA in a systematic and standard way point to a need for countries requiring assistance with the necessary skills to either develop specific tools for SDGEA or to use available tools to measure progress in all areas as articulated by the SDGEA. There are areas in which progress for parity have been easy to collect information and there are others in which new ways of collecting data have to be developed and innovative ways of measuring progress have to be created. For example, issues of environment and climate change pose exceptional challenges and need exceptional means of setting up baseline surveys and measuring progress that may until now be unprecedented. At the least there should be standard categories to evaluate progress against. The AUWGDD will work closely with the gender machineries and/or those responsible for women’s advancement to find a way to capture the information in a systematic and uniform manner that would facilitate comparative analysis for lessons learned and for pinpointing progress or lack of progress in the different categories being reported on.

### 2.3 Key Issues Arising

10. While commendably a growing number of Member States have submitted their reports on implementation of the SDGEA for the fifth annual review, it remains a concern that the majority of Member States are not consistently submitting reports and that the
majority of the reports still focus on commitments made towards gender equality rather than on actions taken towards realization/actualization of gender equality. As a result, learning from the experiences of countries in the implementation of the SDGEA can not be fully actualized nor could it be established whether commitments to gender equality will be attainable within the target dates set. It is also noted that some of the target dates have since passed, notably in the case of ratification of the Protocol (Article 9). Member States ought to, therefore, seriously consider addressing these concerns so that results at honoring these commitments are available and the experience sharing could be of optimal benefit to all in efforts to realize the commitments the Heads of State and Government made under the SDGEA. Furthermore, Member States are urged to submit their reports by **15 July each year** to allow for ample time for translation, review and feeding into the AUC Chairperson’s report.

11. During the Experts and Ministerial meetings on the implementation of the SDGEA which were concluded in Banjul, the Gambia in May 2009, Member States present raised two main challenges. One challenge relates to the lack of resources allocation for generating the country reports. Member States are therefore encouraged to urgently address this challenge. The meeting also underlined the need to simplify the current reporting format which Member States considered to be complicated. The AUWGDD will, in consultation with Member States, explore ways to simplify the reporting format.

12. The Banjul meeting also recognized the need to integrate reviews of the implementation of the SDGEA into the African Peer Review Mechanism (APRM) in accordance with the AU Assembly of Heads of State and Government decision on the reports on the implementation of the Solemn Declaration on Gender Equality in Africa (SDGEA)\(^1\) made in January 2008 Summit that requested Member States, *inter alia*, to ‘adopt the content of the SDGEA as the framework for the acceleration of implementation of the existing instruments and platform for gender equality at the national level, in order to maximize the implementation of the SDGEA and incorporate it in the African Peer Review Mechanism (APRM) reports’. The AUC would encourage Member States that have upcoming APRM events to include review of progress on gender equality and share the outcomes with the AUC in their next reports.

2.4 Main Recommendations for Improved Country-Level Implementation of the SDGEA

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

13. A lot of work appears to be ongoing in efforts to bring down prevalence rates, care for people living with HIV/AIDS and prevent the spread of the disease. Countries affected with TB and malaria are also tackling them with a sense of urgency. All these efforts are commendable and Member States are encouraged to keep up this level of

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engagement; and to improve on documentation with a view to tracking its spread and state spending levels. Member States are also urged to work on establishing the linkage between violence against women and HIV/AIDS. This appears to be a big gap in plans set out to address the problem, yet several countries have highlighted how HIV/AIDS has become a female problem due to the high number of women affected. The reality is that women face discrimination under both customary and formal systems as a result of culturally embedded discriminatory beliefs and practices, male control of inheritance systems and, the spread of HIV/AIDS, which further weakens land rights and the livelihood options of widows and orphans\(^2\). In sub-Saharan Africa, 57 percent of adults with HIV are women, and young women (15 to 24) are more than three times as likely to be infected as young men\(^3\). The violence that women and girls face is increasing HIV/AIDS infection rates. A survey among 1,366 South African women showed that women who were beaten and forced into sex by their partners were 48 percent more likely to be infected with HIV than those who were not\(^4\). Member States need to urgently address violence against women in the context of HIV/AIDS interventions and to also work on implementing the recommendations reached at the Fourth AU Experts and Health Ministers' Conference held in May 2009.

**Article 2: Peace and Security**

14. There has been an increase in commitment to implement the UN Security Council Resolution (UNSCR) 1325 in the last five years. All the reports reviewed show that Member States are aware of the need to involve women in issues of Peace and Security. The UNSCR 1325 has indeed heightened awareness on the issues of women and gender issues in conflict resolution. Even countries not in conflict but who send troops are sensitized to include women in peace keeping, negotiations and in top diplomatic positions. There is need for closely monitoring the implementation of UNSCR 1325 to ensure that gender parity and gender issues are continuously taken on board. Among the countries that reported, Seychelles has had no conflict neither do they participate in sending peace envoys.

15. Through the implementation of the UNSCR 1325 and 1820, there has been an increase in awareness of the importance of women’s participation in decision-making processes and their contribution to crisis prevention, peace-building and recovery. In Djibouti, for example, this was done through training on the theme ‘Gender, Peace and Development’.

16. A lack of just laws often perpetuates gender inequality and leaves the vulnerable, including women, without access to justice. Extremely high rates of Gender-Based Violence (GBV), such as rape, domestic violence and sexual harassment, still persist all over the world, which often deteriorates during and after conflict and/or disaster. Addressing men’s gender issues in post-conflict settings is also a gap to strengthen in

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\(^2\) FAO 'Agrarian Reform, Land Policies and the Millennium Development Goals: FAO’s Interventions and Lessons Learned During the Past

\(^3\) UNAIDS/UNFPA/UNIFEM 2005, Women and HIV: Confronting the Crisis

prevention of GBV. Human trafficking is also a major issue of concern after disasters as well as conflict situations. However, only 3 AU Member States have developed action plans on 1325. AU Peace-Keeper manual has a module devoted to increasing CSO and women’s participation in Peace-keeping operations in line with 1325.

**Article 3: Child Soldiers and Abuse of the Girl Child**

17. The countries reporting during this period are signatory to the Convention on the Rights of the Child, which covers the protection of children under the age of 15 years in armed conflicts and the prohibition of the use of child soldiers.

18. Texts regulating recruitment into the regular army and which prohibit the enrolment of children, laws designed to prevent and repress trafficking and exploitation of women and girls as well as crimes related to the rights of the child, are still in force.

19. Measures described in the previous report are being strengthened. With the support of UNICEF in particular, bodies which work in the area of protection of children, have undertaken various actions regarding legislation and capacity building.

20. During the 1990-2000 decade, the Republic of Congo experienced political conflicts with multiple consequences. Children and especially girl children were forcefully enlisted in each militant camp.

21. Post-Crisis settings could also present a new window of opportunities for the international community to promote gender equality as crises could break down discriminatory traditional norms and practices. Yet, the AU and the entire international community still faces many challenges in ensuring gender equality among women, men, boys and girls in the social, economic and political spheres before, during and after crises. The highlights of where there are successes should encourage Member States to look for opportunities to mainstream gender.

**Article 4: Violence against Women**

22. Some of the key issues arising from Member States reports include acknowledgement and some evidence showing that violence against women and girls in Africa is on the rise. More violent forms including femicide, acid attacks, ritual rapes and murders, gang rapes, abductions, defilement, forced early marriages, military sexual slavery and rape as a weapon of war have become wide spread. Some violations of women’s rights such as in trafficking in women and girls are seen as a result of or related to drug trafficking. There is also ill-treatment of widows and grabbing of property that are more prevalent than before in spite of legislation that is in place to protect widows and orphans. In spite of legislation against some cultural practices, women in Africa continue to be vulnerable to harmful traditional practices and customs such as female genital mutilation (FGM) and widow inheritance, which expose them to the risk of HIV and AIDS. Ten out of 28 countries where FGM is practiced are still to put in place legislation to protect girls from FGM while 18 countries that have criminalized the
practice have not fully utilized it to prevent the practice. Obtaining data on violence against women is still a major challenge. Evidence from country reports for violence against women is the persistent gender inequalities in accessing resources, opportunities, lack of organizational capacity and political leverage. A growing number of countries have institutionalized structures with relevant departments (justice, women’s affairs, police, etc) to deal with the growing number of incidents of sexual and domestic violence and offer support to victims. Another common feature in Member States reports is efforts at introducing or having passed legislation to criminalize acts of violence against women. All these efforts are commendable; however Member States need to consider greater investment in serious actions to end violence against women and to put in place monitoring and evaluation systems to understand the level of impact that are realized from government actions.

**Article 5: Gender Parity**

23. The reports so far received show that enshrining the gender parity principle in the constitution is a great step in the direction of achieving gender parity but cannot be solely achieved by it. Political will as in the case of the countries that have achieved 30% and above is very important. It is to be noted, however that women in parliament has increased from 12% to 28% Programmes that sensitize communities and societies as a whole in attitude change need to be implemented for the mind shift to happen so that women and men are given equal opportunities in life. Quotas that seek only to increase numbers of women and not to change the conditions and structures that allow free and full participation will have limited success - and may even increase women’s burden. Empowering women with education and good governance skills, particularly rural women, will increase their chance for effective participation and representation in governance. The achievement of the Millennium Development Goals must act as an impetus to all Member States to achieve MDG 3 for: “Development policies that fail to take gender inequality into account or that fail to enable women to be actors in those policies and actions will have limited effectiveness and serious costs to societies. The reverse is also true: the achievement of Goal 3 depends on the extent to which each of the other goals addresses gender-based constraints and issues”.

24. At the Commission, the AUWGDD has prepared a position paper on ways to accelerate the achievements of parity principle and Gender equality in the AU Commission as well as in all AU Organs. This paper has been submitted to the Appointment, Recruitment and Promotion Board (APROB) for further discussions with a view to discussing the recommendations at the Commission level and also mainstreaming them in the new staff rules and regulations.

**Article 6: Women’s Human Rights**

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(a) Countries with no national laws prohibiting FGM: DRC, The Gambia, Guinea-Bissau, Liberia, Mali, Nigeria, Sierra Leone, Somalia, The Sudan, (b) Countries with laws against FGM: Benin, Burkina Faso, Central Africa Republic (by decree), Chad, Cote d’Ivoire, Djibouti, Egypt, Ethiopia, Eritrea, Ghana, Guinea, Kenya, Mauritania, Niger, Senegal, Tanzania, Togo and Uganda
25. The AUC commends Member States who have reported on their commitments to the human rights of women as demonstrated in the various policies, national laws, regional and international instruments that they have adopted, ratified or put in place. However, under the SDGEA Heads of State and Government committed to action and it is therefore imperative that Member States demonstrate actions being taken to realize the human rights of women as provided for in the various international and regional instruments as well as in the domestic laws that have been put in place. This year marks 15 years after the world conference on Women held in Beijing in September 1995 and countries gathered at the UN in September to review progress achieved since then. Member States ought to address gaps noted in the Africa review conference held in the Gambia in November 2009; and are in particular encouraged to put in place mechanisms that address the continuing challenges related to protection and promotion of the rights of women and girls, including accelerating the pace of change of laws that discriminate against women and girls.

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

26. In the countries reviewed so far, the traditional law does not allow the woman to have or exert rights of ownership on land and other goods. Even though the Constitution lays out that each person is entitled to property, in practice, as research show, the average land owned by women in general is smaller and the number of women owning land is smaller than that owned by men. However, an example from Benin shows that the tendency of the discrimination against women is disappearing in modern or educated families. However there is need to popularize the provision of the law and how to implement strategies that will allow women to be considered in the distribution of land regardless of educational levels. Provision of loans is an important consideration in the strategies to be implemented if women are to acquire land.

27. In most of the countries that have submitted their reports, access to land in the rural areas is governed by the habit of unequal, dependent and negotiated social relationship. It is done by inheritance usually through male relatives. Access to land by women is done through their husbands or directly in the case of sale although women do not generally have the economic capacity for such transactions as land is also accessed through purchase. Legal provisions that are favorable to women enjoying the same rights as men exist but ignorance of these rights, socio-cultural taboos and conformity to customs prevent them from enjoying their rights. The fact that women tend to be in low income strata of the society excludes them from accessing finances from banks to be able to purchase land. Women therefore own less than 1% of land in Africa.

28. Land and credit is critical in improving women’s social security, livelihoods and social status. Estimates show that African women’s contribution to the production of food crops range from 30% in the Sudan to 80% in Congo. On the other hand, the proportion of women economically active in agricultural labor ranges from 48% in Burkina Faso to
73% in the Congo and 80% in the traditional sector in Sudan.\(^6\) In spite of all this, women in Africa still lack adequate access to credit, security of land tenure or ownership proportionate to the role that they play in ensuring household and national food security. In addition, the current global financial crisis and recent food price increases continue to affect the poor in Africa with serious gender-specific consequences for women in Africa. Women are concentrated in precarious work, associated with low and unstable earnings. Eight out of ten women workers are considered to be in vulnerable employment in sub-Saharan Africa and with global economic changes taking a huge toll on their livelihoods.\(^7\) Policies alone will therefore not bring the improved changes that the SDGEA seeks and Member States are urged to formulate projects that support women to overcome the serious challenges they face in actualizing their full potential as productive citizens of the continent.

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

29. The education of girls and women is the multiplier effect around which most of the principles and other critical areas of concern can be attained. In the area of providing universal access to basic education the reporting countries have done well although there is still a gender gap.

30. Although gender disparities in enrolment and literacy are narrowing at the primary level there is need to narrow the gap at secondary and tertiary level. There is still a high illiteracy level among women and there is need to address the issue of girls dropping out of school.

31. While there is marked progress in the area of education of women and girls there are challenges in ensuring that the quality of education is enhanced and that the education is working on a culture of peace and fights all evils especially gender based violence. The fact there are still countries battling with high drop-out numbers for girls is a sign that work remains to be done. Work will be considered done when this high level of education for girls translates into gender parity in the public arena as well.

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

32. Only 27 Member States have ratified the African Women’s Rights Protocol. These Member States are further urged to undertake a review of their national laws to ensure compliance with the provisions of the Protocol. The Commission is aware that the Republic of Rwanda has done this exercise and recommends other Member States to undertake similar exercises prior to the next reporting on implementation of the SDGEA.

33. In addition, during the Stakeholders meeting on domestication of the Protocol held in Kigali, Rwanda, in July 2009, Member States present embraced a multi-sectoral framework as a comprehensive tool to ensure implementation of the Protocol’s

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\(^6\) [http://www.fao.org/docrep/X0250E/x0250e03.htm#TopOfPage](http://www.fao.org/docrep/X0250E/x0250e03.htm#TopOfPage)

provisions and the AUC henceforth recommends that Member States who have ratified the Protocol should take ownership of this framework and apply it to their advantage in promoting gender equality.

34. For the remaining countries that have not ratified the Protocol the AUC urges them to take immediate action to deliver on their commitment to ratify the Protocol, preferably **before the AU Treaties week in December 2010** and **not later than the next AU Summit January 2011**. Member States contribution in this regard is greatly appreciated.

III. AFRICAN UNION COMMISSION PROGRESS IN IMPLEMENTING THE SDGEA

35. In 2009, the activities of the AUWGDD continued to be devoted to laying down the capacity building foundation in mainstreaming gender in the AU Commission, AU Organs, RECs and Member States. The AUWGDD also worked on finalization of the AU Gender policy, consultations with Member States on the form and shape of the African Women’s decade including priorities to address during the decade; and consultations with Member States on ways to improve their reporting obligations under the SDGEA. For details of activities accomplished see section 3.2 (below).

3.1 Summary of past achievements

36. In the last report of the AU Commission Chairperson an update was given showing the various activities the AU Commission undertook in 2008 in support of the implementation of the SDGEA. Highlights of the past activities, which are not exhaustive, are summarized below:

1. Convening of the first ever Regional Conference on Economic Empowerment of Women held in Malawi in exploration of strategies to evaluate the economic status of African Women, including the establishment of the African Trust Fund for Women.

2. Convening of the third meeting of the African Union Women’s Committee (AUWC) in Tunis which addressed ways to strengthen its relationship with the AUWGDD; made recommendations on improving reports of the AU Chairperson and those of Member States with regard to the implementation of the SDGEA; and members took upon themselves to prepare the annual report of the AU Chairperson on the SGDEA. The fourth report was prepared by members of the committee and the fifth report also was generated through their support.

3. The organization of a two day Seminar on “Ending Violence against Women in Conflict and Post-Conflict Situations: Lessons drawn from the Rwandan Genocide”, from 4 to 5 April 2008, in commemoration of the Rwanda Genocide. The meeting focused on ending violence against women in

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conflict and post-conflict situations through the sharing of experiences, while noting the progress made, good practices, and challenges in addressing violence against women, in conflict and post-conflict situations.

4. Convening of Pre-Summit Consultative Meeting on Gender Mainstreaming in the African Union prior to the AU Summit held in Sharm El-Sheikh, Egypt.

5. Convening of the 3rd Stakeholders Consultation on AU Gender Policy held in April 2008 and the AU ministerial meeting on Gender held in December 2008 to adopt the AU Gender Policy.

3.2 AU Commission Progress during 2009

37. The AUWGDD continued to follow up with Member States on status of implementation of the SDGEA. In May 2009, the AUWGDD convened a meeting in Banjul for Gender experts from Member States. Twenty-three (23) countries\(^8\) participated along with participants from United Nations agencies and civil society organizations who contributed to the discussion. One significant achievement after the meeting is the increased number of reports received from Member States for consideration in the fifth annual report of the AUC Chairperson unlike last year when only three reports were received. Follow-up meetings, for experts and ministers of women/gender affairs, were held in November 2009 within the period of the Africa Review of progress made 15 years after the Beijing World Conference on Women (Beijing +15). These meetings considered progress on reporting under the SDGEA along with adoption of the African women’s decade strategies and plan of action.

38. Last year the AUWGDD also organized Pre-Summit meetings on Gender held in Addis Ababa, Ethiopia, in January and June 2009, availing spaces to CSO and AUWC members to discuss the themes of the summits and make gender-related recommendations to feed into the summits. The June meeting which looked into ‘Investing in Agriculture for Economic Growth and Food Security’ from a gender and HIV/AIDS perspective was especially blessed with the participation of rural women from Burkina Faso, Burundi, Mali and Malawi, sponsored by the Solidarity for African Women’s Rights (SOAWR) Coalition and UNDP are key partners of the AUWGDD, who enriched the discussion with live testimonies.

39. The January 2009 pre-summit on gender, on the other hand, addressed Recommendation No 95 of the High Level Panel of the AU which called for the AUWGDD to establish a Steering Committee to manage future AU Gender Pre-Summits, and the Panel’s Recommendation No 66 which requires that the reports of the Pre-Summit be channeled through the African Union Women’s Committee (AUWC) to the Assembly. Following discussions the participants recommended that a Steering

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Committee be established to manage future AU Gender Pre-summits guided by the following:

- Provide an open forum where women CSO can engage AUWGDD on Gender Equality and Women Empowerment (GEWE) issues;
- Provide an opportunity for stakeholders to assess implementation of activities by the AUWGDD and stakeholders on GEWE;
- Provide an opportunity to reflect on summit themes and discuss its relevance to GEWE;
- Harmonization of decisions and identify targets for gender messages.

40. On 1\textsuperscript{st} March 2009, the AUWGDD organized a Brainstorming Roundtable at the premises of AU Permanent Mission to the UN in New York. The Meeting informed Hon Ministers present of Assembly Decision Dec. 487 (XIV) which declared 2011-2020 as an African Women’s Decade. The meeting also brainstormed on the African Women’s Decade roll out as proposed by the Extra-Ordinary Meeting of Ministers of Gender and Women Affairs in Maseru. The 53\textsuperscript{rd} CSW Session provided an opportunity for the Ministers attending the UN meeting in New York and African Women Leaders to reflect on this idea and brainstorm on it. It was recommended that:

- A group of Experts meet to develop a framework and propose strategies for the Decade;
- A group to be composed of the Vice president of the Gambia and the Ministers present at the meeting to consult between then and the next Ministerial meeting in November 2009;
- The Decade to be an item on the Agenda of the meeting of Gender Machineries which was slated for the Gambia in May 2009. The meeting took place as planned and also further deliberated on and elaborated on the draft framework for the decade.

41. In an effort to advance action on realizing the human rights of women provided for in the African Women’s Rights Protocol, the AUWGDD in conjunction with the United Nations Women’s Development Fund (UNIFEM) and SOAWR convened the first conference for stakeholders on domestication and implementation of the African Women’s Rights Protocol held in Kigali, Rwanda, in July 2009, attended by 14 countries that have ratified the Protocol.

3.3 **AU Commission’s Progress on Implementing SDGEGA Articles**

42. This section addresses progress made by the AUC on articles of the SDGEGA that it has been mandated to implement and report back on progress it makes. These are articles concerning gender parity within the AU (article 5), creation of an AIDS Watch Africa (article 10), creation of an African Trust Fund for Women (article 11) and the
submission of annual reports to the Assembly on the implementation of the SDGEA (article 13).

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

43. The tables below\(^9\) offer the current picture with regards to gender parity within the AUC. There has been no change since the last reporting. Hence, overall the 50:50 parity has not been reached in the AUC as women account for about 33% of the AUC staff.

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44. Since 2008, the AUWGDD has been a member of the AU APROB and participates at the entire interview process to ensure that female candidates that applied have the same opportunities as male candidates to be recruited when qualified women apply.

<table>
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<th>AU Organ and its other institutions</th>
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<th>Rate (%)</th>
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<td>African Commission on Human and People’s Rights</td>
<td>4</td>
<td>7</td>
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</table>

3.3.2 Progress on Article 10: Establish an AIDS Watch Africa

\(^9\) (Source: African Union: [www.africa-union.org](http://www.africa-union.org))
45. AIDS Watch Africa (AWA) is an advocacy platform that the AU uses to step up implementation of commitments made by Member States and was created in April 2001 at the African Union Summit on HIV/AIDS, Tuberculosis and other Related Infectious Diseases held in Abuja. The Heads of State and Government of Botswana, Ethiopia, Kenya, Mali, Nigeria (Chairperson), Rwanda, South Africa and Uganda sit on AWA whose main goal is to accelerate efforts by Heads of State and Government to implement their commitments for the fight against HIV/AIDS, and to mobilize the required national and international resources to effectively implement AWA’s agenda. When it was established AWA was set up in Nigeria in the President’s office; however when the SDGEA was adopted in July 2004, the AUC was given the task of setting up the AIDS Watch Africa as a unit within the Office of the Chairperson of the Commission. Further it has been entrusted with rendering annual reporting on HIV/AIDS situation in the continent during annual Summits; and promoting local production of anti-retroviral drugs in AU countries. Hence, since 2004 AWA has operated as a Unit within the Social Affairs Bureau of the AUC. The Social Affairs Bureau facilitated convening of side meetings during AU summits for AWA members to consider key implementation issues, take stock of progress and give guidance to the direction AWA should go. For example AWA’s strategic framework was considered in January 2006 during the Khartoum Summit and later adopted in July 2006 in Banjul following incorporation of recommendations from the Khartoum meeting.

46. As the Assembly was informed last year, AWA was chaired by the former President of Nigeria till he left office. Following this, there was need to address (a) revitalization of AWA to make it more effective and (b) decide on AWA’s chairmanship.

47. In 2009, the outcome of the second Inter-Agency Meeting on Coordination and Harmonization of HIV/AIDS, TB and Malaria Strategies was presented and discussed during the experts and health ministers meetings held in Addis Ababa in May 2009. The discussions ensued within the context of the framework of the 2006 Abuja Call for Accelerated Action Towards Universal Services to HIV/AIDS, TB and Malaria Services by 2010. Following discussions on progress, lack of progress and challenges facing Member States (which are mentioned under section 4.2.2) several recommendations were made by the experts and presented to the Health ministers for adoption. These included the following among others:

a) Member States, in collaboration with Development and Technical Partners shall ensure that the diagnosis and treatment of drug resistant tuberculosis are established as an integral part of national TB Control Programmes;

b) Member State should adopt an integrated approach to health delivery and linking HIV/AIDS, TB, Malaria, nutrition, maternal and child health, among others;
c) Member States should improve coordination and harmonization of programmes at national, regional, continental and international level to ensure improvement.

48. And it was recommended to the AUC to:
   
a) continue highlighting the need for sustained additional financing for HIV/AIDS, TB and Malaria, and related health areas such as Maternal, Neonatal and Child Health and nutrition, to ensure achievement of the national universal access targets, Millennium Development Goals and other relevant global, continental and regional commitments;
   
b) advocate and provide leadership in identifying positive synergies between existing partnerships in the areas of HIV/AIDS; TB; Malaria; Maternal, Neonatal and Child Health; and nutrition, for integrated service delivery.

49. It was further agreed that progress on related actions would be presented at the 3rd Inter-Agency Meeting.

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

50. Following the adoption of the AU Assembly Decision AU /DEC. 134-164 (VIII) the AUWGDD organized a Continental Conference on the Establishment of the African Women Trust Fund, in Malawi in March 2008. The Conference developed a Road Map for the purpose of making the Trust Fund operational. In this regard, the following were concluded upon: principles to guide the Fund; a working group; the terms of Reference for the working group; and the composition of the Working group which was tasked with overseeing the development of a feasibility study. The African Development Bank (AfDB) was given the responsibility to prepare the study. Furthermore, the meeting emphasized the principles of leadership, sustainability and ownership, accessibility of the funds and strengthening of existing mechanisms as important considerations. The outcome of the report of the Continental conference was submitted to the Executive Council in Sharm-El Sheik (July 2008).

51. Implementing Executive Council Decision EX.CL/425(VIII), the AfDB recruited an expert for the realization of the feasibility study on the African Women Trust Fund. The AfDB organized a technical meeting attended by the AUC on 16th-17th April 2009 in Tunis to discuss the outline of the study especially on the principles of leadership, sustainability and ownership, accessibility of the funds and strengthening of existing mechanisms, the AU cooperation, the country gender assessment, the impact of the global crisis, etc. The AfDB has recently submitted its feasibility study to the AUC for its consideration. The draft report of the study was submitted to the country experts and ministerial meetings held in Banjul during 13-14 November and 21 November for their consideration and adoption.
3.3.4 Progress on Article 13: Submission of Annual Progress Reports on SDGEA Implementation

52. The AU Commission Chairperson has complied with the obligation to provide annual reports on the progress of implementation of commitments made under the SDGEA. This is his fifth report.

3.4 Recommendations for Improved Implementation of the SDGEA and Ratification of the Protocol on Women’s Rights

53. Most of the recommendations the AUC Chairperson made in his last report remain valid and are reiterated here as follows:

   A) The remaining 26 Member States should ratify the African Women’s Rights Protocol by 2010 and furthermore they should spell out definite timelines on which to deliver this commitment by the proposed target date.

   B) In fulfilling the commitments made to raise public awareness Member States are urged to launch and invest in national campaigns that promote the African Women’s Rights Protocol.

   C) The 14 Member States that ratified the Protocol and that took part in the Stakeholders meeting on Domestication and implementation of the Protocol are urged to act on formulated action plans and on institutionalizing the multi-sectoral framework thereby ensuring all relevant departments of government play their respective roles in implementation of activities to actualize rights provided in the Protocol.

   D) The remaining 13 Member States that have also ratified ought to take advantage of a second conference on domestication and implementation of the African Women’s Rights Protocol which the AUWGDD will convene in 2010 in collaboration with UNIFEM and SOAWR. Like the first conference held last year, the meeting will be an opportunity for experience sharing in regards to progress towards domestication of the African Women’s Rights Protocol including challenges faced and discussing solutions to overcome those challenges. It will help put Member States on a clear path towards realizing their undertaking in regards to Article 9 of the SDGEA.

   E) As obligated under article 26(2) of the African Women’s Rights Protocol, Member States are urged to urgently provide resources for the full and effective implementation of the human rights therein recognized.

   F) In their next reports on SDGEA Member States ought to provide information on:
- sensitization activities undertaken country-wide to popularize the provisions of the African Women’s Rights Protocol and the number of and categories of the population reached;

- resources allocated for and actual amounts spent on popularization activities and domestication work;

- the extent to which the judiciary has been made aware of the provisions of the African Women’s Rights Protocol and examples of any application on cases that appeared before the bench;

- the extent to which law enforcement agents (police, prosecutors, etc) have been made aware of and trained, if necessary, on the provisions and application of the African Women’s Rights Protocol to protect women and girls at risk of abuses or those violated contrary to the protection offered under the African Women’s Rights Protocol; and

- share their experience in implementation of a multi-sectoral framework in realizing the human rights of women.

IV. LATEST COUNTRY REPORTS ON IMPLEMENTING THE SDGEA

54. Less than half of the Member States have met their reporting obligations to share their country situations and progress being made in regards to meeting commitments made under the SDGEA. Of these, 26 Member States submitted their initial reports; 6 have submitted their second reports and only three submitted their third reports. The table below depicts the current picture vis-à-vis Member States reporting and an overall table of reporting and non-reporting countries is provided under section 4.4.

<table>
<thead>
<tr>
<th>Year</th>
<th>Initial reports Submission</th>
<th>Second report Submission</th>
<th>Third report Submission</th>
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<tbody>
<tr>
<td>2005</td>
<td>No submissions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2006</td>
<td>Algeria, Burkina Faso, Burundi, Ethiopia, Lesotho, Mauritius, Namibia, Senegal, South Africa and Tunisia (10 countries)</td>
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<tr>
<td>2007</td>
<td>Burkina Faso, Cameroon, Cote d’Ivoire, Ghana, Mali, Nigeria, and Rwanda (7 countries)</td>
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<tr>
<td>2008</td>
<td>Niger, Zimbabwe (2 countries) Senegal (1 country)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2009</td>
<td>Benin, Chad, Congo, Djibouti, Egypt, The Gambia, Gabon, Liberia, Libya, Seychelles, Swaziland, Togo and Uganda (13 countries)</td>
<td>Algeria, Burkina Faso, Chad, Ethiopia, Ghana, Lesotho, Mauritius, Namibia, Niger, Nigeria and Togo (11 countries)</td>
<td>Burkina Faso, Chad, Mauritius and Senegal (4 countries)</td>
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</table>
4.1 Current Level of Base-Line Reporting

55. It is very encouraging that for the fifth annual reporting on the implementation of the SDGEA twenty-three (23) Member States submitted their reports compared to last year where there were only three Member States that submitted their reports. Eleven (11)\(^{10}\) of the current reports are initial reports, one (1) is initial report combined with its second report\(^{11}\) while another (1) is initial report combined with second and third reporting\(^{12}\), seven (7)\(^{13}\) are second reports, two (2) presented combined second and third reports\(^{14}\) and one (1) presented its third report\(^{15}\). However, as Member States have not submitted their initial reports at the same time and 21 Member States have not submitted their initial reports, it is difficult to generate an accurate assessment of what has been accomplished progressively since the SDGEA has been adopted in 2004. Similar to the fourth annual report on SDGEA, the Member States’ commitments that could be tracked accurately mainly concern article 9 (ratification of the African Women’s Rights Protocol) and article 12 (reporting status) as the baseline information for these two articles is readily available to the AUC. In view of this where possible indicators of any progress or lack of progress are borrowed from international reports to help us get a sense of what is the continental situation in regards to gender equality and what more needs to be done to accelerate realization of Member States’ commitments under the SDGEA. The November 2009 meetings of experts and ministers responsible for gender and women’s affairs also addressed progress made by Member States on implementation and reporting on commitments made under the SDGEA.

4.2 Overview of the Latest Country Reports

56. This section provides an overview of the current situation and/or progress as well as lack of progress reported by Member States on their commitments under the SDGEA. This is done by discussing commitments under each article of the SDGEA; where best practices were noted these are highlighted for purposes of learning while any gaps and challenges are also underlined.

4.2.1 Institutional Mechanisms to Promote Gender Equality

57. All countries have in place Women’s affairs ministries which are tasked with leadership in advancing women’s rights and addressing gender equality issues. Most often these ministries have also branches in the various regions of the countries with a view to expanding on the reach of activities to a national level. Furthermore, gender units exist in line ministries in various countries to help mainstream gender concerns into plans of individual ministries. Some Member States’ have also reported on a number of policies that have been adopted or are under formulation to address specific needs such as for example girls’ education, gender-based violence plan, etc. Some countries have

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\(^{10}\) Benin, Congo, Djibouti, Egypt, The Gambia, Gabon, Liberia, Libya, Seychelles, Swaziland and Uganda

\(^{11}\) Togo

\(^{12}\) Chad

\(^{13}\) Algeria, Ethiopia, Ghana, Lesotho, Namibia, Niger and Nigeria

\(^{14}\) Burkina Faso and Mauritius

\(^{15}\) Senegal
also set up monitoring units to assess realization of policies and the impact these have yielded. One major constraint that most countries share is adequately resourcing these institutional mechanisms which put them at great disadvantages and therefore they suffer from inability to effectively coordinate state commitments to advance gender equality.

**Best Practices**

58. **Rwanda** has by an Act of Parliament set up a Gender Monitoring Unit (GMU) that is tasked with tracking the extent to which government ministries, and other entities are adhering to the state policy on gender equality and the impact of interventions or the lack of interventions. The unit therefore monitors and evaluates outcomes.¹⁶

59. **Senegal** – A National observatory on women’s rights, a consultative and action framework established by decree nr. 2008-1047 dated 15 September 2008 provides alerts, guidance, counselling and supervision and also is tasked to ensure the effective application of commitments made by Senegal relating to the rights of women.

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

60. Under article 1, Member States committed to “Accelerate the implementation of gender specific economic, social, and legal measures aimed at combating the HIV/AIDS pandemic and effectively implement both Abuja and Maputo Declarations on Malaria, HIV/AIDS, Tuberculosis and Other Related Infectious Disease. More specifically we will ensure that treatment and social services are available to women at the local level making it more responsive to the needs of families that are providing care; enact legislation to end discrimination against women living with HIV/AIDS and for the protection and care for people living with HIV/AIDS, particularly women; increase budgetary allocations in these sectors so as to alleviate women’s burden of care”

61. Member States reports show great efforts at reducing the prevalence rate of HIV/AIDS, TB and malaria. Most countries seem to adhere to UNAIDS and World Health Organization (WHO) guidelines and protocols; and several types of committees and national coordination bodies are in place to play different roles (policy guidance, coordination, monitoring and evaluation) and these enjoy political commitment at the highest level where the president or prime minister usually take a lead role in chairing the national committees. The World Bank and the African Development Bank have also been acknowledged as key partners providing resources for the national campaigns which mostly engage in a multi-sectoral strategy that involves all sectors of government. National campaigns are underway with many countries indicating increased public knowledge of HIV/AIDS, except in one country (Lesotho) where public awareness is reported to be low.

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¹⁶ This best practice came to light at the First Stakeholders conference on Domestication and Implementation of the African Protocol on the Rights of Women held in Kigali in July 2009.
62. Care and treatment for female victims and especially ensuring that pregnant women do not transmit to unborn babies is a major focus for most countries where free ARV is supplied for several years now and other relevant support including counseling are offered. Legal measures and policy guidelines are also in place to guard against discrimination and stigmatization of people living with HIV including women. Some of the countries are better prepared in providing an overall picture of their countries’ situations with a few highlighting the challenges and constraints faced in reducing the prevalence rate attributed to several factors (infrastructure challenges resulting in limited coverage; persistence of risky sexual behavior, inadequacy of prevention programmes targeting the youth; widespread stigma surrounding HIV/AIDS; and inadequate monitoring and evaluation of interventions). Country reports however do not emphasize the linkages between HIV/AIDS and poverty and also its linkages to violence against women and these are to areas that Member States need to pay urgent attention to in tackling this pandemic.

63. Several country reports mention increased funding being channeled towards the campaign ensuring wider reach of the populations with critical information (in Nigeria for example, awareness level of the population is registered at 94%); training of doctors and midwives in administering ARVs and managing counseling for victims. However, the level of investments in the campaigns and treatment/care for affected populations is not explicitly shared except in few examples where a 40% increase of allocation is registered in the case of Nigeria for example. Most of the Member States still need to show evidence in their reports that adequate budgets are allocated to HIV/AIDS prevention, care and support at all levels of government to ensure sustainability beyond donor support and where necessary embark on fund-raising.

64. Some countries (e.g. Djibouti and Nigeria) are more affected with prevalence of malaria and have more elaborate strategies and plans for prevention and treatment guided mainly by the WHO Global Roll Back Malaria (RBM) Strategy. The ministry of public health is the leading public agency that is providing policy guidance, treatment and prevention measures including distribution of mosquito nets and spraying breeding sites in affected countries. Egypt and Seychelles are two countries that reported that Malaria does not exist within their boundaries.

65. Against the above backdrop are concerns raised during the experts and health ministers meetings in May 2009 which made the following observations:

1. **HIV/AIDS** - it was noted that access to services is still inadequate. Prevalence rates have been recalculated and are lower than before, but this is no reason for complacency. The need for better coordination and to link AIDS programmes to other programmes including nutrition was underscored. Although funding has improved, this is not yet sufficient.

2. **TB** - concern was raised that universal access may not be attained as the burden in the Africa Region is highest, unless drastic steps are taken for better control. Resistant TB exists in all countries, and yet some of them...
lack programmes on TB resistance. Diagnosis of multi-drug resistant and extensively drug resistant TB is very limited. Member States were reminded to implement the Regional Strategy for TB and HIV/AIDS. The UNAIDS announced that the next UNGASS will be held in 2010, and that countries should develop universal access Reports before March 2010. In this regard, Africa may consider submitting a Common Position.

3. **Malaria** - it was noted that the World Malaria Report 2008 and the UNICEF Report on Malaria and Children indicate improvement on some indicators. However, the percentage of patients receiving prompt recommended treatment is still unsatisfactory. Countries were reminded to rally around the 2008 Global Malaria Action Plan, and to scale up comprehensive interventions, including surveillance systems.

**Best Practices**

66. **Chad** - The HIV/AIDS prevalence rate has dropped from 7.3% in 2005 to 3.3% in 2008.

67. **Djibouti** – (a) Political commitment at the highest level has led to increased access to medicine for victims of HIV/AIDS. Screening and research, free clinical management of affected people and the availability of a free and anonymous telephone line (info SIDA) has resulted in increased public access to HIV/AIDS information while people living with HIV and the number of people accessing ARV treatment increased from 149 to 640 in 2007. (b) A second generation HIV watch mechanism is in place since 2006 to monitor evolution of the HIV pandemic in the country so as to adapt a better response plan nationally.

68. **Egypt** – (a) Provision of hotlines within the ministry of Health and in all the health directorates for consultations, enquiries and for giving advice on health matters to those who need it including information about the transmission of the virus to callers who need such information without revealing their identities/names. (b) The rate of death for the victims of TB has been cut down from the current 30% to a record of 10% for the new cases while the rate of spread of the disease has been cut down from the current rate of 32 cases per every 100,000 people to a record rate of 22 cases per every 100,000 of the population.

69. **The Gambia** – Registered success in TB detection rates which rose from 64% in 2006 to 78% in 2008; furthermore treatment rate rose from 67% to 84% and an increase in cure was noted from 67% in 2003 to 78% in 2008. Likewise, the programme to fight malaria has also shown success in 90% decline in deaths in some parts of the country raising high hopes that the country might soon be declared malaria free. The Gambia programme deserved to be studied and lessons adopted by others.
70. **Algeria, Nigeria and Seychelles** – have presented/reported trends and developments in a graphic form and in a comprehensive manner making it easier to understand the overall picture of HIV/AIDS in their respective countries.

71. **Nigeria** – has (a) provided statistics that track budgets and actual disbursement to various public institutions in spending on HIV/AIDS. In 2007, spending was registered at over five billion in local currency. (b) established a Gender Technical Committee under its NACA to ensure that gender is mainstreamed in all programmes and plans and that gender disaggregated data are available for effective planning at all levels in the country; and (c) a noticeable reduction in national prevalence rate compared to that of 2005 is attributed to government’s efforts at legal backing for the National Action Committee for the Control of AIDS; increased budgetary allocation to the Agency for effective coordination of HIV/AIDS programmes nationwide; increased commitment to the creation of awareness of the causes and prevention of HIV/AIDS among the general populace; and an increased commitment to mainstreaming gender into HIV/AIDS programmes.

72. **Ethiopia** - According to the country’s Fifth Report on HIV/AIDS (2004) issued by the Ministry of Health, the total prevalence rate which was 4.4% has dropped to 2.8% because of measures adopted/taken including considerable increase in the number of health centers, health posts and private clinics in the last five years.

73. **Mauritius**, aiming at prevention of mother to child transmission of HIV/AIDS, set up a project in 1999 to offer counseling and HIV testing to all pregnant women attending the Antenatal clinic in the public sector. Free Antiretroviral prophylactic treatment is given to pregnant HIV positive women and caesarean section is preferred to normal delivery to further reduce the risk of mother to child HIV transmission resulting in a transmission rate reduction from 20% to 1%.

4.2.3 **Article 2: Peace and Security**

74. Under this article, Member States committed to “**Ensuring the full and effective participation and representation of women in peace process including the prevention, resolution, management of conflicts and post-conflict reconstruction in Africa as stipulated in UN Resolution 1325 (2000) and to also appoint women as Special Envoys and Special Representatives of the African Union.**”

75. Country reports have given different pictures reflecting their level of engagement in addressing this commitment. Some have elaborate plans in place while others are beginning to take small steps towards addressing the priorities set out in article 2. For example, some countries have developed national plans with a view to systematically ensuring implementation of UNSCR 1325 whereas some others have taken additional steps whereby they have taken some actions adhering to key directives in UNSCR 1325. The Government of Liberia has developed and launched its National Action Plan for the implementation of UNSCR 1325. The launching of the Action Plan formed a part of the International Colloquium on Women’s Empowerment, Leadership Development
and International Security which was held in March 2009. Public awareness around the implementation of this National Action Plan is ongoing, and copies of the National Action Plan have been distributed to all sectors of the society and stakeholders.

76. In Congo, Congolese women participate fully in the peace and security process, including post-conflict reconstruction at national level, through peace rallies, symposiums, national prayer days, which got positive feedbacks and facilitated dialogue with militants.

77. In Niger, women marches, sub regional forums and missions to conflict areas have been organized. The three associations working in the context of peace continue to build their capacities through their active participation in the various meetings held at national and regional levels.

78. Nigeria has provided detailed information on the number of women deployed to take part in peacekeeping missions in Darfur, the Sudan; and on the creation of dispute resolution centers in seven locations and of which six are headed by women.

79. Several country reports shared various capacity building interventions including conflict resolution training that benefitted women both at national and regional level. The majority of reports, however, lack presentation of concrete steps being taken to place women in leadership roles as opposed to secondary roles where they are utilized as pressure group only. In this capacity it has been reported that women participated prominently in peace marches, mass prayers for peace and/or are pre-occupied with training without follow-up plans to utilize the skills they gain be it conflict resolution, negotiations or as peace envoys.

80. Even though Togo has not known war, it sends soldiers to conflict areas and there are relatively few women fighters. CSO are anxious to participate in the prevention, peace building and post conflict reconstruction in accordance with the UNSCR 1325. Togo is a member of the Network of Women for Peace and Security in ECOWAS.

81. Benin has also not had any armed conflict in its territory but also participates in peace keeping in other countries. Women amount to a high of 5.3% and of 9% in peace negotiations. Benin lists challenges of achieving an equal number as pertaining to education levels of women, the need to promote women to the rank of officer in the army and to top diplomatic positions.

82. In Lesotho the participation of Women in Peace and Security has not received significant attention.

**Best Practices**

83. **Liberia** - has (a) developed an Action Plan to implement the UNSCR 1325. This is in addition to popularizing the UNSCR 1325. The action plan entails that work is
planned and not ad hoc. The only two other countries know to have developed such a plan are Kenya and Sierra Leone and other countries are encouraged to consider developing national action plans. It is important to assess the impact of implementing the action plan in a few years to come. (b) Peace huts were set up in rural communities across the country where women meet regularly to discuss peace issues and their role in maintaining peace in the country.

84. **Nigeria** – (a) made it compulsory for gender training to be given to all troops participating in peacekeeping missions. (b) a deliberate policy to recruit women into defense and police establishments thereby facilitating their potential recruitment as peacekeepers. In 2007, the whole contingent that Nigeria contributed to the Darfur mission was composed of police women.

85. **Namibia** - has legislation and policies in place and has carried out training and sensitization as well as setting up of committees to ensure the implementation of UNSCR 1325. Namibia is a host to refugees and asylum seekers and has set up medical facilities as well as facilities to do with sexual and gender based violence. There is a Task Force on HIV/ AIDS and there are training for empowering women in place.

86. In **Zimbabwe** women are part of the Peace Keeping Forces sent to countries that are in conflict. Training Programmes have been introduced and this has resulted in an increase in the number of female soldiers attending junior and senior officers’ development courses.

### 4.2.4 Article 3: Child Soldiers and Abuse of the Girl Child

87. Under article 3, Member States have committed to “**Launching, within the next one year, a campaign for systematic prohibition of the recruitment of child soldiers and abuse of girl children as wives and sex slaves in violation of their Rights as enshrined in the African Charter on Rights of the Child.**”

88. Some countries are more affected and fully relate to the contents of this article than some seem to do. The latter include those countries that do not have a current conflict such as Djibouti, Seychelles and Togo. The former category includes countries that have emerged from conflict such as Liberia, Niger and Senegal. There is a third category of countries that, despite their countries not being a conflict zone, have experienced new trends such as child trafficking (Gabon) and street kids being a source for illegal activities and organized crimes (Nigeria) and hence have shared interventions they have undertaken to protect children. In any of the interventions, where a good practice was noted it is highlighted in the relevant section below (Best Practice).

89. The overall picture from Member States reports is that almost all have ratified human rights instruments concerning the rights of children and are thus obligated to address the provisions of article 3 aside from honoring their commitment under the SDGEA. Many have also put in place national laws to deal with child trafficking for
purposes of sexual exploitation as well as for labor and to restrict recruitment of children into the army by setting 18 years as the eligible age. The Member States reports have not defined ‘Child’ by sex so in many instances it is not clear whether it is boys or girls that have been addressed in different interventions cited. It is important to have such disaggregated data to understand the level of violence committed against girls and in particular in the areas of concern flagged in Article 3 of the SDGEA.

90. Some countries have shared their utilization of multi strategy media to raise public awareness on exploitation of children for purposes addressed in this article and warn off offenders. In some instances, the national legislations have harsh punishment for offenders. For example, in the case of Gabon child trafficking is considered a criminal offence and attracts a fine of 10 to 20 million Francs.

91. Some countries are running programmes to rehabilitate children who are former combatants and efforts are being made to ensure girls like boys benefit from income earning projects such as reconstruction work, building of roads and bridges, etc.

92. Most country reports have omitted to provide statistical information to allow for a comprehension of the number of children affected, their sexes, the number that is benefiting from state projects, the impact of these interventions etc. Member States are encouraged to consider addressing this gap in their next annual reports.

**Best Practices**

93. **Liberia** – has, through its Ministry of Gender and Development, established a Children’s Parliament nationwide. This body discusses and advocates for the rights of children.

94. **Gabon** – has cited the signing of a multilateral regional cooperation agreement to address human trafficking particularly women and children in West and Central Africa between ECOWAS and CEEC in Abuja, Nigeria on the 5th July 2006. Such regional collaboration is very essential and is in line with the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (The Trafficking Protocol), which supplements the United Nations Convention against Transnational Organized Crime.

**4.2.5 Article 4: Violence Against Women**

95. Under article 4, Member States have committed to “**Initiating, launching and engaging within two years sustained public campaigns against gender based violence as well as the problem of trafficking in women and girls; Reinforce legal mechanisms that will protect women at the national level and end impunity of crimes committed against women in a manner that will change and positively alter the attitude and behaviour of the African society.**”
96. The United Nations Declaration on the Elimination of Violence against Women (1993) defines violence against women as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life." Studies are showing that violence against women and girls in Africa is on the rise. More violent forms, such as femicide, acid attacks, ritual rapes and murders, gang rapes, abductions, defilement, forced early marriage; military sexual slavery and rape as a weapon of war have become widespread. Some violations of women’s rights such as in trafficking in women and girls are seen as a result of or related to drug trafficking but also conflicts have greatly contributed to this form of violence against women. Women in conflict countries indeed bear the worst forms of violence committed against women. There is also ill-treatment of widows and grabbing of property that are more prevalent than before in spite of legislation that is in place to protect widows and orphans. In spite of legislation against some cultural practices, women in Africa continue to be vulnerable to harmful traditional practices and customs such as female genital mutilation (FGM) and widow inheritance, which expose them to the risk of HIV and AIDS. Several state parties to the African Protocol on the Rights of Women have not criminalized FGM as obligated under Article 5 of the Protocol. Women are also faced with the challenge of dealing with law enforcement agents who fail to take seriously reports on violence against women or fail to act to protect them at the hour of need. And when cases are taken up through the justice system women are often frustrated with the long periods it takes to finalize hearing and reach a verdict. Many times they are disappointed with the lack of justice as their perpetrators often times walk away free. Obtaining data on violence against women is still a major challenge. Evidence from country reports for violence against women is the persistent gender inequalities in accessing resources, opportunities, lack of organization capacity, political leverage and building capacity.

97. Most country reports have alluded to campaigns undertaken, in collaboration with local women’s organizations and international organizations, during the sixteen days of activism to end violence against women which is usually held during 25 November to 10 December annually. Some of those interventions that were considered to be of good practice are cited in the relevant section below. Most countries have also shared legislation that is put in place, or is in the process of formulation, to deal with violence against women including on sexual offenses and domestic violence.

98. Protective and corrective measures are mentioned in the country reports. Violence against women has been clearly defined and made public agenda through different policies and strategies. At policy level there is clear understanding that violence against women has been directly hampering women's participation and their benefit in all spheres of life. Violence against women is recognized as a leading factor that perpetuates gender inequality be it in education enrolment, health status, economic or political participation. So the member state’s reports suggest an understanding that to solve women’s economic, political and social problems requires a multi-sectoral approach in addition to changes or improvements within the legal framework of individual governments. Advocacy strategies have been implemented by governments,
NGOS and women’s groups on issues such as harmful traditional practices (HTPs) and on violence against women including domestic violence. In particular women’s organizations at different levels have been making advanced efforts in this regard.

99. No country has provided information on evaluation undertaken to measure the impact of national campaigns to combat violence against women though some have indicated they have plans to undertake gender audits.

100. In a bid to renew commitment and action to ending violence against women the AUC has in January 2010 joined the United Nations in Addis Ababa in launching the UN Secretary General’s Unite Campaign to end violence against women. Several countries have started to launch it nationally and it will be good to share the outcome of these campaigns in the next reporting on progress towards gender equality in Africa.

**Best Practices**

101. **Burkina Faso** – demonstrates high leadership engagement in the fight against female genital mutilation; has undertaken studies to understand the level of violence against girls in schools to inform policy action and resourcing. The countries strong programme against FGM indeed offers lots of learning opportunities for countries where this harmful practice prevails.

102. **Djibouti and Libya** - provide hotline services for addressing domestic violence cases.

103. **Egypt** – (a) Article 291 which pardoned a rapist if he married his victim has been repealed. (b) The women’s complaints office has opened special free hot lines to receive complaints of gender based violence against women. (c) Creation of a special unit of the police force which specializes in combating exploitation and trafficking of women. The force works in collaboration with Interpol. (d) Women can get free legal aid/consultation services about violations of their human rights from various branches of the Women’s complaints division and the women’s council throughout the country.

104. **Ethiopia** – has established trafficking checkpoints in selected bus stations in the regional states of Amhara, SNNPRs and Addis Ababa where trafficking is prevalent. The checkpoints are manned by officers to detain offenders and reunite trafficked children with their families.

105. **Gabon** - organized a major talk show/debate on the theme “Violence against Women, let us talk about it together” with the participation of a psychologist, a lawyer, a female president of an NGO and the Minister of Women along with 500 women from the public.

106. **Ghana** – has set up victim support since 1998 at police stations across the country to deal with domestic violence. The national policy and plan of action adopted in 2008 was largely informed by the work of these units.
107. **Liberia** – has (a) set up a specialized court (Criminal Court E) in 2008 to prosecute all gender based violence (GBV) cases. There is also ongoing public education and advocacy that encourages women to seek help through the formal justice system. A Sexual and Gender Based Violence (SGBV) Crime Unit was also set up at the Ministry of Justice, in support of the work of the court, to provide prosecutorial and support services to survivors of sexual offences. The SGBV Crime Unit is also developing a prosecution manual that is relevant to handling SGBV cases. (b) Community Policing Forum across the country that works closely with women’s groups to prevent and reduce incidents of GBV. A total of 319 community policing structures are operational in the country’s seven zones.

108. **Nigeria** – has amended its Trafficking in Persons (Prohibition) Law of 2005 to incorporate the establishment of a Victims Trust Fund and give the Agency powers to impound the properties of convicted traffickers. Between 2006 and 2009, 70 traffickers were prosecuted and convicted and sentenced 57 to various prison terms ranging from 6 months to 24 years. Over 70 additional cases are at various stages of trial in various high courts across the country.

109. **Togo** – has reduced its FGM prevalence rate almost by half in 11 years, 12% in 1996 to 6.9% in 2007. There are some lessons that can be taken from Togo’s national programme on ending FGM.

110. **Swaziland** – (a) set up a Domestic Violence, Sexual Offences and Child Protection Desk within the Royal Swaziland Police Service. The purpose of this desk is to deal with issues pertaining to the issues of domestic violence, sexual offences and child protection by law enforcers who are specially trained in these areas. (b) It initiated a 365 Days of Activism Against Gender Based Violence Action Plan in 2007 allowing attention to the issue throughout any given year.

### 4.2.6 Article 5: Gender Parity

111. Under article 5, Member States have committed to “**expanding and Promoting the gender parity principle that we have adopted regarding the Commission of the African Union to all the other organs of the African Union, including its NEPAD programme, to the Regional Economic Communities, and to the national and local levels in collaboration with political parties and the National parliaments in our countries.**”

112. All countries’ reports made commendable effort to provide figures that are indicative of progress made in the gender parity realization. Most of the reports received from Member States provided gender parity statistics related to women MPs, women in cabinet and judiciary and women in local councils. Two main challenges noted in reporting on gender parity are: (1) the lack of uniformity in the data provided and the manner it is presented. It would be more helpful in future to provide data on agreed elements (e.g.; number of women parliamentarians, number of women ministers, number of women judges, etc.) so that Member States’ reports address the same
categories and with uniform presentation. (2) the other challenge relates to the period of statistics. For example, some countries reported 2006 statistics while others gave more recent statistics. It will be more useful to provide current statistics as far as is feasible to ensure an accurate picture of the situation in the Member States. All in all, the continent has made significant progress towards realization of equal rights for women and men, though huge variations exist across countries and regions. Currently, there are more women in governments than ever before. Between 1995 and 2008, the percentage of female national parliamentarians increased from 11.6% to 18.4%. The continent now has one female Head of State in Liberia, several vice presidents and Prime Minister (The Gambia, Malawi, Mozambique, etc.) and women occupy 56 percent of the National Assembly in Rwanda, the highest number of women parliamentarians globally. Additionally, women occupy top positions in national assemblies of several countries (Botswana, The Gambia, Uganda) and in some countries women are considerably represented in the judiciary (Algeria, Djibouti, Mauritius, Namibia and Nigeria). However, many factors still constraint women’s political participation. Political parties are still slow in responding to women’s interests, women’s campaigns are poorly resourced and women leaders have to balance their professions with domestic and social responsibilities. Clearly many Member States are far from reaching the agreed targets both in government and in national assemblies. Additionally, some setbacks are observed in some countries where results of recent elections show a decline in the number of women parliamentarians. Botswana would be a good example of this category despite the fact that a woman was elected as the speaker of the house.

Best Practices

113. **Mauritius** – (a) put in place an Equal Opportunity Act (EOA) in 2008 which replaced the Sex Discrimination Act 2000. The EOA provides for a tribunal to review complaints and decide on a payment of compensation in the amount of USD 16,700. This measure is intended to serve as a deterrent to those who may engage in discriminatory practices. (b) A gender audit was done among gender focal points to assess the level of gender mainstreaming and barriers being faced.

114. **Liberia** – a fairness bill was introduced by the Women Legislative Caucus in the National Legislature with a view to ensure women’s representation in decision-making positions in political parties. It also is calling for 30% of women representation at all levels.

115. **Nigeria** – (a) a joint donor Trust Fund was set up in 2007 to support activities of women in politics. (b) a summit on Women in Governance was convened in October 2007 with a view to setting priorities for elected women in governance in the form of a four year action plan. A second conference was envisaged for end of 2009.

116. **Niger is in the process of revising its affirmative action quota to ensure 50% parity in** elective and nominative posts. A bill has been moved by the Ministry of the Promotion of women and is currently being considered by the Council of Ministers. Events leading to regime change might, however, set this off track.

117. **Senegal** - Strategies have been developed by the Government, in collaboration with independent organisations that are active in women’s promotion, to amend certain provisions of the electoral code in order to ensure that gender equity is a prerequisite for a list of party candidates to be valid.

118. **Togo** – A bill passed in 2007 on public financing of political parties provides for a financial bonus for promoting increased number of women’s representation in political parties running for office;

4.2.7 **Article 6: Women’s Human Rights**

119. Under this article, Member States have committed to “ensuring the active promotion and protection of all human rights for women and girls including the right to development by raising awareness or by legislation where necessary.”

120. The majority of Member States have national policy frameworks that specifically address the issue of gender equality such as gender policies and other policies addressing poverty eradication. Likewise Gender Machineries that are tasked with overseeing the implementation of the SGDEA and other gender related commitments made by governments exist. All reporting Member States have also underlined the various international and regional instruments such as CEDAW and/or the African Women’s Rights Protocol that they have ratified to show their commitment to the human rights of women. However, while these efforts are commendable, the AUC yet again reiterates that the achievement of human development in Africa will only be possible when gender equality and women's empowerment become a reality. Therefore Member States are further encouraged to translate commitments into tangible actions that show gender equality and women's empowerment is actually taking place.

121. Member States were also very frank about sharing challenges they face including the existence of certain legislation that discriminate against women. Reform of discriminatory laws is also a cornerstone of many of the commitments set out in the SDGEA and Member States should give this the highest priority. In this regard, promotion of gender equality in law is critical and so Member States are encouraged to seek all possible avenues of support to remove all laws that are discriminatory to women and girls. Consequently Member States should support the creation at the United Nations Human Rights Council of a new special mechanism to promote women's equality before the law. Such a mechanism could engage actively with states, sharing best practice and possibly providing technical assistance as well as providing an impetus for acceleration of the amendment of laws that discriminate against women and so impede gender equality.
122. The AU Assembly has declared 2011-2020 as the African Women’s Decade with the aim of advancing gender equality by accelerating implementation of Dakar, Beijing and AU Assembly Decisions on GEWE. Last year (2009) marked the 15th anniversary of the African Platform for Action which endorses and urges action towards the eradication of all forms of discrimination against women, including through law reform, law enforcement and administration of justice. This was echoed in the pledges made in Beijing, which also celebrates its 15th anniversary this year (2010). With the Roadmap for the African Women’s Decade focusing on implementation of all policy documents, Member States are urged to have dedicated focus to intensify in very concrete terms their commitment to gender equality.

**Best Practices:**

123. **Chad** - Established a Ministry of Human Rights in 2005 to give greater prominence in addressing human rights issues.

124. **Egypt** – (a) Amendment of Law No. 154 of 2004 on citizenship to give Egyptian women who are married to non-nationals equal rights with Egyptian men in an absolute manner when it comes to the nationality of their children. As a result thousands of children born of Egyptian mothers have been given citizenship. (b) Amendment of taxation/revenue law, which is now replaced by law no. 91 of 2005 and thus removes any kind of discrimination between man and woman concerning the waiver of taxation as a result of family responsibility. In the past the law denied women from enjoying tax waiver on the ground that men are responsible for families not women. (c) Establishment of special units in all ministries to combat any practice seen as being discriminatory against women at the place of work.

125. **Gabon** – (a) Early marriage and marriage without consent for a girl less than 15 years is prohibited (article 264 of the criminal code) with a prison sentence ranging from 1 to 5 years. These sentences are harsher and go up to 10 years of imprisonment if sexual act was done or attempted on the girl and a determined prison sentence if the sexual relation resulted in the death of a girl. (b) Elimination of gender stereotypes in new manuals for schools.

126. **Mauritius** – (a) Carried out a harmonisation study to revise all national discriminatory legislative provisions. (b) The 2005 National Gender Policy framework is built around performance based budgeting (PBB) with a focus on gender sensitive results. (c) Public Service Announcements on gender equality have been developed and have been broadcast on radio. (d) A high level Symposium was held for heads of ministries and departments to sensitize them on the importance of gender equity in allocation of resources and the cross cutting nature of gender equality. (e) An online Gender Information System (GIS) will soon be operational to monitor government programmes and outputs through gender sensitive performance indicators and gender related material will also be provided online.
127. **Senegal** - enacted law nr. 2008-01 of 8 January 2008 concerning amendment of certain provisions of the General Tax Code, particularly in its article 105 relating to equal tax treatment. This law reinforces the 2006 decrees (1309, 1310 and 1331) of 23 November 2006 relating to the Social Security Act which today recognizes the right of the salaried Senegalese woman to include her spouse and children in her medical plan.

128. **Swaziland** – (a) The Gender and Family Issues Unit in the Deputy Prime Minister’s Office in collaboration with Central Statistics Office trained both Statistics Officers and Gender focal points on processing gender desegregation data. This training resulted in the production of a gender desegregated data called “Gender Info” which was launched on the 18th November 2009. (b) is reviewing legislation to determine its compliance with CEDAW and the Constitution and civic education regarding government’s obligations to perform under the country’s various human rights obligations.

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

129. Under this article, Member States have committed to “actively promoting the implementation of legislation to guarantee women’s land, property and inheritance rights including their rights to housing.”

130. Women’s ownership and control of land and property is a global issue and needs a paradigm shift for women to really enjoy rights to land property and inheritance. Africa lags behind other continents and there is urgent need to reverse this course as the majority of women depend on land for their livelihood and are responsible for contributing to Africa food security needs.

131. Most reports from Member States in general spoke to existence of laws to ensure:

- access to land as a right including the right to sell and inherit it is enjoyed by both sexes;
- equitable use of land to facilitate social and economic development for both men and women;
- access to credit from private institutions, banks and government are availed to all people irrespective of gender.

132. Some of the Member States have taken appropriate action where legislation guarantees women’s land, property and inheritance rights including their rights to housing and some examples are offered here. Mauritius’ country report for example indicate that women are formally treated equally with men under the law with respect to their legal capacity to conclude contracts and administer property in their own name without interference or consent from male partners. Women have the right to choose their matrimonial regime, the law provides for under ‘separation des biens’ both spouses retain and manage their own wealth and property separately. Nigeria’s country report
indicate a need and plans to review existing laws in particular land reform in order to address the social and economic challenges faced by women.

133. There is no restrictive or discriminatory measure in the Algerian laws and regulations in the acquisition and ownership of land, or the right to inheritance, the latter being clearly mentioned in the Code of the Family. Algeria has deliberately decide to involve women in the initiation and formulation of projects and ensuring access to the various funding sources, in particular State subsidies and credit.

134. In Lesotho and Togo the coexistence of two systems of law; customary and modern which have equal standing is creating a major obstacle to women’s enjoyment of their rights. There is urgent need to harmonize the two systems and pick what is conducive to women’s rights under the customary law and to keep it. Most country reports speak of efforts to increase women’s access to credit but lack clear policies to implement.

135. Challenges highlighted in the member country reports include, legal, cultural and social attitudes towards women in instances where women and men apply for communal land, it is generally given to men as they are regarded as the right holders of land. The majority of Land Board members who are men are in need of training and awareness on gender issues and on land reforms if land is to be equitably distributed. The need to popularize the provisions of the law and strategies to implement these provisions remain a challenge too. The need to move from laws to implementation is the responsibility of governments who should initiate the implementation of quotas or affirmative action to ensure the number of women owning land increases. Although gender equity is guaranteed by the basic instruments of the Republic of Djibouti, the right to land and property remains hardly accessible to the women owing to their status which gives them a secondary role in national social life. Challenges face Djiboutian women to obtain land and property and it is now recognized that it is necessary that Djiboutian social law should address the difficulties which women face in having access to a professional income generating activity which consequently enables them to obtain land and property.

136. Land rights in Niger are governed by the Rural Code. Article 4 of Decree 93-01 of 2 March 1993 establishing the guiding principles of the Code stipulates that: “the rural natural resources are part of the common heritage of the nation. All Nigerien citizens have equal rights of access irrespective of sex or social origin”. Thus, women can access these natural resources without discrimination. Nigerien and Algerian women can inherit land and landed properties, but these rights are based on the Islamic inheritance principles. Although there are no policies in Niger on women’s access to credit, there are several programmes aimed at increasing their access to credit. As a way forward, the government plans to establish a Women’s Bank as the operational mechanism for granting credit to women.

137. In general, the low levels of education of women especially in rural areas continue to be an obstacle to women claiming their land rights. In Benin research shows
that the tendency of discrimination against women owning land is disappearing in modern or educated families. The low literacy levels contribute to women’s inability to access resources from banks that would assist them to purchase land as most countries have the provision to purchase land as a direct option for women to acquire land. In countries where statistics are available research show that the average land owned by women is smaller than that of men.

138. Micro-finance and micro-credit structures should grant loans to women to enable them to obtain land and property. Member States reports are lacking adequate statics of the proportion of women who own land as well as the proportion of women who access credit and the measures being taken to increase these numbers by 2015 as stipulated in the SDGE.

**Best Practices:**

139. **Ethiopia** – Government runs an integrated housing programme benefitting women; in 2005 56.7% of women living in Addis Ababa and 51% of women living in regional states have benefited from the scheme.

140. **Mauritius** – Applies the ‘Forced Heirship Rules’ whereby both men and women have an equal right to inheritance. Widows and widowers inherit from their spouses in any circumstances, depending on the matrimonial regime. They can inherit even when a will does not exist.

141. **Niger** – A special credit programme initiated by the President has released more than one billion francs CFA for various income generating activities benefitting women. Consideration of a bank for women is under discussion.

142. **Senegal** - The FNPEF (National fund for the promotion of women’s entrepreneurship and the Women's Credit Project (PCF) are in place to support women and in 2008, support was provided to women for income generating activities in the suburbs of Dakar.

143. **Seychelles** - has made great strides in the right of women to own land and property and to inherit equally and there are no discriminatory practices to land, property and inheritance. Women are now encouraged to enter into an agreement relating to settlement of property at the time of entering into marriage to ensure claim to land and property in the case of divorce or death of a spouse.

144. **Namibia** - the government has carried out law reforms to ensure that widows have a right to inherit land; children are not disadvantaged or suffer from discrimination because of the marital status of parents; specifies equality of persons within civil marriage and does away with the legal definition of man as head of the house and provided for women married in community of property access to financial resources and equal power to acquire and administer property and have immovable property registered in both spouses’ names.
4.2.9 **Article 8: Education for Girls and Women**

145. Under this article, Member States have committed to “taking specific measures to ensure the education of girls and literacy of women, especially in the rural areas, to achieve the goal of “Education for All” (EFA).

146. As reflected in many Member States’ reports girls’ education and the fight over women’s illiteracy is exceptionally going well. Senegal for instance has increased adult women literacy enrolment rate by 34.2% within a period of one year (2007 to 2008) thereby reaching its annual target of 63.2% for 2008. Djibouti has also exceptionally done excellent where enrolment rate for girls rose from 1500 students in 1999 to 10,609 students in 2008. This success is attributed to increased budgetary resources that facilitated more schools to be made available for learning. Several other countries have likewise stepped up girls’ enrollment levels by providing scholarships benefiting destitute families or making education free for all and compulsory.

147. In Ethiopia due to campaigns for education of girls and training on gender to teachers, there has been a marked increase in girls’ education and the gender gap is closing. The government is trying to come up with Alternative Basic Education for pastoralists and semi-pastoralists communities.

148. In Niger the principle of non discrimination in education enshrined in the constitution and legislative and statutory texts is still in force. Measures taken to translate them into action have been strengthened. The “teaching guide for the use of school headmasters and headmistresses on sexist stereotypes in manuals” has been made available to the teaching staff. Its elaboration in 2006 resulted in a recommendation made after a study conducted in 2004 on the revision of the curricula in order to eliminate sexist stereotypes.

149. In Benin education was always regarded as an essential factor of development and thus the right of all citizens to education was affirmed by the constitution and reaffirmed by policy documents of education. There has therefore been a noticeable improvement in the rate of schooling of girls as well as in the elimination of illiteracy. There are however challenges for Benin to reduce the rate of dropout of girls and provide them with quality education. There is need for a change in the way education is delivered in order to motivate girls to register in the technical, industrial and agricultural fields.

150. Even though Burkina Faso has made strides in education the persistence of socio-cultural taboos, stereotyped sexist beliefs, institutional and pedagogical constraints are major obstacles slowing down the education of girls.

151. The challenges for Seychelles are in the area of sensitizing parents and the general public on gender disparities; create school environments where both boys and girls feel safe and where they are respected and valued; conduct research in key areas.
where disparities exist and create gender inclusive teaching/learning environment in primary and secondary school to enhance success for both boys and girls.

152. In Togo education fees have recently been abolished and there is hope therefore that the number of girls enrolling in schools will increase. There are challenges however in increasing girls’ numbers in scientific disciplines. The need for retraining teachers and other trainers so as to take into account gender dimensions is an ongoing process that needs funding and poses a sustainability challenge.

153. In Lesotho there is a high rate of literacy levels among women, however the high female literacy rate has not translated into equal participation in decision making. Example of disparities in figures of employment and decision making point to sex stereotyped socialization that influences the choice of subjects which boys and girls undertake and limits the capacity of girls to venture into non-traditional careers. Lesotho is recommending gender studies and gender sensitive career guidance at all levels of education as well as creating a learning environment that is healthy, safe, responsive and free of gender based violence. In summary Lesotho wishes to carry out a curriculum review and development to ensure gender stereotypes are eradicated.

154. Although Namibia has made great strides in achieving gender equality there is still work to be done to get rid of negative attitudes. Girls still tend to drop out in upper primary and high school as a result of pregnancy, poverty, HIV and AIDS, sexual harassment, early marriages and other cultural practices. The lack of understanding and limited knowledge of gender issues by managers and offices in the ministries/agencies/offices of those who should mainstream gender is a major challenge.

155. Algeria has made great strides in its education system but still has work to do in building a culture of peace and stepping up the fight against violence and evils (drugs, tobacco…) in schools and is continuing to work on stereotypes in the education curriculum/system.

156. Basic education is compulsory in Libya and education itself is free at all levels in the country. The State is responsible for provision of all facilities and services needed across the different levels free of charge. These include the establishment of educational institutions, their equipment, provision of teachers/lecturers and the like. As a result of this, the Libyan women have recorded significant achievements in the field of education. Likewise, the percentage of illiteracy in the population (15 years and above) has dropped very significantly i.e. from 73% in 1964 to 13.6 in 1984. Female illiteracy has dropped from 90.9% in 1969 to 27.2% in 1995 and to 16.9% in 2006.

157. Despite all the good efforts made to increase enrolment rates and to keep girls at schools certain challenges remain and of prime concern in particular are sexual relations, early pregnancies, sexual harassment, poverty, female genital mutilation and early marriage which usually go hand in hand, the lack of motivation as household chores continue to also take their toll on the girls after schools hours. There is a further challenge in ensuring that the quality of education is enhanced. The kind of education
provided will be considered successful if in addition to giving girls quality education will also contribute to women’s empowerment and provide girls and women with skills to claim and protect their rights. The equal participation of girls in schools must translate into equal participation by women in all spheres of life.

**Best Practices:**

158. **Djibouti** - Convinced that the Education and training of its human resources determine the socioeconomic development of the country, the Republic of Djibouti attaches primary importance to this sector which benefits from a substantial proportion of the national budget. The share of the allocated budget rose from 25.1% in 2002 to 29.3% in 2008. Consequently, in line with its development objectives, the commitments made at international and national levels as well as to fight against poverty and adapt training contents to national realities, the country in 1999 undertook a historic, substantive and large scale reform of its educational system to set up a school system worthy of national ambitions and the requirements of the 3rd millennium. This is how the Educational System Act (Law n° 96/AN/ 00/4th L) of 10 August 2000 provides that basic education is compulsory for all Djiboutian children or children regularly residing in the Republic of Djibouti aged between 6 and 16 years, without distinction as to age, sex, social, social, ethnic or religious origin.

159. **Liberia** - With support from the World Food Programme (WFP) the Government provides ‘take home food rations’ to girls above the age of 15 years attending the fourth to sixth grades. This not only serves as a supplement to their nutritional needs but also their families are motivated to keep the girls in school to complete their education.

160. **Namibia** - has incorporated the kindergarten into the formal education system and this has resulted in an increase of enrollment representing 54% of girls’ enrollment at kindergarten level.

161. **Seychelles** - Equal access to education for girls has to a large extent been achieved. If anything the staffing levels of up to 85% of female teachers at Primary School level and 100% at crèche level has led to girls benefiting more from primary education than boys because girls build a stronger relationship with female teachers and perform better than boys. At tertiary levels girls outnumber boys due to the training for the Hospitality Industry in which there are more girls than boys enrolled.

4.2.10 **Article 9: Ratification of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa**

162. Under Article 9, Member States have committed to “Undertaking to Sign and ratify the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa by the end of 2004 and to support the launching of public campaigns aimed at ensuring its entry into force by 2005 and usher in an era of domesticating and implementing the Protocol as well as other national, regional and international instruments on gender equality by all States Parties.”

MAKE PEACE HAPPEN
163. Since last reporting on implementation of the SDGEA the Commission received only one additional ratification (Democratic Republic of Congo) which brought the total ratification to 27 countries. This slow pace in ratification is of great concern and the remaining Member States are encouraged to commit to ratifying the Protocol before the end of 2010.

164. Experts and CSO from fourteen (14) of the 27 Member States that have ratified the Protocol benefited from a stakeholders meeting on advancing domestication of the African Protocol on the Rights of Women held by the AUWGDD in conjunction with the United Nations Women’s Development Fund (UNIFEM) and the Solidarity for African Women’s Rights (SOAWR) coalition in July 2009 in Kigali (Rwanda). These Member States (Benin, Burkina Faso, Cape Verde, the Comoros, Djibouti, the Gambia, Ghana, Guinea-Bissau, Liberia, Mali, Nigeria, Rwanda, Senegal and Togo) are further encouraged to make use of the multi-sectoral framework introduced to them which the participants found to be a very useful and practical tool in implementing the Protocol.

165. The remaining thirteen countries are encouraged to take advantage of the second meeting of stakeholders on domestication of the African Women’s Rights Protocol which the AUWGDD will convene in 2010 in collaboration with the United Nations Women’s Fund (UNIFEM) and the Solidarity for African Women’s Rights Coalition (SOAWR). Like the first meeting, the second meeting will be an opportunity for experience sharing on progress towards domestication of the African Women’s Rights Protocol including challenges faced and for discussing solutions to overcome those challenges. It will help put Member States on a clear path towards realizing their undertaking with regard to Article 9 of the SDGEA.

**Best Practices:**

166. **Rwanda** – During the stakeholders meeting on Domestication and implementation of the Protocol held in Kigali; two good practices were noted in the way the Republic of Rwanda was fulfilling its commitment under article 9. First, in 2008, Rwanda did a comprehensive review of its laws to determine compliance with the provisions of the Protocol. The review generated a report titled “Application of the Protocol to the African Charter on the Rights of Women in Africa under Rwandan Law” which made recommendations to address certain gaps noted by the study. Secondly, performance contracts are entered between various entities of the state and the Gender Monitoring Unit, to ensure that commitments on gender equality are being addressed seriously.

**4.3 All Africa Progress on Article 9 (The African Women’s Rights Protocol)**

167. Details of countries that ratified and those that did not ratify the Protocol are provided below.
168. Of the countries that submitted their reports, below is their status of ratification.

<table>
<thead>
<tr>
<th>Countries that have not signed/ratified</th>
<th>Countries that have signed but not ratified</th>
<th>Countries that have ratified</th>
</tr>
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</table>

169. The slow pace of ratification is indeed worrisome and Member States are urged to consider accelerating their ratification of the Protocol the absence of which defeats the purpose it was adopted for and renders the goal of gender equality in Africa unrealizable.

4.4 All Africa Progress on Article 12: Commitment to Annual Reporting

170. Under Article 12, Member States have committed to “reporting annually on progress made in terms of gender mainstreaming and to support and champion all issues raised in this Declaration, both at the national and regional levels, and regularly provide each other with updates on progress made during our Ordinary Sessions”

171. The table below provides an overall picture on the status of reporting by Member States while the table that follows shows Member States reports that were considered for the AUC Chairperson’s fifth annual report.
Countries that have to-date reported | Countries that have not reported
---|---
31 | 22

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

<table>
<thead>
<tr>
<th>Year</th>
<th>Countries’ reports considered for the fifth Annual Report of the AUC Chairperson</th>
</tr>
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<tbody>
<tr>
<td>2009</td>
<td>Algeria, Benin, Burkina Faso, Djibouti, Chad, Congo, Egypt, Ethiopia, Gabon, The Gambia, Ghana, Lesotho, Liberia, Libya, Mauritius, Namibia, Niger, Nigeria, Senegal, Seychelles, Togo, Swaziland and Uganda (23 countries)</td>
</tr>
</tbody>
</table>

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

172. Five years since its adoption, 58% of the Member States have honored their reporting commitment under the SDGEA. However, very few or 19% have submitted their reports more than once. In the absence of total and consistent reporting it is hard to establish how far Member States have come in terms of honoring their commitments towards Gender Equality in Africa. Member States are therefore urged to seriously consider their reporting obligations and the AUC again urge that Member States act with a sense of urgency to put in place a special team that will work on developing country reports for the next reporting period. The AUC commends Member States that have submitted their reports on time and underlines the necessity of submitting reports by mid July each year.

V. CONCLUSION

173. Since the SDGEA was adopted by the AU Assembly in July 2004, Member States with support from the AUWGDD have taken great strides at putting in place a Gender Policy; declared an African Women’s Decade and adopted a Roadmap for its realization. Following meetings held to discuss ways to improve Member States’ initial and progress reports on their commitments under the SDGEA, in May 2009, the AUC has in the last year received the highest number of reports from Member States. All these efforts are commendable and the AUC encourages Member States to keep up this level of demonstrated enthusiasm and accountability on their commitment to gender equality in Africa.
174. It is the AUC’s hope that Member States will, in their next reports, reveal the level of actions taken to implement commitments and to measure the results and impact of their interventions that can be shared among Member States for learning purposes.

175. It is also the AUC’s hope that all the remaining 26 countries would have ratified the African Women’s Rights Protocol by the end of 2010; that Member States have commenced eliminating laws that are discriminatory against women and in this regard support the creation of an independent expert at the UN Human Rights Council in September 2010; and that Member States will take advantage of the services available through this mandate to accelerate the pace of change in favor of gender equality.

176. It is also the AUC’s hope that more Member States will submit their initial and progress reports for the 6th annual report of the AUC Chairperson which is due for presentation in January 2011; and that Member States will observe the deadline for submission of these reports.

177. Finally, it is my hope that this Fifth Report has provided Member States with a lot of helpful information and feedback on ways to improve on their commitments under the SDGEA.
“We are determined to deal once and for all with the scourge of conflicts and violence on our continent, acknowledging our shortcomings and errors, committing our resources and our best people, and missing no opportunity to push forward the agenda of conflict prevention, peacemaking, peacekeeping and post-conflict reconstruction. We, as leaders, simply cannot bequeath the burden of conflicts to the next generation of Africans.” (Paragraph 9 of the Tripoli Declaration of 31 August 2009).
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SYNTHESIS OF 2009 REPORTS OF 23 MEMBER STATES ON THE
SOLEMN DECLARATION ON GENDER EQUALITY IN AFRICA
(SDGEA)
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SOLEMN DECLARATION ON GENDER EQUALITY IN AFRICA (SDGEA)

I. INTRODUCTION

1. The 2009 synthesis report, the fourth in the series of Country Reports by Member States on the African Union’s Solemn Declaration on Gender Equality in Africa (SDGEA) since reporting on the instrument started in 2006, is an analysis of the policies, legislations and programmes on the implementation process by 23 countries. The 23 Country Reports are from Algeria, Benin, Burkina Faso, Congo, Djibouti, Egypt, Ethiopia, Gabon, The Gambia, Ghana, Lesotho, Liberia, Libya, Mauritius, Namibia, Niger, Nigeria, Senegal, Seychelles, Swaziland, Chad, Togo and Uganda. 13 of the reporting countries, Benin, Congo, Djibouti, Egypt, Gabon, Gambia, Liberia, Libya, Seychelles, Swaziland, Chad and Uganda are reporting for the first time, eight countries namely Algeria, Burkina Faso, Ethiopia, Ghana, Lesotho, Namibia, Niger and Nigeria are reporting for the second time, while the remaining two, Mauritius and Senegal, are reporting for the third time.

2. Although the number of reports still falls short of 50 per cent, the AU Commission is encouraged by it because it is the highest number of reports received since reporting started in 2006. This increase is largely due to the AU EXPERTS’ MEETING ON THE STATUS OF REPORTING AND IMPLEMENTATION OF THE SDGEA, AND ON AFRICAN WOMEN’S DECADE (2010-2020) organized by the AU Women, Gender and Development Directorate in May 2009 in Banjul, the Gambia.

II. SYNTHESIS OF REPORTS OF MEMBER STATES ON THE IMPLEMENTATION OF THE SDGEA

A. INSTITUTIONAL MECHANISMS TO PROMOTE WOMEN’S EMPOWERMENT AND GENDER EQUALITY

The People’s Democratic Republic of Algeria

3. The Algerian government strengthened its international commitment by including Article 132 in its national constitution ‘which states that all ratified conventions is superior to all national laws’. The Ministry of the Family and the Status of Women is in charge of implementing sector-wide programmes and collaborates with different government agencies.

Republic of Benin

4. Section II of the constitution which outlines the rights and duties of its citizens embodies the African Charter on Human and Peoples rights of 1981. Article 26 of the constitution forbids discrimination based on origin, sex, race, religion, political opinion or political stance”. The Ministry for the Family and National Solidarity (MFSN) is the
coordinating institution responsible for the promotion of gender equality. A National Gender Policy and an Action Plan were adopted in 2008 and 2009 respectively.

**Republic of Burkina Faso**

5. The national legal environment is favourable to gender equality and women’s rights issues because of government’s international, regional and national commitments in support of the advancement of women. Through the efforts of the Ministry of Women’s Affairs, the government adopted a National Gender Policy and an Action Plan on 8th July 2009.

**Republic of Congo**

6. Article 8 of the 2002 Constitution enshrines the principle of gender equality. This constitutional guarantee was strengthened with the creation of the Ministry of Women’s Affairs in 2005 and the adoption of a National Gender Policy in 2008 to mainstream gender into all government’s policies, plans, programmes and structures.

**Republic of Djibouti**

7. Djibouti’s 1992 constitution and the Ministry of Women’s Empowerment are the country’s institutional mechanism for gender equality. The Ministry is responsible for formulating, monitoring, and mainstreaming gender in government’s policies on women’s rights and the implementation of the country’s international and regional commitments.

**The Arab Republic of Egypt**

8. The Egyptian constitution guarantees the principle of equality of all citizens and prohibits discrimination on the basis of gender, faith, race, and religion. The National Women Council, established by Decree No.9001, is the institutional mechanism charged with the responsibility of empowering, improving the status of women, ensuring their effective participation in development, as well as the full enjoyment of their rights to equality as guaranteed by the constitution.

**The Federal Democratic Republic of Ethiopia**

9. The Federal Democratic Republic of Ethiopia institutional and legal framework for empowering women is its constitution, the National Policy on Women and the Ministry of Women’s Affairs.

**The Republic of Gabon**

10. The Republic of Gabon’s institutional mechanism and legal framework for promoting gender equality and women’s rights are its constitution, the Ministry for Family Affairs, a women’s human rights observatory and the National Gender Policy.
The Republic of the Gambia

11. The Republic of the Gambia’s institutional policy and legal framework for women’s empowerment and gender equality are the 1997 constitution, the National Machinery, the National Women’s Council and Women’s Bureau, the country’s National Policy for the Advancement of Women.

The Republic of Ghana

12. This is Ghana’s second report which updates the information already submitted on the nature of institutional mechanisms for women’s empowerment and gender equality in Ghana, as well as progress made with regard to specific provisions of the Declaration.

The Kingdom of Lesotho

13. Lesotho noted in its second report, that it’s Gender and Development policy adopted in 2003 is the main framework to address “the challenges of gender inequities and inequalities, poverty, increased spread of HIV/AIDS, retrenchment and unemployment by adopting a rights-based approach to development”.

The Republic of Liberia

14. In addition to its constitution and the Ministry of Gender Affairs, the government of Liberia has also adopted a number of critical policies and action plans for the promotion of gender equality and the empowerment of women, including the National Gender-Based Violence Plan of Action (2006), the National Health Policy (2007), the Policy on Girls Education (2006), the HIV/AIDS Strategic Plan of Action (2006), a draft National Gender Policy, which is nearing finalisation, as well as the Poverty Reduction Strategy (2008-2011).

The Great Socialist People’s Libyan Jamahiriya

15. Libya’s legal and institutional frameworks for gender equality are centred on the philosophy of the Green Book and other human rights documents.

Republic of Mauritius

16. The report discusses the activities of 2008 and 2009 on the implementation of the SDGEA.

Republic of Namibia

17. Significant achievements have been recorded since the last Solemn Declaration on Gender Equality report was submitted in 2006. Government together with its
stakeholders have created a strong legal and policy framework for gender equality and the empowerment of women and girls. Although some laws were passed years back, their implementation is an ongoing process and strategies continue to be formulated based on some of these laws.

**Republic of Niger**

18. The Nigerien National Gender Policy (NGP) adopted by Decree no2008-245/PRN/MPF/PE of 31st July 2008, is designed to correct the gender inequalities and operationalise the principles of the equality outlined in the constitution.

**Federal Republic of Nigeria**

19. Although remarkable progress has been made, following the submission of Nigeria’s initial report in 2006, this report highlights some gaps and challenges that the country is still grappling with such as the wide gender gap in women’s political participation as well as their access to credit.

**Republic of Seychelles**

20. Seychelles institutional and legal framework for gender equality is its 1993 Constitution which guarantees the rights to equal protection for all Seychellois, The National Gender Machinery (NGM) and the National Gender Steering Committee.

**The Kingdom of Swaziland**

21. Swaziland’s constitution with its guarantees to protect the rights citizens is the country’s only framework for gender equality.

**Republic of Chad**

22. Chad’s institutional mechanism and legal framework for gender equality are its constitution and the Department for Women’s Promotion and Gender Mainstreaming.

**Republic of Togo**

23. Togo’s national constitution, the Ministry for the Promotion of Women and Gender Affairs, the General Directorate for Gender and the Promotion of Women and gender cells in government departments are the country’s legal and institutional frameworks for gender equality.

**Republic of Uganda**

24. Uganda’s institutional mechanism for the promotion of gender equality comprise of its constitution, a Ministry of Gender and a national gender policy.
B. ARTICLE 1 - HIV/AIDS AND OTHER RELATED INFECTIOUS DISEASES

The People’s Democratic Republic of Algeria

25. Algeria has a low epidemiological HIV/AIDS rate with an adult seroprevalence rate of 0.1 per cent. The country’s HIV/AIDS programme include a blood bank to monitor the safety of blood donations and transfusions in the country; 6 HIV/AIDS reference centres; the supply of free antiretroviral (ARVs) drugs in these centres and the training of 250 resource persons in the management and planning processes of HIV/AIDS control.

Republic of Benin

26. HIV/AIDS, malaria and tuberculosis are major public health issues in Benin and are treated as such in the government’s health policy. National AIDS Control Committee’s strategic framework for 2001–2005 adopted in 2005 and promulgated into law in April 2006, includes fourteen objectives including among others, the management of sexually transmitted infections; the promotion of the use of condoms; prevention of HIV/AIDS through blood transfusion; prevention of mother to child transmission and Law no 2005-31 ending discrimination and stigmatisation against people living with HIV/AIDS, restoring their civil, political and social rights (housing, education, employment social protection and health). Confidentiality and the right to state assistance were guaranteed and special funds for control and assistance for HIV/AIDS was set up.

27. The National Malaria Control Programme focuses primarily on pregnant women and children. The government subsidises anti-malaria drugs and provides free insecticide treated bed nets to pregnant women and children less than 7 years of age.

28. Between 2007 and 2008, 42 medical facilities were established nation-wide for the treatment and support of patients with tuberculosis. As a result, the rate of tuberculosis infection reduced drastically from 2,739 in 2005 to 703 in 2008.

Republic of Burkina Faso

29. The Republic of Burkina Faso has a comprehensive legal and programmatic framework to curb the spread of HIV/AIDS in the society. These include, a second strategic framework for the 2006-2010 to control the spread of HIV/AIDS; the programme for the Prevention of Mother to Child Transmission and the paediatric management of HIV/AIDS by the Ministry of Health: a national strategy for the integrated control of the disease include the identification and management of patients, prevention and sero-surveillance.
30. Activities for the prevention of malaria, a cause of high mortality in Burkina Faso, include free preventive care for pregnant women and children below five years of age; the intermittent preventive treatment of malaria in pregnant women using sulfadoxine pyrimethamine; the promotion of insecticide treated nets and the intermittent treatment and sanitation of the affected areas. In relation to tuberculosis, the government provides free diagnostic service and medicine in all the country’s 55 health districts.

Republic of Congo

31. The Republic of Congo established the Congolese Access to Antiretroviral Drugs Initiative (ICAARV) to contain the spread of HIV/AIDS among women. This was followed up with a Presidential order in February 2007 making anti-retroviral drugs free to all persons living with HIV/AIDS in Congo. A decree prohibiting discrimination and stigmatisation of persons living with HIV/AIDS is awaiting Parliamentary approval.

32. In relation to the campaign on malaria prevention, the government provides free impregnated mosquito nets and medical care to children aged between 0 and 16 years. The campaign against tuberculosis is undertaken within the rubric of the government’s HIV/AIDS programme.

Republic of Djibouti

33. The government’s response to the HIV/AIDS pandemic include among others, the provision of free ARV treatment; availability of parent-to-child transmission services nation-wide; legal protection of People Living With HIV/AIDS; provision of soci-economic assistance persons infected or affected by HIV/AIDS; a national strategic framework and a five-year management plan for orphans and vulnerable children (OVC); a second generation HIV/AIDS watch mechanism was put in place in 2006 to monitor the trends in HIV/AIDS development in the country and consolidate a national response.

34. Tuberculosis has been in decline since the adoption of the Directly Observed Treatment Strategy (DOTS) in 1996. A recent study conducted in Djibouti in 2007-2008 shows that the rate of tuberculosis detection is 76 per cent, which is the target set for 2010.

The Arab Republic of Egypt

35. The Egyptian state has increased medical facilities and social welfare services for women at the national level, adopt legislations to end or eliminate any form of discrimination against people suffering from Aids particularly women and also increased budgetary allocations in various sectors to facilitate the process.

36. The infection rate for tuberculosis has been cut down from the current figure of 32 cases per every 100,000 people to a record rate of 22 cases per every 100,000 of the population. All the services in relation to the prevention of tuberculosis are free of charge. Egypt is Malaria Free.
The Federal Democratic Republic of Ethiopia

37. Ethiopia’s HIV/AIDS prevalence rate dropped from 4.4 per cent in 2004 to 2.8 per cent in 2008. The country’s HIV/AIDS strategic plan which has been developed in line with the National Policy on AIDS include capacity building of key sectors such as health, education and civil society organisations; the integration of HIV/AIDS within health extension programmes; community mobilisation and sensitisation; multi-sectoral response on HIV/AIDS; and a focus on vulnerable groups (youth, sex workers, itinerant workers, the army and teachers).

38. Malaria prevention and treatment mechanisms are in line with the Abuja Roll Back Malaria (RBM) objectives. Thus, early diagnosis and prompt treatment of malaria, spraying of houses with insecticides, distribution of insecticide treated bed nets have been identified as the key to achieving the RBM goal. Mortality arising from tuberculosis has been reduced to the barest minimum and the disease is no longer a public health issue.

Republic of Gabon

39. In 2007, Gabon’s HIV/AIDS prevalence was 5.9 per cent of the population and over 1 per cent among pregnant women. The country’s HIV/AIDS control programme was strengthened with the establishment of a full-fledged ministry in 2008 and the adoption of New Strategic Framework for 2008-12.

The Republic of Gambia

40. The Gambia’s HIV/AIDS prevalence rate dropped to 1.4 per cent for HIV1 and 0.6 per cent for HIV2 in 2007. A comprehensive National HIV/AIDS Strategic Framework for 2009-2013 has been adopted to guide the national response to HIV/AIDS. Voluntary Counselling and Testing (VCT), Anti-retroviral therapy (ART), services for prevention of parent to child (PPTCT), and treatment for infections are offered free of charge.

41. A National Tuberculosis (TB) Control strategic plan (2009-2012) and TB operational manual (2007) have been developed to provide policy guidelines and strategic direction for TB control and prevention in The Gambia. The Gambia is fully committed to the principles and elements of DOTS as highlighted in the Health Policy and the five-year TB strategic plan.

42. The Gambia is engaged in a relentless battle to contain the spread of malaria. Several initiatives have been undertaken to ensure to rid the country of malaria. In 2008, the “Roll Back Malaria Partnership” painted a very positive picture of some of the actions undertaken by the country. Between 2000 and 2008, the number of deaths fell by as much as 90 per cent in many regions.
The Republic of Ghana

43. In 2007, the median prevalence rate for HIV/AIDS in Ghana declined to 2.6 per cent from 3.2 per cent in 2006 while the mean prevalence rate declined to 3.0 from 3.2 during the same period. There was a further decline in 2008 to 2.2 per cent following 2007’s decline to its lowest in nine years. Overall, 2008 reduction in HIV prevalence establishes Ghana’s epidemic as stable with an inclination to ebb.

44. To achieve the MDGs target on malaria, Ghana is implementing a malaria control strategy that involves multi and inter-sectoral partnerships working together on an agreed plan to reduce death and illness due to malaria by 50 per cent by the year 2010. Strategies for malaria control include prevention through the use of insecticide treated nets (ITNS), early detection and appropriate prompt treatment.

45. The cure and treatment success rates of tuberculosis have been increasing steadily while other adverse outcomes such as defaulter and death rates have been declining. There is increasing trend in the reported number of cases in the last seven years. Case detection rate, however, (cases detected per 100,000 populations) has remained low. Ghana is six percentage points short of attaining global treatment success target of 85%.

The Kingdom of Lesotho

46. Lesotho has one of the highest HIV/AIDS prevalence rates in the developing world currently standing at 23 per cent. The Government of Lesotho has underscored HIV/AIDS as a priority in the overall national human and economic development agenda and is integrated in the key strategic development plans of the country. Some of the key policies and measures adapted to HIV/AIDS and the needs of women and children include the National AIDS Policy, the National Reproductive Health Policy and National Strategic Plan for 2006-2011. Among the programme measures are prevention of mother to child transmission (PMTCT) programme and access to anti-retroviral drugs as interventions, free counselling and testing for pregnant women as part of ante-natal care and free immunisation course for children.

Republic of Liberia

47. The National AIDS and STI Control Program (NACP) has the mandate to design programmes that will cater to women and children living with HIV/AIDS, as well as those affected by the Virus. The NACP works in close collaboration with its Partners, to provide the following services: STIs prevention and testing, Voluntary Counselling and Testing (VCT), Prevention from Mother to Child Transmission (PMTCT), Blood Safety, and HIV Care and Treatment of HIV/AIDS patients.

The Great Socialist People’s Libyan Jamahiriya
48. Libya’s HIV/AIDS prevention and treatment programmes are coordinated by the Centre for the Prevention of transmittable diseases through its branches across the country. The programme provides total care and treatment for HIV/AIDS victims including voluntary testing and counselling services and free antiretroviral drugs.

Republic of Mauritius

49. The total number of HIV/AIDS cases in Mauritius was 4062 as at May 2009, out of which 3888 are Mauritians (3162 males and 726 females). The prevalence rate of HIV/AIDS among pregnant women aged 15-24 years remained below 0.5% for the period 1999 to 2008. Despite the low prevalence rate of HIV/AIDS, an increasing trend in the number of pregnant HIV positive women is noticed during the period 1999 to 2008. Although HIV and AIDS epidemic in Mauritius is a concentrated mainly among injecting drug users with a sex ratio of 5 males to 1 female, provisions have been made in the National Strategic Framework 2007-2011 to address the progressive of feminisation of the epidemic.

Republic of Namibia

50. Namibia has one of the highest HIV prevalence rates in the world, and women account for 53% of all reported new HIV cases. In 1992, the HIV prevalence among pregnant women was 4.2%, and rose to 22% in 2002. In 2004 prevalence rate stood at 19.7%, while in 2006, the prevalence rate increased to 19.9%. The Government has mounted an aggressive and tireless campaign to contain the spread of HIV/AIDS including surveillance, prevention, treatment, care and support, and impact mitigation.

51. The 2008 Global Tuberculosis Report ranks Namibia as the country with a second highest Case Notification Rate (CNR) of the disease after Swaziland. The country is experiencing a gradual but consistent decline in cases of tuberculosis notified with the lowest caseload of 13,737 being reported in 2008 which is a 10 per cent decline from 2007.

52. Malaria continues to be a major public health problem in Namibia as it is ranks fourth among the top ten death causing diseases in the country. In 2008, there was a slight increase in outpatient malaria cases compared to 2007. Unfortunately, current data set does not make provision for data disaggregation by sex.

Republic of Niger

53. Niger’s 2006 survey on HIV/AIDS prevalence rate showed a trend towards stabilisation of the epidemic with a sero-prevalence of 0.70 per cent and a disparity between rural area (0.5 per cent) and urban area (1.5 per cent). The 2009-2011 triennial National Multisectoral Plan (PNM) aims at strengthening the gains in the normative aspects of health, prevention, care, access to ARV and the reduction of the negative effects of the disease. In terms of legislation, the 2007-8 decree on the prevention,
assumption of responsibility and monitoring of HIV/AIDS is being developed into law by the Ministry of Public Health.

The Federal Republic of Nigeria

54. The policy environment for HIV/AIDS programming in Nigeria is very rich, and it is constantly being reviewed and strengthened towards ensuring a response system that is proactive as well as sensitive to gender and human rights concerns. In order to address the gender dimensions of HIV/AIDS, the following are some of the measures that are in place:

- Establishment of a Gender Technical Committee by NACA to ensure that gender is mainstreamed in all programmes and plans and that gender disaggregated data are available for effective planning at all levels in the country;

- The emergence of different advocacy platforms representing different constituencies within the national response system such as the Network of People living with HIV/AIDS in Nigeria (NEPWHAN); the Youth Network on HIV/AIDS in Nigeria (NYNETHA); the Nigerian Business Coalition Against HIV/AIDS (NIBUCCA); the National Faith–Based Advisory Committee on HIV/AIDS (NFACA);

- Creation of the National Women Coalition on HIV/AIDS (NAWOCA) at the National and State levels in 2007 and 2008;

- Implementation of the National Strategic Framework on HIV/AIDS with respect to gender dimension of HIV/AIDS, including intervention for safe sex among Commercial Sex-workers, provision of Counselling for women living with HIV/AIDS by the FMWASD.

55. Malaria remains a serious challenge in the control of maternal mortality. As a priority to stem the tide of Malaria in the country, the Federal Government of Nigeria launched the Roll Back Malaria (RBM) Campaign which anchors on the global strategies for malaria control which are multi-pronged and of proven efficacy.

Republic of Senegal

56. Despite significant progress in the fight against AIDS, there have been indications of the “feminisation” of the pandemic. The male/female ratio of infection increased from 4:1 in 1986 to 2.1 in 2008. HIV/AIDS control measures focus primarily on prevention and providing economic and psycho-social support to PLWHA. Emphasis is placed on decentralising voluntary testing in Anonymous Voluntary Testing Centres and Services (VTCs). This has had a positive impact as healthy carriers are aware of their status, PLWHA are closely monitored and opportunistic infections managed. In 2008, the attendance rate in VTCs increased by 59.75 per cent compared to the set target of
22.73 per cent. The number of HIV-positive individuals receiving anti-retroviral treatment increased from 7,325 in 2007 to 9, 252 in 2008 exceeding the set target of 6,900. The adoption in 2008 of the HIV/AIDS Law will considerably contribute to strengthening the justice system as it prohibits the stigmatisation of and discrimination against PLWHAs, protects women and girls against rape and all other forms of violence, and criminalises voluntary HIV transmission.

57. The proportional morbidity rate from malaria that has been stagnant between 33 and 35 per cent for over a decade was reduced to less than the 25% between 2007 and 2008. Tuberculosis screening and treatment are now free of charge and as a result tuberculosis infections have significantly decreased.

Republic of Seychelles

58. The overall policy goal is to prevent and control the spread of HIV/AIDS and STIs and to care for those infected by them. Two of the eleven policy objectives are gender specific, aiming to increase the capacity of women, as a vulnerable group, to protect themselves against HIV/AIDS and STIs and to promote stable relationships and family values conducive to the control of these diseases. The main strategies that have been adopted include: Information, Education and Communication (IEC) including age specific information and education through Personal and Social Education (PSE); Condom promotion and free distribution including female condoms at all hospitals and district health clinics; HIV surveillance activities including the provision of free Voluntary Counselling and Testing (VCT) services to all pregnant women preceded by counselling; ensuring safe blood transfusion; the Prevention of Mother to Child Transmission (PMCT) and HIV testing of all immigrants seeking employment.

Kingdom of Swaziland

59. Swaziland’s HIV/AIDS prevalence rate is among the highest in the world. According to 2006 sentinel survey report, the HIV prevalence rate was 39.2 per cent with women in the 25-29 age group being the most affected. Swaziland has realised a positive change in behavioural practices among its youth in particularly those aged between 18–24 years, where the HIV/AIDS prevalence rate has reduced drastically in the last three years from about 25 per cent to 18 per cent.

60. Swaziland has a multi-dimensional HIV/AIDS control programme comprising the following:

National HIV and AIDS Instruments In place

1. National HIV and AIDS policy
2. Population Policy
3. National Youth Policy
4. National Strategic plan on HIV &AIDS (NSP) Health sector response Plan (HSRP)
Programmes and projects

1. Sexual and Reproductive Health (SRH)
   a) Strengthening and decentralisation of the Prevention of Mother To Child Transmission of HIV programme (PMTCT);
   b) Upgrading of Youth Friendly Corners within Health Facilities towards provision of youth friendly Health services;
   c) Establishing and construction of youth centres.

2. Training of WPC on Roles of SRH in the fight against HIV and AIDS
3. Establishment of youth committees at constituency and Chiefdom level which are Gender sensitive.
4. Trainings on Service provision on Youth Friendly Services, HIV & AIDS, Counselling and PMTCT;
5. Procurement and distribution of female Condoms (FC);
6. The month May was declared as a month of condom use in 2007.

Swaziland National AIDS Programme

1. Integration of Voluntary Counselling and Testing in Health facilities;
2. Introduction of HTC in the Health system;
3. Deployment of Home Based Care and Rural Health Motivators;

Republic of Chad

61. Chad’s HIV/AIDS prevalence rate dropped from 7.3 per cent in 2005 to 3.3 per cent in 2008. Act 019/PR/2007 on HIV/AIDS control and a National HIV/AIDS policy were adopted in 2007 to provide care and protect PLWHA especially vulnerable groups - women and children. To this end, the government has since 2006 provided free obstetrical emergency care and ARV drugs, organised a well-coordinated awareness campaign on behavioural change, introduced STI/HIV/AIDS training modules in schools and established call centres in police stations to handle cases of violence against women including HIV/AIDS.

Republic of Togo

62. The HIV/AIDS prevalence rate among Togo’s sexually active population (15-49 years) reduced from 5.9 per cent in 2003 to 3.2 per cent in 2006. Among pregnant women, it reduced from 4.7 per cent in 2003 to 3.4 per cent in 2008. Togo’s legal framework for the protection of HIV/AIDS sufferers was updated in 2008 to include human rights and gender-specific provisions. Togo’s HIV/AIDS programme include prevention of mother to child transmission (PMCT) component, voluntary testing centres, A PTME/PECP theme group (for paediatric management) and a referral centre
for training in PMCT, free ARV treatment for all HIV/AIDS patient and a special focus on commercial sex workers and vulnerable women and girls.

63. Togo has developed a five-year strategic framework to effectively control the spread of malaria and tuberculosis. The mosquito net which remains the only means of protection against malaria enjoys a 90 per cent subsidy rate for pregnant women and is distributed free of charge to children less than five years of age.

64. Although treatment for tuberculosis is free, the rate of infection for both positive microscopic pulmonary tuberculosis and other strands has increased steadily over the years.

Republic of Uganda

65. Results from Uganda’s 2004-5 HIV/AIDS Sero-Behavioural Survey indicates that 6.3 per cent of adults aged 15-59 were infected with HIV. The prevalence rate among men was lower at 5.2 per cent than among women at 7.3 per cent.

66. A key component of Uganda’s HIV/AIDS prevention programme is its focus on Adolescent Sexual Reproductive Health (ASRH). The programme focus is on youth abstinence. Current measures to promote ASRH include the Health Promoting School Initiative (HPSI) that includes sex education, counselling and life skills; the Presidential Initiative on AIDS Strategy for Communication to Young People (PIASCY); the Young Empowered and Healthy (YEAH) initiative; and the Programme for Enhancing Adolescent Reproductive Life (PEARL).

C. ARTICLE 2 - PEACE AND SECURITY

The People’s Democratic Republic of Algeria

67. No submission was made in relation to this article.

Republic of Benin

68. In response to United Nations Security Council Resolution 1325, the Republic of Benin’s sent 750 peacekeepers to the Ivory Coast of which, 5.38 per cent were women. Of the contingent sent to the Democratic Republic of Congo in 2006, 3.3 per cent were women. Women account for only 9 per cent of negotiators and observers of peace talks.

Republic of Burkina Faso

69. Both women and men are actively engaged in peacekeeping missions through mediations in armed conflicts in many countries across the region. In addition, the government has ensured a gender-sensitive recruitment and promotion policies are adhered to in the police, armed forces and the gendarmerie and the inclusion of gender
issues in the general status and disciplinary rules of the Armed Forces and gendarmerie;

**Republic of Congo**

70. Although women occupy positions of responsibility in the army and the police, Congolese women are yet to occupy positions as Special Envoys and Special Representatives of the African Union. Efforts are underway to correct the situation.

**Republic of Djibouti**

71. Djiboutian women were actively involved in the Arta Inter-Somalian Peace Conference in 2000 working tirelessly to reconcile the belligerent factions. Furthermore, the country has witnessed an expanding and increasingly well-structured movement of women rallying for peace.

**The Arab Republic of Egypt**

72. The full representation and effective participation of women in peacebuilding including disputes prevention, management and resolution has been guaranteed. Women are included in Egypt's peace missions to different African countries as stipulated in UN resolution 1325.

**The Federal Democratic Republic of Ethiopia**

73. No submission was made on this article

**The Republic of Gabon**

74. Gabon reaffirmed its commitment to the principle of citizens' participation in politics and public affairs as stated in its Constitution by ratifying UN resolution 1325. The government has supported the creation of women’s organisations such as the National Commission for Women for Peace and Development, the Christian Women Alliance for Peace; a state mediation body (headed by a woman), a peace anthem to promote the resolution in the country.

**The Republic of Gambia**

75. Gambian women security personnel have participated in a number of peacekeeping missions both in and outside the region. While The Gambian peace keeping missions have not been able to attain the UN Secretary General’s target for 50 per cent female representation at managerial and decision making levels of peace support operations, some senior women personnel have participated at the level of Colonel and lieutenant Colonel respectively.
The Republic of Ghana

76. Ghana has signed and adopted United Nations Security Council resolution 1325 on women peace and security among other security issues. Sensitisation seminars have been organised with the collaboration of Civil Society Organisations and women constituencies to create awareness on UNSCR 1325 as well as Ghana’s Plan of Action on the resolution, which is soon to be validated. A network of women in peace building and security in Africa was launched on 24 May 2007.

Kingdom of Lesotho

77. Women’s participation and representation in the frontline of democracy and peace processes is a crucial factor yet this has not received significance attention in Lesotho until now.

Republic of Liberia

78. The Government of Liberia has developed and launched its National Action Plan for the implementation of UNSCR 1325. Public awareness around the implementation of this National Action Plan is ongoing, and copies of the National Action Plan have been distributed to all sectors of the society and stakeholders.

The Great Socialist People’s Libyan Jamahiriya

79. Although Libya has not experience civil strive, an international conference on human rights violations under occupation and during wars was organised in 2009.

Republic of Mauritius

80. Mauritius is a party to major instruments and resolutions pertaining to women and Peace and Security. In International fora, Mauritius commonly advocates the promotion of the role of women in peacebuilding and conflict resolution, as well as the protection of the rights of women in countries affected by conflicts. Mauritius regularly nominates women to attend training courses/seminars/workshops pertaining to Peace and Security.

Republic of Namibia

81. Namibia has been involved in Peacekeeping Missions in Cambodia, Angola, the Democratic Republic of Congo and Liberia. The following strategies among others have been included in the reviewed National Gender Policy:

   a) Ensure gender mainstreaming in peace-keeping, peace-building and natural disaster management;
b) Sensitise forces participating in peace-keeping missions on gender issues and ensure that gender sensitisation is part of the preparation of troops and police who are participating in peace-keeping missions;

c) Create favourable work environments for women in police and defence forces, and encourage women to consider career paths in these areas;

d) Develop an engendered Emergency and Management Unit (EMU). Expand and strengthen existing structures at local, regional and national levels to be able to respond to national natural disasters.

**Republic of Niger**

82. The new Nigerien Penal Code takes into account crimes included in the Treaty of Rome particularly genocide, crimes against humanity and war crimes. During the civil strife in the northern part of the country, women organised peace marches, sub-regional forums and missions demanding an end to hostilities.

**The Federal Republic of Nigeria**

83. In September 2007, the Federal Government set up an Inter-ministerial Committee on Gender and Peace hosted by the Federal Ministry of Women Affairs and Social Development, with membership from the military, the police, line ministries and departments as well as civil society groups working in the area of peace building. The Committee’s mandate was to implement the United Nations Security Council Resolution 1325 and 1820, and work towards increasing women’s representation in peace building and conflict resolution.

**Republic of Senegal**

84. As noted in earlier submissions, women have been central in past initiatives advocating a peaceful settlement to the Casamance conflict. A consultative body, Foundiougne I was established in 2007 to find a final solution to the conflict. The effective integration of women in the peace process was one of the recommendations made given the role they had played in advancing the process. Casamance women are therefore considered throughout the process as stakeholders and not observers in the peace process. They actively participate in peace negotiations after undergoing training on advocacy and lobbying techniques as well as on peace-building in collaboration with NGOs.

**Republic of Seychelles**

85. This commitment is not applicable to Seychelles.
Kingdom of Swaziland

86. The notion of peace and security is based on the promotion and support of democracy, characterised by representative government, equal participation, transparency, accountability and responsiveness to all its citizens able or disabled women, men as well as young and old persons.

Republic of Chad

87. Chadian women were not part of the country’s peace process. A National Committee to assist internally-displaced persons, mainly women in conflict zones was established in 2007.

Republic of Togo

88. Togo has low female representation in the Armed Forces and Police. Women’s organisations have been actively involved in mobilising public opinion and participation in UN resolution 1325.

Republic of Uganda

89. Between 1994/2004 Ms. Betty Bigombe headed the peace talks with the Lords Resistance Army to end the conflict in Northern Uganda. Although women have not enjoyed such a high level representation, they continue to be part of the government negotiating team. There are currently 16 women police officers serving in Peacekeeping Missions in East Timor, Liberia and The Sudan. Two women have been seconded by government to participate in the International Tribunals in Rwanda and Sierra Leone.

D. ARTICLE 3 - CHILD SOLDIERS

The People’s Democratic Republic of Algeria

90. No submission was made in relation to this article.

Republic of Benin

91. Benin’s problem is that of trafficking in children to the mines, factories, fields and homes of other African nations and not child soldiers. This problem persists even though Benin ratified the Convention on the rights of the child and the African charter of the rights and welfare of the child in July 1990.

Republic of Burkina Faso

92. The situation regarding child soldiers in Burkina Faso is the same as that presented in the first report.
Republic of Congo

93. The phenomenon of child soldiering was part and parcel of Congo’s decade long war between 1990-2000. A special Demobilisation, Disarmament and Rehabilitation (DDR) to take care of the needs of girl-soldiers during the war was established within the overall DDR programme. The government of Congo is a signatory to both the UN Convention on the Rights of Children and the African Charter on the Rights of Children.

Republic of Djibouti

94. The Djiboutian government has signed and/or ratified majority of the international treaties and conventions relating to the protection of children associated with armed groups. These include:

- The international convention on the rights and welfare of the child (signed in 1992);
- Protocols I and II to the Geneva Conventions of 1949;
- The ILO convention No. 182 against the worst forms of child labour and accompanying Recommendation 190;
- The supplementary protocol to the CRC relating to the involvement of children in armed conflicts (ratified in 2009);
- The implementation of demobilisation and reintegration programmes.
- Raising awareness of armed groups and factions on the protection of children in wartime.

The Arab Republic of Egypt

95. The Arab Republic of Egypt acceded to the African Charter on the Rights and Welfare of the Child on 15 May 2001; the International Labour Organisation Convention on the Worst Forms of Child Labour on 6 May 2002; the Agreement on the Rights of the disabled persons on 14 April 2008; the Optional Protocol on the Agreement Concerning the Rights of the Child on the Trafficking/Sale, and Sexual Exploitation on 14 July 2002 as well as the Optional Protocol on the Rights of the Child During Armed conflict on 6 February 2007 and the withdrawal by Egypt of its reservations on Articles 20 and 21 when she signed the Convention in 2003. The ratification of these instruments has been backed up with legal reforms and programmes to ensure their implementation at the national and local levels.

The Federal Democratic Republic of Ethiopia

96. No submission was made on this article.

Republic of Gabon

97. Although Gabon has ratified all international and regional conventions on the protection of the rights of the child, child trafficking from West Africa is rampant in the
country. To combat this problem, the Gabonese government has established among others, a ministerial committee for follow up action on the trafficking of children and young girls; promulgated Decree no. 0031/PR/MTEFP prohibiting child labour; signed a multilateral regional cooperation agreement to address human trafficking particularly of women and children in West and Central Africa between ECOWAS and CEEC in Abuja, Nigeria

The Republic of The Gambia

98. The Republic of The Gambia is a signatory to and has ratified both the Convention on The Rights of the Child, and the African Charter on the Rights and Welfare of the Child. The Country has gone a step further by domesticating the provisions of these two instruments on the rights of Children, through the enactment of The Children’s Rights Act in 2005. This piece of legislation is innovative and comprehensive as it addresses all the concerns raised in the SDGEA and other international legal instruments on the rights of children.

Republic of Ghana


Kingdom of Lesotho

100. The minimum age to qualify for recruitment as a soldier in Lesotho is 18.

Republic of Liberia

101. In addition to ratifying the Convention on the rights of the Child and the AU protocol on the rights of the child. The Government of Liberia has developed a National Children’s Act, which has been passed by the Lower House and awaiting concurrence by the Upper House of parliament. The Act provides for the respect, protection, promotion, and provision of the realisation of child rights in order to make maximum contribution to the survival, development, participation, and protection of every child in Liberia. It also provides that in all decisions that may affect the child, the best interests of the child shall be the paramount consideration.

The Great Socialist People’s Libyan Jamahiriya

102. Libya has passed a series of legislations aimed at the total protection of children. Such laws prohibit all forms of child labour for children below 10 years of age. In addition, the Jamahiriya signed the African charter on the Rights and welfare of the child in 1998 and ratified it in the year 2000.
Republic of Mauritius

103. The government of Mauritius has ratified the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict on 9th February 2009. Moreover, the government is making necessary arrangements to introduce new legislations and amending existing ones prior to ratifying the Optional Protocol on Sale, Child Prostitution and Child Pornography.

Republic of Namibia

104. Namibia has signed the International Labour Organisation Conventions 182 and 138 on the Elimination of the Worst Forms of Child Labour and Minimum Age and has, in conformity with the requirement of the labour instruments, developed an Action Programme on the Elimination of Child Labour. Namibia also ratified the UN Convention against Trans-national Organised Crime and the additional Protocol to Prevent Suppress and Punish Trafficking in Humans especially Women and Children in 2003 and has enacted the Prevention of Organized Crime Act No 29 of 2004 criminalising human trafficking.

Republic of Niger

105. Nigerien laws prohibit the recruitment of children into the army, and prevent trafficking and exploitation of women and girls, as well as crimes related to the rights of the child. In addition, Order 99-11 on the Jurisdiction of Juveniles was adopted in 2009 to strengthen existing legislations. Judges, police officers, and gendarmes have been trained on how to handle cases involving juveniles and on the rights and the protection of children in armed conflict situation as part of this legislation.

Federal Republic of Nigeria

106. Nigeria is not in a direct war situation; however, pockets of crises driven by either religious or ethnic concerns as well as agitations for self determination occur across the country. These groups are alleged to constantly recruit young people under the age of 18 years. The legal environment for the protection of children is constructive. As at date most of the States of the federation, where militant groups are active, have passed the Child’s Rights Law which prohibits the use of children as soldiers.

Republic of Senegal

107. Senegal has undertaken various measures to protect children in armed conflict and those subject to trafficking. For example, the government and its social partners have developed the following socio-economic programmes to rehabilitate children in the askance region:

- The special programme to reconstruct and foster economic growth in the
Casamance region managed by ANRAC (National agency in charge of boosting economic activities in Casamance);

- The landmine awareness-raising and education programme;
- The support programme for landmine victims and for the removal of landmines in the entire area;
- The emergency support programme for women affected by the Casamance conflict.

Republic of Seychelles

108. Seychelles is a signatory member to the Convention on the Rights of the Child, which covers the protection of children under the age of 15 years in armed conflicts and the prohibition of the use of child soldiers. There is no conscription in Seychelles and the minimum age for voluntary military service in the Defence Force is 18 years of age, exceptions requiring the written consent of parents and guardian or the president are granted.

Kingdom of Swaziland

109. The minimum age for recruitment as a soldier in Swaziland is 18 years and this has never been a challenge for Swaziland as the necessary legislation is in place to safeguard against this.

Republic of Chad

110. The Chadian government has since 2007, signed various international instruments, enacted national laws and developed programmes to stop the recruitment of young boys and girls into fighting forces and reintegrate victims with their families. Some of the government’s initiatives include:

- Signing of the Paris Principles and Commitments on 6 February 2007;
- Signing of a Protocol Agreement on 9 May 2007 with the UNICEF office in Chad for the retrieval of all child victims of armed conflicts and their sustainable reintegration in the society;
- Development of an operational plan validated on 10 October 2007;
- Training of military officials on the protection of children in situations of armed conflict;
- Conduct awareness-raising campaigns in military camps, barracks and training centres (over 3,000 soldiers have participated);
- Conduct awareness-raising campaigns targeting administrative authorities, traditional and religious leaders on non-recruitment in armed conflicts.
Republic of Togo

111. Although the use of child soldiers is not an issue in Togo, Togo has ratified The Optional Protocol to the convention on the Rights of the Child, concerning the involvement of children in armed conflicts, ratified; the Optional Protocol to the convention on the Rights of the child concerning the sale of children child prostitution and pornography featuring children and the African Charter on the Rights and the Welfare of the child.

112. Togo has established a programme on the control of light arms and narcotics and has set up the National Commission against the Proliferation of Light arms and small weapons with support from UNREC.

Republic of Uganda

113. Although the Uganda People’s Defence Forces sets a minimum age of entry into the armed forces at 18 years, all fighting forces in Uganda including the government armed forces have recruited Children to fight in the ongoing conflict in the country.

114. Despite this anomaly, there are laws protecting children’s fundamental human rights. Among these are the Child Labour Policy adopted in 2006; the Policy on Orphans and Other Vulnerable Children adopted in 2005. Uganda has also ratified the Optional Protocol on the Involvement of Children in Armed Conflict; Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; the ILO Convention 182 on Worst Forms of Child Labour; The Convention on the Rights of the Children and the African Charter on the Rights of Children’s

E. ARTICLE 4 - GENDER-BASED VIOLENCE

The People’s Democratic Republic of Algeria

115. Since violence against women is no longer a taboo subject in Algerian society, the government has amended, and enacted various laws and put in place a variety of programmes to protect victims of violence. Listening and assistance centres for victims and national reception centres for high-risk victims have been established to provide immediate accommodation to victims, medico-social and psychological care including HIV/AIDS testing, pregnancy tests; legal assistance; apprenticeship training and rehabilitation into the community are provided to victims.

Republic of Benin

116. The Republic of Benin has no specific law on violence against women. However, through women’s activism and advocacy the government has enacted laws banning FGM, issued an inter-ministerial decree sanctioning sexual violence and harassment in schools in 2003 and in 2006 respectively, a law criminalising sexual harassment in the
wider society was adopted. Women’s groups have presented a Bill to parliament on violence.

**Republic of Burkina Faso**

117. The government of Burkina Faso has ratified various international and regional instruments as part of its effort to eliminate violence against women in the country. The Ministry of Women’s Affairs celebrates the International Day for the Elimination of Violence Against Women 25th November yearly with national sensitisation and advocacy campaigns based on specific themes, targeting specific population groups.

**Republic of Congo**

118. Congolese law recognises violence against women as a human rights violation. The government has initiated various reforms such as the revision of the Penal, and Family Codes and tax law to strengthen women’s rights; engaged in massive awareness campaigns on the issue and established medical, psychological-legal and economic facilities to cater for victims.

**Republic of Djibouti**

119. The elimination of gender-based against violence (VFG) is one of the pillars of the Djiboutian government’s National Strategy for the Integration of the Woman in Development (SNIFD). Milestones achieved by the Djiboutian authorities in the fight against violence include: the adoption of Law no. 152/AN/02/4th reforming the Family Code; Article 333 of the Criminal Code abolishing FGM; Decree no. 2009-048/PR/MPF establishing the National Committee for the Complete Eradication of All Forms of Excision; Decree no. 2009-049/PR/MPFBF creating the National Committee in Charge of Orphans and Vulnerable Children (OVC); The Parliamentarians’ Joint Call for the Total Eradication of FGMs launched in October 2008.

**The Arab Republic of Egypt**

120. The criminal code includes provisions for the protection of women against all forms of violence and provide for custodial sentence or punishment in the event of conviction. In cases involving rape or kidnapping, the law provides long-term jail sentence or death penalty as determined. Similarly, Article 291 which pardoned rapists if they married their victim has been repealed. The National Women's Council ensures that commitments made by government to end all forms of violence are implemented and adhered to.

**The Federal Democratic Republic of Ethiopia**

121. Female Genital Mutilation (FGM), domestic violence, rape, early and forced marriages are the most common gender-based violence experienced by Ethiopian women. Thus, the revised Criminal Code has outlawed and criminalised these acts. This
has resulted in a substantial reduction in the prevalence rate in the country. For example, early and forced marriage dropped from 31.1 per cent in 1997 to 21.4 per cent, abduction from 23.3 per cent to 12.7 per cent and FGM reduced from 74 per cent to 56 per cent.

The Republic of Gabon

122. As part of measures to combat violence against women and girls in Gabon, the government ratified the Convention on the Elimination of all Forms of Violence Against Women; established a directorate for the protection of widows and orphans and a watchdog at the ministry of Family Affairs to provide advise to victims of violence; reviewed discriminatory provisions and redraft proposals relating to provisions in the Civil and Criminal codes (in particular Articles 230, 256, 257, 258, 269 of the Criminal code to increase the severity of the punishment and to protect women from all excessive violence during divorce proceedings) and social security; and promulgated a law against excision.

The Republic of The Gambia

123. The Gambia has ratified both the CEDAW Convention and The African Protocol on The Rights and Welfare of Women. In doing so, the Government has committed itself to the prohibition of all forms of Violence Against Women and the Girl Child. Despite these commitments, there is no specific law that addresses Gender Based Violence in the country.

The Republic of Ghana

124. Domestic Violence Act (Act 732), was adopted in 2007, a National Policy and Action Plan of Action in 2008 to implement the DV Act were developed in 2008 and launched on January 6th 2009. A thirteen member Management Board has been set up to oversee the implementation of the Action Plan on the DV Act (732) chaired by the Minister for the Ministry of Women and Children’s Affairs (MOWAC). A Domestic Violence Secretariat has been established to co-ordinate the Action Plan under MOWAC. At the community, district and regional levels teams are to be formed to oversee the implementation of the NPoA.

The Kingdom of Lesotho

125. Violence against women and girl children is a serious concern and hidden issue in Lesotho. A Draft National Action Plan on Gender Based Violence is in place and focuses on the following key areas:

- Legislation and policy
- services
- socio-economic, cultural and political
- public education and awareness
• integrated approaches and
• budgetary allocations

The Republic of Liberia

126. In an effort to address the GBV situation in the country, the government of Liberia developed and launched a National GBV Action Plan in November 2006, to minimize the high rate of GBV in the communities, and to also give quality care to survivors using a multi-sectoral and inter-agency approach. In addition, the amended rape law of 2005 includes a stiffer penalty for rape including gang rape.

The Great Socialist People’s Libyan Jamahiriya

127. Articles 396-398 of the Libyan Penal/Criminal Code guarantee the protection and safety of Libyan women. In addition, Law No. 5/1427/ on child protection has several provisions on the protection of children against abuse. Articles 416-419 Criminal Code criminalises all forms trafficking and sexual exploitation of women and provides severe punishment to any one who commits these offences.

Republic of Mauritius

128. The Protection from Domestic Violence Act of 1997 was reviewed in 2007 to bring it in line with the new government Programme for the 2005-2010 cycle, which highlights the need to strengthen the enforcement mechanism of the Act. Also, a National Action Plan on domestic violence which serves as a roadmap to both governmental and non-governmental bodies in their fight to reduce domestic violence was launched in 2007. 2008 was declared as L'Annee Sans Violence”, “Year Without Violence”.

129. The Combating of Trafficking in Person Bill was enacted in 2009. The objectives of the Act are to give effect to the UN Protocol to Prevent Suppress and Punish Trafficking in Persons; prevent and combat trafficking in persons and protect and assist victims of trafficking.

Republic of Namibia

130. Violence against women and girls is a serious problem in Namibia, which has increased dramatically in the past few years. The government and relevant stakeholders have put in tremendous efforts to try and curb the scourge:

• In March 2006, the Ministry of Gender Equality Child Welfare (MGECW) launched the first ever National GBV database. This database has been upgraded and has been linked to NAMINFO;

• The first ever National Conference on Gender Based Violence was held in 2007 and action-oriented recommendations were developed and adopted;
A National Advisory Committee on GBV was established in 2008 and a National Action Plan on GBV is being developed;

The KAPP study on Negative and Positive Cultural Practices that may mitigate or perpetuate gender based violence (GBV) against women was conducted in 2008. The study recommended capacity building of traditional leaders, religious leaders, law enforcement and the community at large to address GBV in their own communities.

131. In July 2009, Cabinet authorised the MGECW to be the focal point, as well as the coordinating agency for human trafficking in the country. The MGECW was also mandated to spearhead and coordinate the development and implementation of a Multi-Sectoral National Strategy to address Gender Based Violence (GBV), including Human Trafficking.

Republic of Niger

132. While actions already described in the previous report are being strengthened, new projects and programmes have been initiated. For example:

- The establishment of consultative structures on violence and the rights of women at the regional level;
- The establishment of links in the two regions by the association of women lawyers of Niger (AFJN). These links ensure the collection and compilation of information on violence at the central level;
- Establishing social mobilisation and capacity building projects in schools on violence against women in schools;
- Sensitisation and training of national police and health personnel on how to handle cases of violence and abuse perpetrated against women.

Federal Republic of Nigeria

133. Laws enacted since the last report to curb violence against women and girls include:

- Anambra State Gender and Equal Opportunities Commission Law, 2007;
- Imo State Gender and Equal Opportunities Law No. 7, 2007;
- Lagos State Street Hawking Prohibition Law (2008);
• The National Gender Policy 2006 and the Strategic Framework 2007 which seeks to address issues of violence against women and girls in Nigeria among other things. The Policy clearly outlined strategies to combat all forms of violence against women and girls in Nigeria;


• Draft Sexual Harassment Policy for Educational Institutions seeks to prohibit sexual harassment in schools and in the work place;

• National Policy on Protection and Assistance to Victims of Trafficking, 2008.

Republic of Senegal

134. In November 2008, the Ministry of Justice established a committee to undertake a situation analysis on the state of violence on women and girls. The committee’s recommendations which will be included in the on-going Penal Code reform include among others:

• A higher prison sentence for the rape of minors who are less than 15 years old;

• Punishment for persons who fail to report crimes of violence against women and girls;

• Free medical assistance to assist rape victims show proof of violation;

• Institutionalisation of a Help Fund for victims of violence to compensate for damages in the event of the insolvency of perpetrators;

• The possibility, under certain circumstances, for civil society organisations and associations working to advance the status of women to take legal action or sue for damages in cases of violence against women.

135. Senegal is in the process of preparing a second National Action Plan on the Elimination of Female Genital Mutilation for 2009-2015 to accelerate the abandonment of practice in the country.

Republic of Seychelles

136. The Penal Code is the main criminal legislation in Seychelles that offers protection to all citizens against criminal offences. Common assault, which includes threats of violence, is punishable by imprisonment of up to 2 years and assault resulting in actual bodily harm is punishable by up to 7 years imprisonment. In addition, forced prostitution is now recognised as a criminal offence as well as abduction of
women and girls. The Code was amended in 1996 to allow better protection for victims of gender based violence, including the recognition of spousal rape and sexual harassment as sexual assault crimes, punishable by up to 20 years imprisonment.

Kingdom of Swaziland

137. The government of the Kingdom of Swaziland has put in place measures aimed at preventing violence and a number of institutions have been established to deal with abuse cases. The Sexual Offences and Domestic Violence Bill, has reached its final stage in parliament. The Bill was sponsored by the Women’s Caucus in partnership with SWAGAA and other stakeholders to ensure that it is a stand alone legislation as opposed to incorporating it within the Criminal Procedure and Evidence Act of 1939 (CPEA), which does not include protection of women and girls from abuse. The Children’s Protection and Social Welfare Bill is also in an advanced stage of preparation.

138. Numerous initiatives have been implemented within various government departments and organisations to address trafficking and ensure gender equity. Among them are the creation in 2007 of the Sexual Offences Unit within the Directorate of Public Prosecutions Chambers under the Ministry of Justice and Constitutional Affairs; the establishment in 2008 of a National Children’s Coordinating Unit (NCCU) to oversee all issues pertaining to the welfare of children; a Domestic Violence, Sexual Offences and Child Protection Desk within the Royal Swaziland Police Service.

Republic of Chad

139. The Chadian government committed itself to eliminating all forms of violence against women by ratifying the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) in 1995. To ensure a violence free society, the government established a Call Centre with dedicated lines with within the National Police force; created committees to fight gender-based violence in refugee camps; drafted a Gender-Based Violence Act and Family Act; Adopted a national strategy to prevent fistula; launched the process to draft a national road map against Female Genital Mutilation with the National Committee of the Inter-African Committee on traditional practices affecting the health of women and children (CONACIAF); commemorates the international day for the Elimination of Violence Against Women and the 16 Days of Activism on Violence Against Women.

Republic of Togo

140. Togo’s draft Penal Code includes punishment for gender-based crimes such as sexual harassment, incest and paedophilia. A national programme on the control of gender-based violence and care for victims has been set up by the government in active collaboration with women’s NGOs. The establishment of the programme has resulted in the strengthening of mechanisms for the control of gender based violence and harmful practices, and for the protection and care of victims. Significant success has been
recorded in the control of violence against women, in particular prevalence of FGM, the most widespread form of gender-based violence dropped to 6.9 per cent in 2007 from 12 per cent 1996; training of paralegals, police officers, magistrates and Prefects in socio-psychological management of female victims; setting up of psychological centres across the country to care for victims of violence; development of a national strategy for the control of gender-based violence; and the institutionalisation of the 16 Days Campaign on Violence Against Women.

Republic of Uganda

141. The government of Uganda has amended the Penal Code Cap 120 to include simple and aggravated defilement; drafted a Domestic Violence and FGM Bills and it is expected that the Marriage and Divorce Bill as well as the Sexual Offences Bill will boost mechanisms to protect women from sexual and gender-Based violence.

F. ARTICLE 5 - GENDER PARITY PRINCIPLE

The People’s Democratic Republic of Algeria

142. Algerian women have the same political rights as men. The right of women to vote and be elected is enshrined in the constitution since the independence in 1962 and by ordinance no. 97-07 of March 6, 1997, on the organic law relating to the electoral system. However, their participation rate needs to be improved upon. For example, 7.7 per cent and 5.1 per cent in the lower and upper houses of Parliament respectively.

Republic of Benin

143. Women are less than 15 per cent in government, legislature, and local governance and in political parties. A Bill by the National Federation Association of Benin Women (FNAFB) to the Constructional Court demanding the application of the parity principle in government and in the governance of the country was declared unconstitutional.

Republic of Burkina Faso

144. A Bill stipulating a minimum 30 per cent quota for either sex on the legislative and municipal electoral lists was adopted by the National Assembly on 16th April 2009.

Republic of Congo

145. Congolese women have a low participation rate in politics and public decision-making spaces. A draft bill recommending a fixed quota of 30 per cent for women in political, elective and administrative offices is in the offing.
The Republic of Djibouti

146. Steps have been taken since 2002 to enforce Law No.192 /AN/02/4thL of 31/11/2002 establishing a quota system of at least 10 per cent in all elective offices as well as the corresponding ordinance which stipulates that there be a representation of at least 20 per cent of either sex in all senior positions in Public Administration.

The Arab Republic of Egypt

147. The government of Egypt instituted a 10 per cent quota for women in local council elections and the law on the elections of Mayors and town and village heads have now been amended to give women the right to seek such offices.

The Federal Democratic Republic of Ethiopia

148. Ethiopian women’s political participation rate has increased in every parliamentary election since 1995. For instance, the number of seats held by women increased from 13 in 1995 to 42 in 2000 and to 117 in 2005. The increase has been attributed to the various government policies to promote women’s political rights such as enacting gender-sensitive electoral laws, enforce constitutionally guaranteed affirmative action measures to increase women’s political representation and building women and girls’ leadership and managerial skills. Also, in some cases, states have adopted a gender quota to enhance women’s political representation. For example women’s representation in Tigray, Oromia, Harari and SNNP has reached 50 per cent, 37.7 per cent, 33.3 per cent and 28 per cent respectively.

The Republic of Gabon

149. As part of efforts to promote the gender parity principle in politics and decision-making, the Gabonese government urged political parties to nominate female candidates and appoint women into high level decision-making positions; provides financial support to women candidates and allowed independent candidacy to enable women contest for elections if they are not nominated by political parties.

The Republic of The Gambia

150. Although there is a conducive legal and legislative environment for the participation of women at all levels of decision making, and government has made some strides in realising this goal, more still needs to be done as women are still in the minority in parliament and other public offices and need to be encouraged to seek elected office. It is hoped that the proposal in the Draft Women’s Bill of a 30 per cent representation of women in political and decision making positions, if accepted, will change the country’s political landscape.
The Republic of Ghana

151. Political parties have committed to adopting an Affirmative Action policy to achieve gender parity in their parties. They are also committed to fielding women in safe seats in their constituencies. The present government commits to work towards at least 40 per cent representation for women in decision-making.

The Kingdom of Lesotho

152. The 2005 Local Government Amendment Act reserved 30 per cent electoral seats for female contestants. This resulted in 58 per cent representation of women throughout community and district councils that form part of the local government structures. Maseru, the capital city has a female Mayor. The ruling party in its elections committed itself to 30 per cent representation of women in politics and decision-making.

The Republic of Liberia

153. The Women Legislative Caucus in the National Legislature has introduced a Fairness Bill, in parliament to ensure women’s representation in decision making positions in the Political Parties. The Bill is also calling for a 30 per cent representation of women at all levels of decision making.

The Great Socialist People’s Libyan Jamahiriya

154. Libya’s laws and policies are favourably disposed to women. They enable women participate in the decision-making processes in all sectors of the society. Libyan women work in the administration arm of government, higher education, diplomacy, the judiciary, the police, armed forces and other socio-economic and political areas.

The Republic of Mauritius

155. There is no affirmative action policy in place in Mauritius. Mauritian women’s representation in parliament got a boost in the last election. There are now 12 elected women in the National Assembly compared to only 4 in the previous one, representing a three fold increase. Mauritian women have achieved the SADC and Beijing requirement of 30 per cent in decision-making level in the public sector.

Republic of Namibia

156. Female representation in parliament had reached the SADC and Beijing minimum recommendation of 30 per cent. In local governance, women constitute 40 per cent of all councillors. However, a critical analysis shows that only six out 30 Mayors are women, while at the Deputy Mayoral level, the ratio is 50/50.
Republic of Niger

157. The application of Law no 2000-008 of 7th June 2000 establishing a quota system in of 10 per cent and 25 per cent in appointive and elective posts of either sex has increased women’s presence in politics and public life. The Ministry of Women’s Affairs has initiated a Bill to revise the quota upwards. The Bill, which has already been considered and adopted by the Technical Committee for the Verification of Texts (COTEVET) and awaiting approval from the Council of Ministers, demands the application of the AU gender parity principle in all appointive and elective positions.

Federal Republic of Nigeria

158. In response to the continued low participation of women in politics and decision-making positions, Nigeria women movement demanded the following:

- Entrenchment of Affirmative Action (AA) principles in Party Constitutions with specific and actionable concession of a number of spaces to women as some of the guidelines for registration by the Independent National Electoral Commission (INEC); and
- Political Parties to entrench deliberate Affirmative Action to address gaps in participation, candidacy and opportunities in party leadership structures, especially in favour of women.

Republic of Senegal

159. Although the gender parity principle is yet to be adopted, the government in 2007 added a very significant clause to Article 7 of the constitution to ease women’s access in politics and public life. The clause stipulates that women and men should have equal access to elective positions. As a result, strategies have been developed to amend certain provisions of the electoral code to ensure that gender equity is a prerequisite for the approval of party lists by the electoral commission.

Republic of Seychelles

160. Seychelles women’s participation in decision-making processes at the political and administrative levels compares favourably with that of other countries in the SADC sub-region. For example, women are 30 per cent of Cabinet of Ministers; 38 per cent of all Principal Secretaries; 27 per cent of parliamentarians; 56 per cent of all District Administrators; 55 per cent of all Directorship posts in the public sector; 36 per cent of all Legislators and Senior Officials and the only mayoral post in Seychelles.

Kingdom of Swaziland

161. There has been a gradual awareness of the need to promote women’s greater participation in politics and positions of leadership and decision-making. In the 2003 and 2008 national elections, the Gender and Family Issues’ Unit in collaboration civil society
organisations organised the “Vote for a Woman” Campaign. The Campaign raised awareness on the importance of women’s participation in national politics and contributed to a national debate on women in politics. The 2008 election yielded 7 women candidates from the Inkhundla constituencies and 14 women appointees.

**Republic of Chad**

162. Although the gender parity principle is yet to be applied in Chad, the number of females in elective and appointive positions is on the increase. For example:

- Current government: 6 women out of 45 members;
- Advisors to the President of the Republic: 1 woman
- Advisors to the Prime Minister: 1 woman
- National Assembly: 10 women out of 156
- Economic and Social Advisors: 6 women
- Advisors to the Supreme Court: 2 women out of 24
- Advisors to the Constitutional Court: 2 women out of 9
- Office of the ombudsman: 1 woman
- Judiciary: 12 female barristers
- Diplomacy: 1 woman
- Territorial command: 5 women Commissioners out of 222
- Higher Communication Council: 1 woman out of 9
- Municipal Advisors: 5 women Mayors
- Public Service: over 20 women directors

**Republic of Togo**

163. Although the Complete Political agreement of August 20 2006, it did not include provisions for a quota for female candidatures, it encouraged political parties to set for themselves a minimum number of female candidates for elections. This idea was given legal backing by Decree N° 2007-073/PR on June 6 2007 granting a reduction of twenty-five percent (25%) per female candidates to political parties. This provision was reinforced in a 2007 Bill on the public financing of political parties, wherein a financial bonus proportional to the number of women elected at the local or legislative elections will be given to every political party fielding women candidates. In addition, a draft bill on a minimum 30 per cent gender quota for women in politics and decision-making is awaiting parliamentary approval.

**Republic of Uganda**

164. As a result of Uganda’s affirmative action policy, women constitute 31.5 per cent of elected officials in parliament. At the local level, the Local Government Act of 1997, stipulates that a third of all local council seats be reserved for women.
G. ARTICLE 6 - WOMEN’S HUMAN RIGHTS

The People’s Democratic Republic of Algeria

165. To reinforce the country’s international commitments especially in relation to women, the President ordered a review of the country’s reservation at the ratification of the Convention of all Forms of Discriminations Against Women (CEDAW) to ensure that the women’s rights and gender equality issues in Algeria are in conformity with international standards.

Republic of Benin

166. The Republic of Benin is a signatory to several international and regional conventions on women’s human rights. For example, the African Charter on Human and Peoples rights (CADHP) and its protocol relating to women’s rights were ratified in 2003 and at the national level; Law no 2003-03 of 03 March 2003 on the elimination of FGM and Law n° 2004 – 07 of August 24 2004 on the Code of the People and Family were adopted.

Republic of Burkina Faso

167. In order to ensure the promotion and the protection of all the human rights of women and girls, including their right to development, Burkina Faso ratified a certain number of international and regional legal instruments, and has taken measures at national level to ensure the protection and protection of women’s rights. For example, as part of the government’s programme of popularising the government’s international commitments on the human rights of women, the CEDAW and its optional protocol have been translated into four national languages.

Republic of Congo

168. Congo has ratified the following international and regional instruments on women’s human rights such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and its Optional Protocol, the Protocol to the African Charter on Human and People’s Rights on the Rights of Women, the African Union’s Solemn Declaration on Gender Equality, the UN Convention on the Rights of Children and the African Charter on the Rights of the Child.

Republic of Djibouti

The Arab Republic of Egypt

170. The Citizenship and Nationality Code and the taxation and revenue laws have been amended to give women equal rights with men. The government also provides free consultation and legal aid services to women and their rights.

The Federal Democratic Republic of Ethiopia

171. In addition to CEDAW, the government of the Federal Democratic Republic of Ethiopia has enacted and or revised the following legislation, the Family Law, the Pension Law, the Nationality Law as well as the Criminal Law. Furthermore, the Civil Service Law and the Labour Law have provided for the equal rights of women in employment, protection of maternity rights, as well as the right to be free from violence and sexual harassment in the workplace.

Republic of Gabon

172. Gabon has adopted the following international conventions and regional instruments on the promotion and protection on women’s human rights:

- The Convention on the elimination of all forms of discrimination of women (CEDEF) on the 21st of January 1983;
- The African Charter on Human and Peoples’ Rights;
- The Protocol to the African Charter on Human and Peoples’ Rights on the rights of women adopted in Maputo in July 2003;
- The African Charter on the Rights and Welfare of the Child;

The Republic of The Gambia

173. The Gambia has ratified all major international and regional Instruments addressing the human rights of women. The National women’s policy-1999 to 2009 was based on the principles enshrined in the CEDAW and the Beijing Platform of Action. Recent initiatives to revise the National Policy for The Advancement of Gambian Women (1999-2009) and to adopt a new Gender policy is informed by the principles enshrined in the African Protocol on the Rights of Women and SDGEA. The Draft Women’s Bill is also another national initiative to promote and further the human rights of women.

Republic of Ghana

The Kingdom of Lesotho

175. Lesotho has ratified and acceded to Convention on the Elimination of all Forms of Discrimination against Women signed in 1995 with reservation; and the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa. The SADC Gender and Development Declaration has been translated into Sesotho and is being disseminated. The Ministry is in the process of translating the Gender and Development Policy and CEDAW into Sesotho.

Republic of Liberia


177. Provisions are being put in place to ensure a fully functioning administrative and justice systems, including an independent judiciary and a public service in conformity with international human rights standards, in particular relating to the protection of women. To this end, an Independent Human Rights Commission has been reconstituted to, besides the promotion of the rights of people; provide an opportunity for victims who suffered human right abuses to seek redress. Additionally, the capacities of the Ministries of Gender and Development and Justice are being built to proactively protect the rights of all sexes particularly that of women.

The Great Socialist People’s Libyan Jamahiriya

178. The Jamahiriya has enacted several legislations to promote women’s human rights. These include Law No. 13 of 1980 on social security, Law No. 16 of 1985 on retirement and Law No. 5 of 1987 on the disabled; Law No. 1 of 1984 outlines the rules governing marriage and divorce and their consequences and Law No. 17 of 1992 regulates the position of minors and the likes. In employment and labour relations, the Labour Act No. 58 of 1970 and Laws No. 55 of 1976 and 15 of 1981 on employment and labour relations. All these laws affirm the principle of equality between man and woman in society.

Republic of Mauritius

179. Mauritius has endorsed various international instruments on women’s human rights. She acceded to the Convention of the Elimination of all forms of Discrimination against Women (CEDAW) in July 1984, ratified the Convention in 1985 and signed the Optional Protocol to the CEDAW in November 2001. Mauritius also signed the SADC Declaration on Gender and Development in 1997 and in September 1998 signed the
Addendum to the Declaration on the Prevention and Eradication of Violence against Women and Children. Mauritius has enacted the following legislations: the Sex Discrimination Act 2002 and the Equal Opportunity Act was adopted in 2008 to strengthen her international commitments at the national level.

Republic of Namibia

180. The Labour Act No. 11 of 2007, the Children’s Status Act No. 6 of 2006 and the revised national Gender Policy are the new national legislations in place since the last reporting in 2006. The National Gender Policy has been revised and will address the following key areas of concern: Poverty and Rural Development; Education and Training; Health, Reproductive Health and HIV and AIDS; Gender-Based Violence; Trade and Economic Empowerment; Governance and Decision-Making; Media, Information and Communication; the Environment; Issues of the Girl-Child; Legal Affairs and Human Rights; Peace-building, Conflict Resolution and Natural Disaster Management; and Gender Equality within the family.

Republic of Niger

181. All measures mentioned in the previous reports on the implementation of Niger’s international commitments on the protection and promotion of women’s human rights has been strengthened. Based on recommendations from the CEDAW Committee after Niger’s initial and periodic reports, that provisions of the convention be circulated widely, earlier versions translated into Haoussa and Zarma have been updated and are being circulated widely. Also, the government is trying to rescind three of the eight reservations that were entered when adopting the convention in 1999.

Federal Republic of Nigeria

182. A number of States in Nigeria have legislations on gender discriminatory practices prevalent in their areas, especially harmful traditional practices. Some of these legislations which predate 2006 were not reported in the initial country report. Additional legislations and policies to protect and promote the rights of women include:

- Administration of Estates (Small Payments) Law, 2006, Lagos State;
- Imo State Gender and Equal Opportunities Law No. 7 2007;
- Anambra State Gender and Equal Opportunities Commission Law 2007;
- National Gender Policy, 2006;
- Strategic Implementation Framework and Plan for the National Gender Policy, 2008;

Republic of Senegal

183. In addition to the various international and regional instruments that Senegal has ratified, the government has formulated new policies and enacted laws to strengthen
women’s human rights. For example, Law no. 2008-01 of January 2008, amending the Tax Code to give women and men equal treatment. This law reinforces Decrees 1309, 1310 and 1331 of 23 November 2006 relating to the Social Security Act which recognises the right of working women to include their spouses and children in their medical plan; establishment of the Gender Equity and Equality Directorate (DEEG) by Decree no. 2008-1045 of 15 September 2008 to ensure the integration of gender dimensions in all state projects and programmes; The ONDF, the National observatory on women’s rights a consultative and action framework established by Decree no. 2008-1047 dated 15 September 2008 provides alerts, guidance, counselling, supervision and ensures the effective application of commitments made by Senegal relating to the rights of women.

Republic of Seychelles

184. Seychelles acceded to the Convention on the Elimination of All Forms of Discrimination Against Women on 5th May 1992 and signed its Optional Protocol on 22nd July 2002. Steps are being taken toward submission of the initial and period reports, which have been outstanding since 1993. Seychelles signed the Southern African Development Community Declaration on Gender and Development on 8th September 1997 and the Addendum on the Prevention and Eradication of Violence Against Children and Women on 14th September 1998.

The Kingdom of Swaziland

185. The following international legal instruments have been signed and ratified by Swaziland to promote and protect Women’s Human Rights: Convention on the Nationality of Married Women; Convention Against Torture, Inhuman or Degrading Treatment or Punishment (CAT); SADC Protocol on Gender Development Convention on Refugee, international covenant on civil and political rights, international covenant on Economic, Social and Cultural rights and the Convention on political rights of Women.

Republic of Chad

186. Chad has made progress in the protection and promotion of the human rights of women and girls by ratifying and/or signing various international and regional conventions and promulgating national laws the issue:

- The 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW);
- The 1990 Convention on the Rights of the Child;
- The 1991 African Charter on Human and Peoples’ Rights;
- The establishment of a Ministry of Human Rights in 2005;
• Article 3 of the 2000 Electoral Code revised in 2007 stipulates that Chadians of both sexes aged at least 18 years have the right to vote;

• Article 8 of the Labour Act 038/PR/96 prohibits an employer from using gender-based criteria when recruiting, offering professional training, promoting, granting social benefits, administering disciplinary measures or terminating a contract;

• Act 07/PR/2007 on the protection of disabled persons;

• The creation of the children’s parliament by decree 634/PR/MASF/2000;

• The establishment of legal consultation clinics and institutions by ADH and other national organisations.

Republic of Togo

187. Apart from the optional Protocol on CEDAW which is still to be ratified, all international and regional instrument on the protection and promotion of women’s rights are, in accordance with the principles of Article 50 of the Togolese constitution, to be integrated into the Togolese legal scheduling:

- The Convention on the Elimination of All Forms of Discrimination Against Women;
- The United Nations Convention against organised trans-border crime;
- Conventions against terrorism – out of the 13 adopted instruments Togo ratified 9;

Republic of Uganda

188. Uganda ratified the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) in 1985 but is yet to accented to the Optional Protocol. A National Action Plan for implementing CEDAW was developed in 2007 with the aim of guiding all actors in identifying key activities to be implemented under each of the 16 articles of the Convention and the Beijing Platform for Action. Uganda’s commitment to adhere to the provisions of CEDAW is demonstrated by submitting periodic reports to the CEDAW Committee.
H. ARTICLE 7 - LAND, PROPERTY AND INHERITANCE RIGHTS

The People’s Democratic Republic of Algeria

189. There are no discriminatory laws or regulations restricting Algerian women from acquiring, owning or inheriting land. Women’s inheritance rights are clearly mentioned in the Family Code.

Republic of Benin

190. Although Article 22 of the Republic of Benin’s constitution guarantees the rights of all citizens’ property rights, traditional law and practices which do not recognise women’s ownership and inheritance rights of any form of property or goods especially land is the norm in the society. Land is transferred from father to son.

Republic of Burkina Faso

191. To guarantee women’s land rights, a national land policy guaranteeing security was adopted in 2007. One of the guiding principles of this policy is the inclusion of gender and the needs and concerns of vulnerable groups particularly the women and young people.

Republic of Congo


The Republic of Djibouti

193. Although gender equity is guaranteed by the basic instruments of the Republic of Djibouti, the right to land and property remains hardly accessible to women because of their status which gives them a secondary role in national social life.

The Arab Republic of Egypt

194. Egyptian women have independent rights to own land, landed property, estates, and to inheritance. They also have the right to dispose of their property and to establish projects and administer them on an equal footing with men. There are no laws/procedures restricting the rights of women to freely choose their places of residence.
The Federal Republic of Ethiopia

195. The federal government and three states have enacted gender-sensitive land use and administrative laws. The Women Development Initiative Project provides credit facilities, technical assistance and capacity building trainings to needy women. Women have also benefitted from the government’s integrated housing scheme. Since 2005, 56.7 per cent of women in Addis Ababa and 51 per cent in the states have allocated houses. The Republic of Gabon.

196. Due to the non-recognition of women’s legal rights to inheritance and property rights, the government adopted a non-discriminatory law on landed property in 2009, established a unit in the Ministry of Women’s Affairs to ensure the protection of widows and orphans and developed a national action plan in conformity with the Plan of Action for the African family adopted on the 8th of July 2004 by the summits of the Heads of State and Governments.

The Republic of The Gambia

197. There is no specific legislation in The Gambia that guarantees women’s Inheritance rights. Furthermore, there is very limited constitutional protection for the enforcement of socio economic rights in the Gambia. However, there are established schemes and programmes aimed at eradicating poverty, particularly amongst women in the Gambia.

The Republic of Ghana

198. Ghana’s Land Administration project (LAP) has developed a gender strategy aimed at making the land agencies more gender responsive. Ghana is working on a Spousal Property Rights Bill which is soon to be passed by parliament.

Kingdom of Lesotho

199. Women and men have equal land rights in statutory law. While in customary law, only married Basotho men are capable of land holding land. The 2009 Draft Land and LAA Bills, which are yet to be tabled before parliament if enacted will address discrimination against women.

Republic of Liberia

200. A Land Reform Commission Act that will among other issues, address women’s land rights has been enacted. The five member Commission has two female commissioners.
The Great Socialist People’s Libyan Jamahiriya

201. The law on inheritance affirm the principles of equality enshrined in the constitution and guarantees women’s equal rights with men. It prohibits discrimination against women in economic and social spheres and guarantees their equality with men in making and bequeathing of wills and inheritance according to principles of Islamic Law and its modes of distribution between men and women.

Republic of Mauritius

202. Mauritian women can conclude contracts and administer property in their own name, without interference or consent of their male partner. Inheritance in Mauritius follows the ‘Forced Heirship Rules’, whereby both men and women have an equal right to inheritance. Widows/widowers inherit from their spouse in any circumstances, depending upon the matrimonial regime. Widows and daughters just like widowers and sons, have right to inheritance even if there is no will, and can also receive property under a will. Further, there is no legal or customary constrain on a testator to bequeath the same share of property to widows and daughters as to widowers and sons.

Republic of Namibia

203. National Land Policy makes reference to women’s rights, it states that “women will have the same status as men with regard to all forms of land rights, either as individuals or as members of family land ownership trusts...’Every widow (or widower) will be entitled to maintain the land right she or he enjoyed during the spouses lifetime’.

Republic of Niger

204. All provisions on the revised Rural Code on women’s rights to natural resources and landed property and their inheritance rights based on the tenets of Islam, are still in force. Similarly, the banking law guaranteeing women’s access to loans, mortgages and other financial services are also in force.

Federal Republic of Nigeria

205. There is no federal law protecting women property rights. However, some states notably, Lagos, Imo and Anambra have enacted laws on women’s property rights. Wide gender gaps still exist in access to most forms of credit in Nigeria. The Core Welfare Indicators Questionnaire Survey of 2006 revealed that access to credit for males 54 per cent was higher than for females 45.7 per cent generally. Disparities observed in specific forms of credit revealed worse figures than the general situation.

Republic of Senegal

206. Access to land is enshrined in Article 15 Paragraph 2 of the Senegalese Constitution which stipulates that “men and women have equal rights to possess and
own land within the conditions set by law”. However, the enforcement of this constitutional provision is constrained by socio-cultural practices especially in the rural areas.

Republic of Seychelles

207. The right of women (married or unmarried) to own land and property and to inherit equally has long been guaranteed under several legislative documents and is no longer a gender issue in Seychelles. Under the Civil Code of Seychelles Act, as amended in 1991, in cases of death, the surviving spouse has rights to all personal assets and to one half of the remaining properties.

The Kingdom of Swaziland

208. All laws governing land, property and inheritance in Swaziland are discriminatory towards women. The Deeds Registry Act, the Land Act, the Administration of Estate Act and the Marriage Act are all biased against women. However, it is expected that the Marriage Act which is being reviewed will take note of changes in the constitution especially Section 31.

Republic of Chad

209. Customary land holding systems prevent women from owning and managing land. They can only work on lands only if permission is granted by the husband if married, and if unmarried, by male family members (father, uncle or cousin). It cannot be said that progress has been made in relation to women’s land, property and inheritance rights as no study has been conducted in this regard.

Republic of Togo

210. The 1980 Code of the People and the Family accords girls and boys the same inheritance rights. It gives men and women the right to inherit land and all other goods. But the coexistence of customary law and modern law, constitutes an obstacle to women being able to enjoy these rights. As a result, a validation workshop on the draft revised Code of the People and the Family proposed that article 391 be re-written so as to make it possible for both men and women to have equal rights in land inheritance. Since 2006, women have secured some legal rulings in their favour. It must be noted that a policy document on women’s access and land rights was adopted on 8 July, 2009 by Civil Society Organisations and MASFPEPEPA.

Republic of Uganda

211. The amendment of the 1998 Land Act to include sections to increase the protection of the rights of women to own, use and inherit land is a major step. The enactment of the Equal Opportunities Act and Policy in 2007 will boost women’s ownership rights. Plans are underway to establish a Land Fund which government
hopes will enable households to acquire land and increase land holding for more productive management in agriculture. A gender policy for the micro-finance industry is being developed. The proposed policy will address issues of access, utilisation and management of credit for women.

I. ARTICLE 8 - EDUCATION

The People’s Democratic Republic of Algeria

212. Gender equality in education is a fundamental right and is enshrined in Article 53 of the Algerian constitution. It is free and compulsory for all citizens without discrimination. This right is strengthened by other Articles in the constitution such as Articles 4, 5, 6, and 14.

Republic of Benin

213. The right to education for all Beninois is affirmed by constitutional provisions and various policy documents on education. Significant measures have been taken over the last decade to improve the rate of schooling for girls. For instance, the Ministry for Primary Education developed a national policy for the promotion of girls, making education free first for girls and later for all children in primary school.

Republic of Burkina Faso

214. The TBS in all two cycles of general education has improved because of the various programmes the government has instituted. For example, in all two cycles of secondary and general education, the TBS increased from 12.60 per cent in the 2004/2005, to 20.7 per cent in the 2007/2008 academic year. In the same period, the TBS for girls in the first cycle, increased from 7.29 per cent to 24.1 per cent and in the second cycle, TBS for girls increased by approximately by two points, from 5.63 per cent to 7.2 per cent in 2008.

Republic of Congo

215. Compulsory and non-discriminatory education up to age 16 is part of Congo’s educational development programme since independence. Despite this, girls’ enrolment rate at all levels of the educational system is much lower than boys’. In order to curtail the downward trend in girls’ enrolment rate, a Presidential Order on free and compulsory education was issued on February 2007 and the education budget increased from its 2005 level of 5.19 per cent of the national budget to 6.55 per cent in 2007.

Republic of Djibouti

216. The Educational System Act Law n° 96/AN/ 00/4th of 10 August 2000 stipulates that basic education is compulsory for all Djiboutian children or children regularly residing in the Republic of Djibouti aged between 6 and 16 years, without distinction as
to age, sex, social, ethnic or religious origin. As a result of this law, primary school enrolment rate increased nationwide from 38,991 in 1999 to 54,096 in 2008 and in the same period, the enrolment rate of girls rose from 37.93 per cent to 45.50 per cent.

**The Arab Republic of Egypt**

217. The school dropout rate continues to fall from one level to another. The enrolment rate for girls who dropped out of conventional schools, in schools for continuing education, continues to increase. The government is doing all it can to remove discriminatory contents in the school curricula, while issues of family and reproductive health, family welfare and similar issues; concept of women’s rights are now being taught in schools.

**The Federal Democratic Republic of Ethiopia**

218. The Ethiopian government has committed itself to various regional and international initiatives to eliminate gender-based disparity in terms of access to education. As a result, the Gross Enrolment Rate (GER) in primary schools rose from 47.2 per cent in 2002-3 to 85.1 per cent in 2008-9. The Net Enrolment Ratio (NER) of female student in the first cycle of secondary school increased from 6.75 per cent in 2002/3 to 12.6 per cent in 2006/7. Furthermore, female enrolment in alternative basic education is growing at an annual rate of 11.6 per cent higher than boys which is increasing at 10.5 per cent.

**Republic of Gabon**

219. The Gabonese government has undertaken the following measures to curtail the high dropout rates of girls in school and increase their retention rate:

- Organised a national day on doubling school enrolment for girls;
- Create a fund for girl-mothers who are economically-disadvantage to boost enrolment and professional training;
- The resettlement in to school life and/or vocational training of pregnant girls at the national level;
- The construction of nurseries at the national level for children of this target group so that the girl-mothers could pursue their education;
- The provision of scholarships at the national level poor pupils who are registered for exams;
- The provision of baby clothes to girl-mothers who are economically poor;
- The creation of women’s centres with training provided in various fields;
- The creation of vocational centres for young girls;
- The recruitment and training of community educators to care for young women in the rural areas as well as instituting literacy and the sensitisation campaigns for the rural population;
The Republic of The Gambia

220. Basic education is free, compulsory and available to all Gambians. There is an affirmative action policy to provide equal opportunities in education for the girl-child to ensure their enrolment and retention rates in school. The 2004 – 2015 Education Policy and the Education Sector Strategic Plan as well as the Medium Term Plan all focus on ensuring the right to quality education and compliment both the Education for All (EFA) and the Millennium Development Goals.

Republic of Ghana

221. The Ghana government has instituted free education for all and a school feeding programme at the basic school level. Scholarships schemes have been instituted within the District Assemblies for needy brilliant girls. In the Northern part of Ghana especially, apart from the school feeding programme and free education, pupils are given free bicycles due to the long distance they have to travel to school. The government intends to provide free school uniforms and exercise books in all Public Basic Schools from 2010. Government is also taking steps to abolish schools under trees which is a disincentive to girls’ education.

The Kingdom of Lesotho

222. The 2007 Education Act 2007 introduced the notion of free and compulsory education in primary schools to ensure that every boy and girl in Lesotho completes at least primary school education. The result of this is the increased enrolment rate of both boys and girls however; statistics have shown that this achievement is compromised once the learners reach secondary school. Furthermore, the government of Lesotho’s has as its prime objective the “elimination of gender disparities in primary and secondary education by 2015” and will undertake the following:

1. Promote gender sensitive equitable access to, and participation in education and training;
2. Implement the Gender and Development Policy in the education sector;
3. Develop a gender-responsive curriculum and learning support materials;
4. Create a learning environment that is healthy, safe, responsive and free of gender-based violence;
5. Target and protect the interest of the girl and boy child and persons with disabilities, particularly those in less resource endowed rural mountain areas and the urban poor;
6. Mainstream gender equity in the education sector through the forging of effective and inclusive partnerships with other stakeholders;
7. Design appropriate mechanism for periodically monitoring of these interventions that target the bridging of the gender gaps within the education sector.
Republic of Liberia

223. The Liberian government has formulated and launched the Education Law, the National Girls Education Policy (2006) and the Free Compulsory Primary Education Policy (2006/2007) and the Accelerated Learning Program (ALP), a parallel intervention designed to address the basic education needs of young adults who missed out on education. All these policies seek to improve enrolment, attendance, and retention rates in school for all Liberians especially girls who have a high dropout rate.

The Great Socialist People’s Libyan Jamahiriya

224. Basic education is compulsory in Libya and education itself is free at all levels in the country. The State is responsible for providing all facilities and services needed across the different levels of the education sector free of charge. These include the establishment of educational institutions, their equipments, provision of teachers/lecturers and so forth. As a result, Libyan women have recorded significant achievements in the field of education. For example, the enrolment rate of girls in primary education increased from 109,754 girls out of a total of 347,162 enrolled students in 1969-1970 to 582,264 or 48.9 per cent of students in the 2005-6 school year.

The Republic of Mauritius

225. The Education Act was amended in 2004 to provide free and compulsory education up to age 16 for all Mauritian students. Pupils, who failed the CPE or turned 13 years of age, are admitted in pre-vocational schools for a 3-year course. At the secondary school level, the Industrial and Vocational Training Board (IVTB) provides non-academic courses to students who do not intend or are unable to complete the school programme. 2,140 girls compared to 5,883 boys attended these courses. Mauritius has attained the Millennium Development Goals and ranks very high among African countries.

Republic of Namibia

226. The Namibian has a variety of policies addressing the issue of the girl-child in education. For example, The “Education for All” policy addresses issues relating to access to education and this means all schools (primary and secondary) are built within 5km walking distance; the teenage pregnancy policy is currently undergoing review to better manage and prevent teenage pregnancy. Other policies include the education sector HIV and AIDS Policy, the National Policy on Orphans and Vulnerable Children (OVC), the Education Sector Policy on OVC. The Education Act of 2001 is also in place to improve access and quality of education.

Republic of Niger
227. The principle of non discrimination in education enshrined in the constitution and legislative and statutory laws are still in force and measures have initiated to concretise them. Ongoing awareness campaigns and advocacy with strategic partners (traditional chiefs, religious heads and parents associations) combined training in gender analysis, negotiation skills, and IEC campaigns have resulted in a progressive increase in the rate of girls’ education. For example, girls’ attendance in the elementary cycle increased from 43 per cent in 2004-2005 to 53 per cent in 2006-2007.

Federal Republic of Nigeria

228. The legal environment for promoting improved access to education for girls and women has progressed since the last report. Laws such as the Child’s Rights Act and the Compulsory, Free, Universal Basic Education and Other Related Matters (UBE) Act that had been passed previously at the national level have been adopted at State levels in the pursuit of this objective. Sequel to the last report, 22 out of the 36 states of the federation have adopted the Child’s Rights Act, showing an increase of 13 states.

Republic of Senegal

229. The enrolment rate of girls increased by 119.1 per cent in 2008 compared to 115.4 per cent in 2007. The progression rate of girls increased from 105.7 per cent in 2007 to 108.5 per cent in 2008. The gross enrolment ratio (GER) has followed the same trend. It was 90.1 per cent in 2008 compared to 87.6 per cent in 2007. The GER for girls rose from 88.5 per cent in 2007 to 92.4 per cent in 2008 and from 86.8 per cent in 2007 to 88 per cent in 2008 for boys. The overall enrolment rate for adult literacy in 2008 was 83 per cent representing a completion rate of 89.9 per cent compared to 62,223 learners in 2007 (i.e. an increase of 34.2 per cent in the number of students enrolled). The proportion of women enrolled was 74.2 per cent (66,208), thus exceeding the annual target of 63.2 per cent for 2008.

Republic of Seychelles

230. Equality of access to education for girls has to a large extent been achieved and is not a problem in Seychelles. The Government has had a policy of “education for all without any discrimination since the creation of the SPPF Government in 1977. This has ensured that both girls and boys aged from 3 to 15+ years have had access to free and compulsory primary and secondary education, with almost 100 per cent enrolment rates, almost equal enrolment ratios between girls and boys, and consistently impressive student teacher ratios throughout the education system. Primary school completion rates are excellent for both genders; however major discrepancies have been recorded between the completion rates of girls and boys at secondary level, with more than twice as many boys than girls dropping out of school before the completion of their fifth year.
231. Although teenage retention was not a major concern for female students, the policy on teenage pregnancy was reviewed in 2002 to allow pregnant girls to continue on with their studies both during and after pregnancy.

Kingdom of Swaziland

232. The government’s policy on education, promotes equal accessibility and availability of quality education for boys and girls. Thus, the Swaziland government commits 25 per cent of the national budget to achieve its objective. However it is a fact that equal access to education has not been addressed holistically to meet the needs of the entire nation e.g. education for the visually and hearing impaired is not adequately addressed. Government’s primary concern is the high dropout rate of girls after primary school. This high attrition rate among girls at higher levels of the educational system can also be attributed partly to early marriage of the girl child and high levels of teenage pregnancy.

Republic of Chad

233. Chad has adopted specific measures to enhance access, retention and performance of girls in schools by addressing both demand and supply factors such as eliminating school fees for girls, providing food aid, recruitment and training of more teachers, construction of separate toilet and canteen facilities for girls, organising awareness campaign on the need for girls’ education, among others. As result, the gross enrolment ratio of girls in primary school rose from 32 per cent in 2005 to 78.8 per cent in 2007; for middle school it rose from 10.5 per cent in 2004 to 17.7 per cent in 2007 and in high schools from 4.2 per cent in 2004 to 9.9 per cent in 2007.

Republic of Togo

234. Togo’s National Education Policy offers free and compulsory education to all Togolese children aged 2-15 years. The Togo government abolished school fees in all state owned pre-schools and primary schools from the 2008-9 school year. Togo’s gross schooling rate of 89 per cent and a girl/boy parity index of 0.93 shows that education is improving.

Republic of Uganda

235. The introduction of Universal Primary Education (UPE) in 1997 increased access to primary education from 31.1 million in 1996 to 7.4 million. The UPE policy has narrowed enrolment disparities in primary education. The proportion of girls in primary schools increased from 44.2 per cent in 1990 to 49.8 per cent in 2006. However, current statistics indicate gender differentials in enrolment and retention rates in secondary schools. For instance of the 900,000 students admitted in secondary schools, 53 per cent were boys and 47 per cent were girls. The figure decreased substantially for girls at higher levels. The number of girls enrolled at Senior Four was 42 per cent compared to 58 per cent for boys.
J. ARTICLE 9: THE PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLES’ RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA

The People’s Democratic Republic of Algeria

236. The procedure to ratify the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa has been initiated.

Republic of Benin

237. The Beninois government confirmed its commitment to gender equality by ratifying the protocol on September 30 2005.

Republic of Burkina Faso

238. It was noted in the first country report that Burkina Faso ratified the Protocol. The government is now engaged in Information Education and Communication (IEC) campaigns simplifying and popularising the contents. Symposia have been organised to this effect.

Republic of Congo

239. The Republic of Congo ratified the Protocol to the African Charter on Human and Peoples’ Rights, relating to the Rights of women in Africa in 2007. Since then, the government has embarked on a national sensitisation campaigns among decision-makers, community leaders and the general populace to create awareness and strive towards the implementation of the Protocol at both the national and local levels.

The Republic of Djibouti


The Arab Republic of Egypt

241. No submission was made on this article.

The Federal Democratic Republic of Ethiopia

242. No submission on this article.

The Republic of Gabon

243. No submission was made on this article
The Republic of The Gambia

244. The Gambia signed and ratified the African Protocol without any reservations in 2006. The country is by taking steps and devising measures to domesticate and implement Protocol through the formulation of a Draft Women’s Bill. The Bill is presently under consideration in preparation for Cabinet’s approval and its introduction for enactment by the National Assembly.

The Republic of Ghana

245. The Protocol to the African Charter on Human and People’s Rights on the Rights of Women was ratified on 16th of July 2009 by the Ghana parliament.

The Kingdom of Lesotho

246. Lesotho has fully ratified the African Protocol and is currently creating awareness on the need to domesticate the Protocol.

The Republic of Liberia

247. The government has ratified the African Protocol.

The Great Socialist People’s Libyan Jamahiriya


The Republic of Mauritius

249. Mauritius still maintains the reservations to Articles 6(b), 6(c), 10(2)(d), 11 and 14(2)(c) of the Protocol to the African charter on human and peoples’ rights on the rights of women in Africa.

Republic of Namibia

250. No submission on this article

Republic of Niger

251. Since the rejection of the Bill proposing the adoption of the Protocol in June 2006 and May 2007 by the National Assembly, the issue has not been included in the parliamentary agenda. Although the Protocol is yet to be ratified, the government has developed policies and proposed legal reforms which are in consonance with it’s the provisions.
Federal Republic of Nigeria

252. Although Nigeria has not domesticated the Protocol and other international instruments that protect the rights of women such as CEDAW and its Optional Protocol, progress has however been made in raising awareness at all levels to move the process of domestication to the front burner of discussions at the National Assembly.

Republic of Senegal

253. No submission was made on this article.

Republic of Seychelles


Kingdom of Swaziland

255. Swaziland has not yet ratified Protocol but, the government is creating awareness on need to adopt and ratify it.

Republic of Chad

256. The ratification process for the African Protocol has been launched.

Republic of Togo

257. Togo has ratified the Protocol and is now popularising the contents.

Republic of Uganda

258. Cabinet has requested the Attorney General to review the Protocol in line with the constitution and make recommendations to the Minister of Foreign Affairs for ratification.

III. BEST PRACTICES, CONSTRAINTS AND CHALLENGES IN IMPLEMENTING THE SDGEA

259. Analysis of the 23 Country Reports on implementing the African Union’s Solemn Declaration on Gender Equality shows that while all the countries have challenges and constraints in their quest to achieve gender equality and women’s empowerment, they have made great strides on all commitments. Almost all reporting countries have solid legal and institutional frameworks in place to ensure gender equality. However,
countries such as Egypt, Libya, Seychelles, and Swaziland without a full-fledge Ministry of Women/Gender Affairs should be encouraged to do establish one. In terms of best practice, Algeria’s insertion of Article 132 making all ratified international and regional instruments superior to national laws is definitely worth emulating.

Article 1- HIV/AIDS and Other Related Infectious Diseases

260. Notwithstanding the gains achieved in reducing the HIV/AIDS prevalence rate and incidence of malaria and tuberculosis infection, the indicators are still high and threatening. More attention should be on adolescent sensitisation and gender and human rights issues within HIV/AIDS prevention and care. Most of the challenges and constraints reported certain around socio-cultural beliefs and attitudes on issues of girdd-child marriages, teenage pregnancy, sexual abuse and exploitations as major threats that can increase women and girls vulnerabilities to HIV/AIDS infection.

261. In terms of best practice, Gabon’s creation of a Ministry for HIV/AIDS prevention is a good example.

Article 2- Peace and Security

262. This Article is widely misunderstood. The African Union needs to engage more at the country level explaining what it means and what the implementation of UN resolution 1325 means. Ghana is the only non-post war country to have a National Action Plan on resolution 1325.

Article 3- Child Soldiers

263. Although all reporting countries have signed one or more international/regional instrument on the rights of the child, with the exception of The Gambia, they have not domesticated the provisions to ensure adequate protection of children. Lack of adequate funding and trained personnel to engage in active community outreach programmes to sensitisation families on child exploitation and abuse is a major constraint that has been identified.

Article 4- Gender-Based Violence

264. Sexual and gender-based violence and trafficking have received considerable attention and implementing measures ranging from legal reforms protect the rights of women from violence, to the provision of safe houses and counselling services for victims of violence have been initiated. However, countries like the Republic of Benin and The Gambia should be urged to enact specific legislatios on gender-based violence.

265. Some of the constraints that have been identified include, lack of specific legislation in The Gambia, the existence of constitutional provisions sanctioning the application of customary laws continues to provide justification for proponents and
practitioners of harmful traditional practices, prevalence of early and forced marriages and ingrained socio-cultural perception of violence in the society.

Article 5- Gender Parity Principle

266. Even though none of the reporting countries has adopted the AU gender parity principle, the movement for the application of a gender quota in politics and decision-making spaces is definitely part and parcel of African political life. Niger should be commended for taking the bold move beyond the 30 per cent representation mould that most countries are advocating. The Ghana government should be commended for proposing to appointment a minimum of 40 per cent women in decision-making positions.

267. The major constraint/challenge reported relates to continued socio-cultural beliefs and practices, like patriarchy which continue to hinder the full acceptance of women and their participation in leadership positions.

Article 6- Women’s Human Rights

268. The protection and promotion of women’s human rights is acknowledged by all reporting countries. International/regional instruments such as CEDAW, the Women’s Bill of Rights and has been ratified but has not been domesticated by any country. National legislations have also been enacted. The popularisation and translation of CEDAW into local languages in Burkina Faso and Nigeria and the SADC Gender and Development Protocol by Lesotho are acknowledged as steps in the right direction in making women’s human rights part and parcel of everyday discourse.

269. Again, ingrained socio-cultural beliefs on the role and place of women in society have been identified as the major stumbling block in the implementation of this article.

Article 7- Land, Property and Inheritance Rights

270. The plethora of laws granting women’s recognising women’s equal land, property and inheritance rights has failed to changed socio-cultural beliefs on the issue.

271. As in Articles and 5 and 6, socio-cultural attitudes on gender equality make it impossible for women to enjoy property rights.

Article 8- Education

272. The provision of free and compulsory education has not bridged the gender gap in education. Girls continue to lag behind boys at levels of the educational sector especially at the higher levels.

273. The Retention of girls at the upper basic, senior secondary and tertiary levels still remains a challenge due to a number of factors including early and forced marriages,
teenage pregnancy, poverty, and preference for continued education of boys at the higher level.

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

IV. CONCLUDING COMMENT

274. The 23 Country Reports on the Implementation of SDGEA, while below 50 per cent minimum reporting rate is encouraging because it is the first time that the AU Commission has received this high returns from Member States. We hope to increase the number of reporting countries through more advocacy and engagement with our partners at the national level. While we are pleased that some countries have submitted their report more than once, our attention will be on countries that have not yet committed to the process.

275. The 23 Country Reports, mentioned earlier, show a strong commitment to realising the goals of the SDGEA as laws have been enacted or reviewed, policies formulated and measures implemented as part of the process. These achievements have however been stifled by strong socio-cultural attitudes on the role and place of women in the society.
“We are determined to deal once and for all with the scourge of conflicts and violence on our continent, acknowledging our shortcomings and errors, committing our resources and our best people, and missing no opportunity to push forward the agenda of conflict prevention, peacemaking, peacekeeping and post-conflict reconstruction. We, as leaders, simply cannot bequeath the burden of conflicts to the next generation of Africans.” (Paragraph 9 of the Tripoli Declaration of 31 August 2009).