



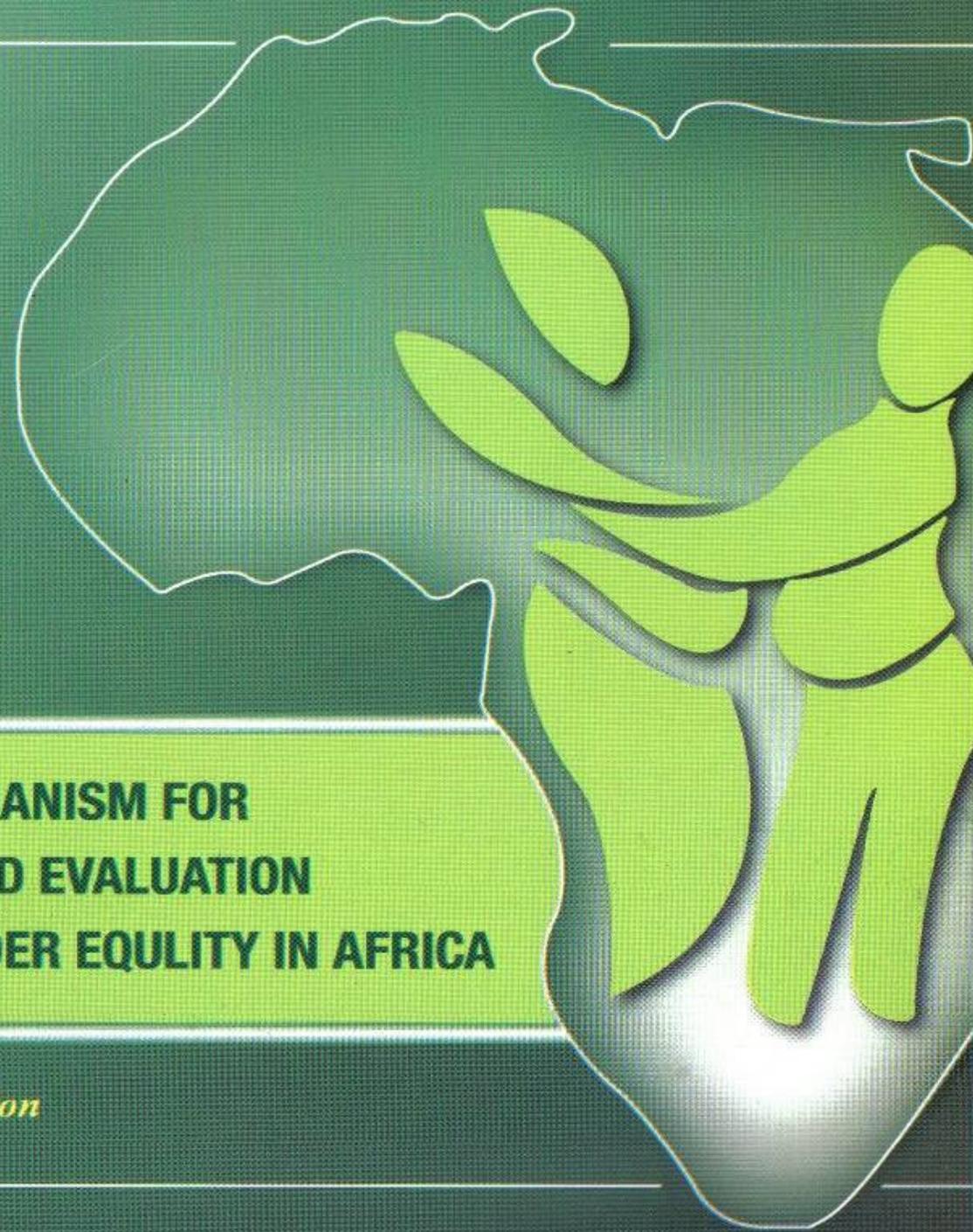
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**CIVIL SOCIETY'S GUIDELINES AND MECHANISM FOR  
THE IMPLEMENTATION, MONITORING AND EVALUATION  
OF THE SOLEMN DECLARATION ON GENDER EQUITY IN AFRICA**

■ *From Solemn declaration to Solemn implementation*



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## I. INTRODUCTION

The African Union (AU) embarked on a new chapter of moving forward the gender equality agenda in Africa, following the expressed commitment taken by Heads of State and Government on gender parity. In July 2004, the AU, under the leadership of Alpha Oumar Konaré, President of the AU Commission, adopted the *Solemn Declaration on Gender Equality in Africa* (SDGEA) at its Summit meeting in Addis Ababa. **For the first time in history, a continental organization took ownership of gender mainstreaming** at the highest level, prioritizing issues such as HIV/AIDS, the recruitment of child soldiers, and the implementation of gender-specific economic, social, and legal measures, amongst others. The Declaration calls for the continued implementation of gender parity in the AU and at national level, the ratification of the *Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa*, and the protection of women against violence and discrimination.

Furthermore, African leaders dedicated a large portion of the Summit to a dialogue on gender equality and **incorporated the African Women's Committee on Peace and Development (AWCPD) into its mechanisms** – another milestone for women's effective participation was achieved, building upon the campaign for gender mainstreaming and the principles of women, peace and security as **enshrined in Resolution 1325 (2000) of the United Nations Security Council**.

The work to mainstream gender in continental organizations has been, and continues to be, a long process. **For years, Femmes Africa Solidarité (FAS) in collaboration with AWCPD has worked to bring a gender perspective to the continent's agenda,**

specifically as the Organization of African Unity (OAU) was transformed into the AU. This work began in Lomé, Togo in July 2000 with the adoption of the Constitutive Act of the AU and continued thereafter with a **series of meetings aimed at pushing forward the agenda of increasing the inclusion of women at the decision-making level.**

FAS and AWCPD also organized a vigorous campaign for gender mainstreaming involving many African women's networks. This resulted in the **adoption of the principle of gender parity within the AU** and the "Durban Declaration on Mainstreaming Gender and Women's Effective Participation in the African Union".

Initiated by AWCPD and FAS and hosted by the African Centre for the Constructive Resolution of Disputes (ACCORD), **the Durban Consultation formed part of a major drive to push forward a new agenda for gender mainstreaming** with a "Strategic Consultation on Mainstreaming Gender and Women's Effective Participation in the African Union" held on the eve of the inauguration of the AU in Durban in 2002. The Consultation culminated in the adoption, by the new network, of the "Durban Declaration on Mainstreaming Gender and Women's Effective Participation in the African Union." **The Declaration was brought to the Committee of Ambassadors and the Council of Ministers.**



At the Session of the Heads of State and Government in Durban in July 2002, President Abdoulaye Wade of Senegal put forward a gender parity proposal based on the Consultation's recommendations to the Assembly. With President Thabo Mbeki of South Africa, the Chair of the Session, firmly supporting President Wade's decision, **the Assembly embraced the recommendations of the Durban Declaration and unanimously adopted a gender parity principle in the Statutes of the AU Commission.** This was truly a historic achievement, as the voices of African women had never been effectively represented at the continental body.

While the adoption of the gender parity principle by the Heads of State Assembly in Durban was a landmark event, those pushing for gender mainstreaming did not rest on their laurels. Rather, **they mobilized to build on their successes.** Momentum for the gender agenda only grew; and a series of meetings envisioned even more ambitious and progressive action.

To follow up on the Durban Declaration, FAS organized a strategic planning conference in Dakar, Senegal in April 2003. The conference brought together the network created in Durban in order to devise strategies for the institutionalization of a coordinating mechanism to further the goals of the gender mainstreaming campaign. **A strategic plan of action, the “Dakar Strategy,” was adopted at the conclusion of the conference and presented to President Wade of Senegal.** The Dakar conference proved a valuable opportunity to decide which organization would lobby where, in preparation for the next AU Heads of State and Government Summit.

The Durban Declaration and Dakar Strategy formed the basis of the Maputo Women’s Pre-Summit in June 2003, organized by the Foundation for Community Development (FDC), in collaboration with FAS and under the leadership of Madam Graça Machel. The Pre-Summit produced the “Maputo Declaration.” FAS and members of AWCPD initiated a **discussion with candidates for the post of Commissioner of the AU with the aim of establishing a shared vision.** At the Second Ordinary Session of the Assembly of Heads of State and Government of the AU in Maputo, July 2003, Africa saw its **first visible achievement in complete gender parity in the AU Commission, with the election of five female Commissioners out of ten.** Moreover, the AU adopted the *Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa* and further dedicated itself to the elaboration of an AU policy and management system for gender mainstreaming.

Tangible results were realized at the Maputo Summit and the AU committed itself to incorporating gender mainstreaming further. Under the leadership of H.E. Alpha Oumar Konaré, Chairperson of the Commission, the AU set up an **internal expert group to determine thematic priority areas for gender mainstreaming in**

**Africa.** H.E. Konaré asked members of FAS and AWCPD to consult on this process. The expert group highlighted gender mainstreaming priority areas such as economic empowerment, human rights, education, health and governance/peace/security. With priority issues in hand, the expert group met with Heads of State in Africa to sensitize them on the priorities and prepare them for the Gender Debate at the upcoming Heads of State and Government Summit to be held in July 2004 in Addis Ababa.



In collaboration with the AU, FAS organized a two-day Consultative Meeting to share and discuss the AU Gender programme with a wide network of influential women prior to the AU Summit in July 2004. The meeting briefed women on gender developments within the AU

and permitted them to bring their contribution to the draft Declaration produced by the expert group. **The adoption of the Solemn Declaration on Gender Equality in Africa at the subsequent AU Summit meeting is a testimony to the hard work and investments of these women.**

In order to consolidate the gains and advances made in the gender agenda, FAS together with the Africa Leadership Forum (ALF) and the Women, Gender and Development Directorate of the AU, jointly organized a two-day Pre-Summit Consultative Meeting in Abuja, in January 2005. At the subsequent Pre-Summit in Tripoli, in July 2005, women's groups involved in the campaign for gender parity adopted a document entitled **"The Civil Society's Guidelines and Mechanism for Implementation, Monitoring and Evaluation of the Solemn Declaration on Gender Equality in Africa"** and created the **"Gender is my Agenda"** Campaign to be coordinated by FAS.

Another Consultative Meeting was organized in October 2005 in preparation for the First Conference of African Ministers for Gender and Women's Affairs, which was held in October in Dakar. The participants adopted the **Dakar Commitment and presented it to the Conference of Ministers of Gender and Women's Affairs which adopted the Commitment in its final document.** The participants acknowledged their **collective responsibility** to campaign through the Gender is my Agenda Campaign for implementation of the Solemn Declaration and decided to annually deliver **shadow reports** on the implementation process at the national and regional levels. The appointment of regional and thematic focal points was also reinforced.

The series of Consultative Meetings were followed by several high-level events on gender issues to which civil society organizations

were invited to contribute. This process helped to **cement the partnership between civil society and other stakeholders.** These included the AU Technical Consultation in Addis Ababa, in May 2005; the NEPAD Gender Task Force meeting in Johannesburg, in July 2005, the meeting of Women Pan-African Parliamentarians in Africa, in Tripoli, September 2005 and the First African Union Conference of Ministers responsible for Women and Gender, in Dakar in October 2005.



The 8<sup>th</sup> Pre-Summit Consultation held in Banjul, June 2006, organized by FAS and ACDHRS, **officially launched the Gender is My Agenda Campaign.** In addition to disseminating the Solemn Declaration to a wide women's audience, the meeting also reinforced advocacy on gender mainstreaming at all levels. The

Banjul Call for Action adopted by the Gender is My Agenda **formed part of the AU Resolution on Gender adopted by AU Heads of State and Government** at the 7<sup>th</sup> Summit of the AU.

The Women, Gender and Development Directorate of the AU invited FAS to attend a consultation with civil society organizations (CSOs) in November 2006 to work out modalities of cooperation between CSO partners and the Gender Directorate in the annual monitoring of and reporting on the implementation of the Solemn Declaration. Given its experience organizing pre-summit consultations and its coordinating role of the Gender is My Agenda Campaign, **FAS was asked to coordinate the activities of civil society organizations during AU Summits.**



Within this context and with the support of the **Open Society Initiative for West Africa (OSIWA)**, members of the Gender is My Agenda Campaign met again in Addis Ababa in January 2007 at the 9<sup>th</sup> Pre-Summit Consultation, hosted by the African Centre for Gender and Development (ACGD) of the UN Economic Commission for Africa (ECA) prior to the 8<sup>th</sup> Ordinary Session of the AU Assembly of Heads of State and Government. During this event, **civil society organizations presented their shadow reports on the implementation of the Solemn Declaration** after reviewing the Chairperson's 2nd Progress Report on the Implementation of Solemn Declaration on Gender Equality in Africa and the Synthesis of Reports from Member States on the Implementation of the AU Solemn Declaration on Gender Equality in Africa. The meeting also adopted the Addis Call for Solemn Implementation.

The adoption of the SDGEA was a landmark event. However, its true importance will not be realized until all **African women are aware of its existence and are able to use it as a tool** for making African member states accountable to their commitments, as well as for promoting their rights, including their right to participate in building peace and security for, and development of, the continent.

In this regard, the present Guidelines have been developed by civil society organizations as an instrument for monitoring, evaluating and reporting on the implementation of the SDGEA.

The Pre-Summit Consultative Meetings will continue to be one of the **key platforms to advocate for gender within the AU and other mechanisms at all levels** in order to reach grassroots women and give visibility to the Gender is My Agenda Campaign.

## **II. THE SOLEMN DECLARATION ON GENDER EQUALITY IN AFRICA**

We, the Heads of State and Government of Member States of the African Union, meeting in the Third Ordinary Session of our Assembly in Addis Ababa, Ethiopia, from 6-8 July 2004:

**Reaffirming** our commitment to the principle of gender equality as enshrined in Article 4 (l) of the Constitutive Act of the African Union, as well as other existing commitments, principles, goals and actions set out in the various regional, continental and international instruments on human and women's rights, including the Dakar Platform for Action (1994), the Beijing Platform for Action (1995), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW - 1979), the African Plan of Action to Accelerate the Implementation of the Dakar and Beijing Platforms for Action for the Advancement of Women (1999); the Outcome Document of the Twenty-third Special Session of the United Nations General Assembly Special Session on the Implementation of the Beijing Platform for Action (2000); UN Resolution 1325 (2000) on Women, Peace and Security; and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003);

**Standing** by our Decision on gender parity taken at the Inaugural Session of the AU Assembly of Heads of State and Government in July 2002 in Durban, South Africa implemented during the Second Ordinary Session of the Assembly in Maputo, Mozambique, 2003 through the election of five female and five male Commissioners;

**Noting with satisfaction** that our Decision on gender parity is a historic achievement that does not yet exist in any other continent or regional organization;

**Re-affirming** our commitment to continue, expand and accelerate efforts to promote gender equality at all levels;

**Determined** to build on the progress that we have achieved in addressing issues of major concern to the women of Africa;

**Taking cognizance** of the landmark decision to adopt the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa during the Second Ordinary Session of the Assembly in Maputo, Mozambique, 2003;

**Noting** the decision of the Chairperson of the African Union Commission to transform the African Women's Committee on Peace and Development (AWCPD) into the African Union Women's Committee (AUWC), which will be located in the Gender Directorate and serve as an Advisory Body to the Chairperson on Gender and Development;

**Recognizing** that major challenges and obstacles to gender equality still remain and require concerted and collective leadership and efforts from all of us including networks working on gender and development;

**Deeply concerned** about the status of women and the negative impacts on women of issues such the high incidence of HIV/AIDS among girls and women, conflict, poverty, harmful traditional practices, high population of refugee women and internally displaced women, violence against women, women's exclusion from politics

and decision-making, and illiteracy, limited access of girls to education;

**Aware** of the policies and programmes we have put in place to curb the spread of HIV/AIDS pandemic as well as the current challenges in this campaign;

**Concerned** that, while women and children bear the brunt of conflicts and internal displacement, including rapes and killings, they are largely excluded from conflict prevention, peace-negotiation, and peace-building processes in spite of African women's experience in peace-building;

**Aware** the fact that low levels of women's representation in social, economic and political decision-making structures and feminization of poverty impact negatively on women's ability to derive full benefit from the economies of their countries and the democratization process;

**Aware** of the digital divide between the North and the South, men and women, and the role of information telecommunication technologies (ICTS) in the advancement of the gender issue as stated in the e-gender Forum Declaration of Tunis, May 2004 in preparation for the World Summit on Information Society (WSIS) 2005;

#### **HEREBY AGREE TO:**

**1. 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 of HIV persons, particularly women; increase budgetary allocations in these sectors so as to alleviate women's burden of care;

**2. Ensure** 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 also appoint women as Special Envoys and Special Representatives of the African Union;

**3. Launch,** within the next 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;

**4. Initiate, launch and engage** 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 behavior of the African society;

**5. Expand and Promote** the gender parity principle that we have adopted regarding the Commission of the African Union to all 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;

**6. Ensure** 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;

**7. Actively promote** the implementation of legislation to guarantee women's land, property and inheritance rights, including their rights to housing;

**8. Take** 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);

**9. Undertake 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;

**10. Establish** AIDS Watch Africa as a unit within the Office of the Chairperson of the Commission who should render annual report on HIV/AIDS situation in the continent during annual Summits; and promote the local production of anti-retroviral drugs in our countries;

**11. Accept to** establish an African Trust Fund for Women for the purpose of building the capacity of African women and further request the African Union Commission to work out the modalities for the operationalization of the Fund with special focus on women in both urban and rural areas;

**12. Commit ourselves to report 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;

**13. We request** the chairperson of the African Union Commission to submit, for our consideration, an annual report, during our ordinary sessions, on measures taken to implement the principle of gender equality and gender mainstreaming, and all issues raised in this Declaration both at the national and regional levels.

### III. THEMATIC CLUSTERS OF THE DECLARATION AND GUIDELINES

The Solemn Declaration can be divided in two sections. The first (paragraphs 1-11) contains actions on specific thematic areas while the second (paragraphs 12-13) addresses the reporting commitments of African Heads of States on gender mainstreaming efforts in the continent.

In order to effectively monitor the Solemn Declaration, the articles contained in the first section are assembled into six different thematic clusters as stated below:

- Governance
- Peace and Security
- Human Rights
- Health
- Education
- Economic Empowerment

While AU member States adopted Guidelines for reporting on the AU SDGEA in Dakar in October 2005, CSOs have developed their own reporting guidelines with specific Actions, Targets and Indicators. Nevertheless, reports submitted by States are taken into account by Civil Society Organizations in their reporting process.

#### CLUSTER 1: GOVERNANCE



#### ARTICLE 5:

**Expand and promote the gender parity principle that we have adopted regarding the Commission of the African Union to all 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.**

### **Objectives**

- The principle of gender parity is applied by AU, NEPAD and RECs at all levels
- The principle of gender parity is applied by national parliaments and political parties
- The Gender Directorate in the AU is functioning and effective
- The African Union Women's Committee is functioning and effective

### **Actions**

- Train women for transformative leadership
- Compile a comprehensive directory of African women leader
- Advocate for the setting up of a documentation center in the AU Commission on Gender
- Develop a monitoring and evaluation framework

### **Indicators**

- Number of women in decision making bodies in AU organs and other bodies
- Gender parity in the AU by 2015

### **Focal Point**

- Africa Leadership Forum (ALF)

## **CLUSTER 2: PEACE AND SECURITY**



### **ARTICLE 2:**

**Ensure 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.**

### **Objectives**

- A group of women mediators and Special Envoys and Representatives is established for an effective and equal participation in peace processes
- Partnership is built between the AU Peace and Security Council and Civil Society
- The Resolution 1325 (2000) of the UN Security Council is popularized among grassroots populations
- Public awareness on humanitarian laws is increased

### **Actions**

- Organize training for women peace builders and peacekeeping forces
- Develop a comparative database on gender participation in peace processes at national and regional levels
- Organize advocacy visits to appropriate governance institutions in order to increase women's participation in peace processes
- Share best practices and success stories of women in peace building and conflict resolution
- Develop a monitoring and evaluation framework

### **Indicators**

- Number of women appointed as Special Envoys, Representatives and Rapporteurs for the AU on prevention, resolution, management of conflicts and post-conflict reconstruction
- Number of women appointed as head peace negotiators by 2007

- Increased level of gender parity and participation reflected at the national and regional initiatives, dialogues and actions on peace
- Inclusion of Gender Unit in Peacekeeping missions

**Focal Points**

- Femmes Africa Solidarité (FAS)
- African Center for Constructive Resolution of Disputes (ACCORD)
- Safer Africa

### **CLUSTER 3: HUMAN RIGHTS**



#### **ARTICLE 3:**

**Launch, within the next 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;**

#### **ARTICLE 4:**

**Initiate, launch and engage 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;**

#### **ARTICLE 9:**

**Undertake 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;**

## **Objectives**

- Increased public awareness on issues of women's rights and gender-based violence
- The instruments for the promotion of women rights in Africa are fully incorporated into national legislation
- The Protocol to the African Charter on Human and Peoples' Right on Women's Rights is popularized
- Legislation to end the phenomena of child soldiers and forbid exploitation of young girls as sexual slaves is adopted and fully implemented
- Mechanisms for monitoring are put in place within the AU as well as at national level

## **Actions**

- Disseminate and promote familiarization of the African Charter on Child Rights among the general public
- Organize public campaigns on child soldiers and exploitation of young girls as sexual slaves
- Advocate for the setting up of rehabilitation centers for child soldiers and young girl victims of sexual abuse
- Conduct public campaigns on issues of women's rights, gender-based violence - including female genital mutilation, trafficking and sexual slavery – for combating impunity of perpetrators
- Carry out sensitization training and education workshops for security personnel with a mandate on women's rights using the Protocol and CEDAW
- Translate the Protocol into local languages and disseminate it

- Build alliances with members of parliament to initiate and lobby for bills on women's rights to be passed by national legislative institutions
- Develop a monitoring and evaluation framework

## **Indicators**

- Number of national laws and legislations incorporating the principles of the African Charter by June 2006
- Number of new laws or amendments enacted to achieve women's rights
- Decrease in the number of child soldiers
- Number of member states having signed and ratified the Protocol
- Number of programs and actions for addressing the violation of women's rights and gender-based violence

## **Focal Points**

- Women in Law and Development in Africa (WiLDAF)
- African Centre for Democracy and Human Rights Studies (ACDHRS)

**CLUSTER 4: HEALTH**



**ARTICLE 1:**

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 Diseases. 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 of HIV persons, particularly women; increase budgetary allocations in these sectors so as to alleviate women's burden of care;

**ARTICLE 10:**

Establish AIDS Watch Africa as a unit within the Office of the Chairperson of the Commission who should render annual report on HIV/AIDS situation in the continent during annual Summits; and promote the local production of anti-retroviral drugs in our countries;

## **Objectives**

- Treatments and social services to HIV-positive women and women caregivers are provided, and resources are allocated
- Legislation to end discrimination against women living with HIV/AIDS and for the protection and care of HIV persons is adopted
- Increased budgetary allocation to the HIV/AIDS sectors

## **Actions**

- Organize sub-regional meetings with high-level policy makers on engendering national frameworks on HIV/AIDS prevention and management
- Conduct advocacy and lobbying missions on gender budgeting for HIV/AIDS
- Lobby national law makers to enact legislations to protect women living with HIV/AIDS
- Raise public awareness on preventive methods on HIV/AIDS and other related infectious diseases
- Advocate for setting up of mechanisms for care of HIV/AIDS orphans, and pregnant women
- Disseminate information on Abuja and Maputo Declarations on Malaria, HIV/AIDS, Tuberculosis and other Related Infectious Diseases
- Facilitate and promote access to facilities, information and services to protect women from the HIV/AIDS infection
- Develop a monitoring and evaluation framework

## **Indicators**

- Level of access of HIV-positive women to anti-retroviral drugs
- Number of local legislations that protect women living with HIV/AIDS
- Level of budgetary allocations made available to provide support and treatment for HIV-positive women and women caretakers
- Reduced number of deaths as a result HIV/AIDS, Malaria and other infectious diseases

## **Focal Points**

- Social Aspects of HIV/AIDS Research Alliance (SAHARA)
- Society for Women and AIDS in Africa (SWAA)
- Roll Back Malaria Network (RBM)

## CLUSTER 5: EDUCATION



### ARTICLE 8:

Take 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);

### Objectives

- Gender disparity in primary and secondary education is eliminated by 2005 and at all other levels no later than 2015
- Increased budgetary allocations to educational sector
- Increased access of women and young girls to science and technology

### Actions

- Promote and enact the principle of Education for All
- Share best practices on child education
- Raise public awareness on removal of cultural, financial and safety barriers to close gender gaps
- Develop a monitoring and evaluation framework

### Indicators

- Ratio of girls to boys in primary, secondary and tertiary education
- Ratio of literate females to males for 15 to 24 year olds

### Focal Points

- Forum for Africa Women Educationalists (FAWE)
- African Network for the Campaign on "Education for All" (ANCEFA)

**CLUSTER 6: ECONOMIC EMPOWERMENT**



**ARTICLE 6:**

**Ensure 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;**

**ARTICLE 7:**

**Actively promote the implementation of legislation to guarantee women's land, property and inheritance rights including their rights to housing;**

**ARTICLE 11:**

**Accept to establish an African Trust Fund for Women for the purpose of building the capacity of African women and further request the African Union Commission to work out the modalities for the operationalization of the Fund with special focus on women in both urban and rural areas;**

## **Objectives**

- Economic rights are adopted, promoted and implemented at the same level of Political and Civil rights
- Legislation to improve the implementation of women's rights to inherit land and property is adopted and fully implemented
- Constitutional reforms are conducted to redress existing discriminatory property ownership laws towards women
- Women's right to work, as well as their right to equal pay for equal work, are promoted
- The African Trust Fund for Women is operative

## **Actions**

- Organize training and mentoring workshops for young women on personal and economic empowerment
- Conduct public campaigns and talk shows on women rights to inherit property and land
- Lobby national legislators to enact legislations to promote and protect women's rights to housing, property and land
- Advocate for organizing consultation for modalities for establishing the Women's Trust Fund
- Raise public awareness on the removal of cultural barriers on women's right/access to land, property, and housing
- Raise public awareness on CEDAW and other international instruments on women's right to development
- Organize capacity building training to increase women's marketability in the employment sphere
- Develop a monitoring and evaluation framework
- Advocate for the recognition of the strict interdependency existing among economic, social and political rights

## **Indicators**

- Number of new legislations and land reforms that end discrimination against women
- Increased opportunities for women and girls for economic empowerment and access to affordable credit
- Percentage of women working at all levels in the job market

## **Focal Point**

- African Women's Development Fund (AWDF)
- Egyptian Business Women Association (EBWA)

#### **IV. MONITORING MECHANISMS OF THE SOLEMN DECLARATION**

The SDGEA has a unique operational framework: in fact, it is a continental commitment to gender equality with a peer review mechanism, including providing space for input from civil society.

Civil society has gone beyond contributing to the drafting of the “Implementation Framework” and “Guidelines for Reporting” as established during the African Union Conference of Ministers held in Dakar in October 2005. They are the leading document for implementing and monitoring state’s commitments on SDGEA.

As stated in the Guidelines for Reporting, the African Union Women’s Committee (AUWC) provides the opportunity to civil society to give its contributions through comments on reports submitted by states. On the basis of both the reports and the civil society comments, the AUWC will make concluding comments and recommendations to the Chairperson to be used in its final report.

Thus, the program of the AU Pre-Summit that took place in Abuja, Nigeria, in January 2005, comprised a large review of the Solemn Declaration on Gender Equality in Africa principles and discussions on civil society monitoring strategies to assess the implementation process led by the Member States.

Civil society organizations put in place the “Gender is my Agenda” Campaign formed of thematic, regional focal points and other organizations involved or interested in the SDGEA. All actors involved signed a Memorandum of Understanding, which shares responsibilities on thematic issues according to their area of

competence. Accordingly, regional focal points will contribute through their member organizations in data collection, while each thematic focal point will centralize data relevant to their monitored cluster. In addition, regional focal points may contribute through complementary reports on the African integration and challenges

On the basis of this monitoring activity, a shadow report will be issued prior to the AU Summit, providing a counterpart vision to the progress on the SDGEA compared with that provided by states.

The Women, Gender and Development Directorate, established in the Office of the Chairperson of the Commission for the promotion of gender equality through gender mainstreaming is another entry point for civil society organizations.

However, the action plans contained in the Solemn Declaration are not new goals or targets. Rather, the Declaration intersects with the existing national, regional and international frameworks. This strongly reinforces the existing framework.

The framework for civil society monitoring and evaluation mechanisms of the Declaration is the following:

A. National level

- **Shadow reporting:** Same reporting as used for CEDAW and Beijing Platform for Action.
- **Caucus Consultative Meetings and Review:** National CSOs and NGOs will strategize around their areas of interest within the Declaration priorities. They will be required to act as pressure groups to implement the Declaration. Input into the shadow report will not only be strengthened by the actions and reports from these groups but will also be a continual reminder of Governments to fulfill their commitments.
- **Creation of a National Civil Society Implementation and Monitoring Committee (NCSIM):** Membership of the committee will be made up of representatives from the caucus consultative meetings and review.
- **Issue Analysis Research:** This mechanism will be used at national levels to generate data and information on the direction of the implementation of the Declaration. Implementation of each priority will be measured according to the degree of achievement of the targets and the indicators as earlier mentioned in this paper. National NGOs and CSOs with strong experience and focus in research and development will lead this process and will be expected to provide realistic data.

B. Regional level

- **African Charter on Human and Peoples' Rights and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa:** the African Commission on Human and Peoples' Rights is in charge of monitoring and evaluating the application of the African Charter and nominate the Special Rapporteur on Women's Rights in Africa. The Civil Society Forum is organized prior to each session of the ACHPR.
- **African Peer Review Mechanism (APRM) of NEPAD:** There are similarities between this mechanism, UN Security Council Resolution 1325, and some of the priorities of the Declaration, such as priority 2 on involving women in peace processes. This mechanism can serve as an entry point and complementary implementation of the Declaration. The APRM comprises a consultation process with various stakeholders — among them CSOs which will have the opportunity to bring their own perspectives.
- **Women's Empowerment Index:** This mechanism is essentially a report on the Index on the Status of Women in Africa. The idea was a recommendation of the ninth annual international conference of the Africa Leadership Forum on Empowering Women for the 21<sup>st</sup> Century: The Challenge for Politics, Business, Development and Leadership held in Accra in January 1997. The report compiled data on gender gaps in various leadership, occupational and educational categories, and suggests two overall composite indicators as

a measure of national progress towards women's advancement – Self Reliance and Empowerment.

- **The Platform of the African Women's Forum:** This platform promotes dialogue and networking of Africa women on critical issues of concern for policy action. The platform could be utilized for discussion of the reports of the Heads of State and Government and could also offer a platform for mobilizing synergy and advancing cooperation for advocacy with regard to the implementation of the priorities of the Declaration.
- **AU organs, NEPAD and RECs level:** To verify the implementation of the principle of parity within AU, NEPAD, RECs, and other levels. Preparatory meetings, prior to AU Summits or NEPAD Gender Task Force can be used as a framework for the review of the implementation of the Solemn Declaration.
- **Gender Forum and African Gender Award:** The celebration every two years of the Gender Forum constitutes a platform for dialogue between African women and women from other continents. It can also be used for the monitoring and evaluation of the implementation of the Declaration and award the efforts of Governments, intergovernmental agencies, NGOs, or other private entities towards the realization of the principle of parity.

### C. International level

- **UN Convention of the Elimination of All Forms of Discrimination Against Women (CEDAW):** The Solemn Declaration contains many of the principles incorporated in the Convention and already monitored by it.
- **Beijing Platform for Action:** There are many similarities between the Platform and the Declaration. This call for action is coordinated at the UN level through the Division on the Status of Women (UNCSW) which already relies on civil society actions for monitoring and evaluation of the progress made towards strategic objectives contained in the platform.
- **The African Gender and Development Index (AGDI)** which ECA considers as a main item of its Report on Women in Africa, a component of the Economic Report on Africa and the Report on Governance. It may also serve as a common framework for evaluating the status of women across the continent.
- **The Millennium Development Goals (MDGs),** and more specifically, objective 3 on the promotion of gender equality and empowerment of women that calls for the elimination of gender disparity in primary and secondary education preferably by 2005, and at all levels by 2015, and also, objective 5 on the improvement of maternal health.
- **Security Council Resolution 1325 on Women, Peace and Security** adopted in October 2000, in which the Council underlined the vital role of women in conflict resolution, and mandated a review of the impact of armed conflict on women

and girls, the role of women in peacebuilding, and the gender dimensions of peace processes and conflict resolution.

## **V. FORMAT OF THE REPORT**

The shadow report should be concise, with about 10/15 pages for each thematic cluster with clear figures, statistics and indicators. It should include:

- Thematic areas covered and dates
- Responsible Focal Points and other contributing civil society organizations;
- Operational articles of the SDGEA;
- Targets, Actions and Indicators;
- Introduction
- Methodology used;
- Information on laws, policies, programs and mechanisms put in place by Member States;
- Reporting by theme could help comparative analysis to look into policy, programs, actions taken, progress made, as well as shortcomings and suggested recommendations.

Coordinating organization (FAS) is responsible for collecting each thematic report and for compiling the global shadow report for its submission to the AU.

## VI. CONCLUSIONS

Further to the Memorandum of Understanding (MOU) arising from the Tripoli Commitment for “Monitoring and Evaluation and Reporting on the Implementation of the Solemn Declaration on Gender Equality in Africa”, civil society organizations committed themselves to the following decisions:

- To take collective responsibility to accelerate the advocacy campaign for the implementation of Solemn Declaration;
- To increase networking activities aimed at implementing the Solemn Declaration by identifying a focal point organization in its thematic areas to facilitate further involvement of local, national and regional networks;
- To continue strengthening the various partnerships with the AU Directorate, AU Commission, the Economic, Social and Cultural Council of the AU (ECOSOCC), the Pan-African Parliament (PAP) other AU organs, the Regional Economic Communities (REC’s) and all international partners on the implementation of the Declaration;
- To consolidate and coordinate the various attempts by civil society organizations and networks to document the process of civil society that led to the adoption of the Declaration;
- To stimulate existing regional networks such as WAWA and initiate their formation where they do not **exist, in order** to take ownership of the process and mobilize support from national organizations;
- To document monitoring, evaluation and reporting on the Declaration according to the Monitoring and Evaluation Framework developed;
- To convene an Annual Women’s Civil Society Pre-Summit Consultative Meeting in July to inform each other on the progress made in the implementation of the Declaration;
- To develop an annual progress report by civil society organizations on the implementation of the Declaration;
- To mobilize human and financial resources to implement activities around the Declaration;
- To facilitate the process of reporting on the progress of implementation for input in the annual report on the Declaration by each thematic focal point
- To assume the responsibility to mainstream activities around the Solemn Declaration by each participating organization into its existing organizational work;
- For Femmes Africa Solidarité (FAS) to continue the coordinating role by fundraising and appointing programme personnel for gender mainstreaming in the AU;
- To fundraise by focal point organizations for specific activities in thematic areas and jointly raise funds for regional and continental activities.

## VII. PROFILES OF MEMBER ORGANIZATIONS

### *Advocacy for Women in Africa (AWA):*

The Advocacy for Women in Africa (AWA) was founded and incorporated in 1996 in Dar-Es Salaam, Tanzania, as a network for advocacy on women's issues on the African continent; Ambassador Gertrude Mongella is one of the founder members and its President. The aim of AWA is to create a strong voice for women on the issues of development, peace and equality. Many organizations had already been working in these areas, however AWA's main focus is on advocacy with the following activities: to create a forum for women to raise African women's concerns and influence decisions within major decision-making bodies in Africa; to facilitate contacts, provide a link and bring together people who are committed to speak for and with women in Africa; to promote actions for development, peace and equality with a gender focus; to interpret and analyze social economic and political trends in the continent and their impact on women's advancement and empowerment.

### *Africa Leadership Forum (ALF):*

The Africa Leadership Forum (ALF) is Africa's premier civil society and not-for-profit organization. It grew out of the need to assist in improving the capacity and competency of African leaders to confront development challenges. ALF has been at the forefront, working with and building the capacities of African women for leadership and development, which culminated in the creation of the Africa Women Forum (AWF). The Forum seeks to identify and establish a medium through which it can challenge ideas and create networking opportunities.

### *African Centre for Constructive Resolution of Disputes (ACCORD):*

The African Centre for Constructive Resolution of Disputes (ACCORD) is an international civil-society organization working throughout Africa to bring appropriate African solutions to the challenges posed by conflict on the continent. Recognized by the UN as a model for Africa, its reputation continues to grow and the knowledge and experience of the organization is often called on from as far a field as East Timor, Cyprus and Sao Paulo. ACCORD was founded in 1991.

### *African Centre for Democracy and Human Rights Studies (ACDHRS):*

The main objectives of the African Centre for Democracy and Human Rights Studies (ACDHRS) are to better compliment the work of the African Commission and to serve the entire African continent more efficiently in its unwavering mission of promoting human rights and democracy through training, action-oriented research, legal service, publications, documentation and networking.

### *African Network for the Campaign on "Education for All" (ANCEFA):*

The African Network for the Campaign on "Education for All" (ANCEFA) is a network aimed at promoting and reinforcing African civil society organizations in order to reinforce tools for advocacy and mobilization to facilitate access to free and valuable education for all. It uses the creation of networks and coalitions to help share experience and knowledge and to build stronger partnerships to better influence politics on very critical issues such as HIV/ AIDS.

***African Women's Development Fund (AWDF):***

The African Women's Development Fund (AWDF), which was established in June 2000, is the first Africa-wide fundraising and grant-making fund, which aims to support the work of organizations working to promote women's rights in Africa. The AWDF funds local, national, sub-regional and regional organizations in Africa working towards women's empowerment. The objectives of the AWDF are fundraising within and outside Africa, grant making on an Africa-wide basis, communicating the work and achievements of African women's organizations and providing technical assistance to grantees.

***Association de Lutte contre les Violences Faites aux Femmes (ACOLVF):***

Based in Brazzaville, Congo, the Association de Lutte contre les Violences Faites aux Femmes (ACOLVF) was founded in 1991 to lead action in support of changed behaviour towards women. Fully recognising that the rate of violence against women is increasing, the association works on the health effects of women victims of violence. It also provides support to adolescents and advises them on responsible sexual behaviour.

***Egyptian Business Women Association (EBWA):***

The Egyptian Business Women Association (EBWA) is a private non-profit organization formed in late 1997 by businesswomen to assist its members in running successful businesses. EBWA's mission is to empower Egyptian women to enter the private sector as entrepreneurs, educate them about their legal rights, promote their business interests and provide them with the knowledge and tools to run a successful operation. EBWA actively campaigns for women's rights, researches and reports on women's economic issues, and

publicizes positive aspects of women's participation in the private sector.

***Femmes Africa Solidarité (FAS):***

Since its inception in 1996, FAS has been working to foster, strengthen and promote the leadership role of women in conflict prevention, management and resolution on the African continent. As one of the founding members of the African women's peace movement, the work of FAS is set in the context of a wider campaign to protect and promote women's human rights in Africa. The International Secretariat in Geneva and New York Liaison Office influence and participate in decisions on women at the international level. The Regional Bureau for Africa in Dakar, Senegal advocates for gender equity and mainstreaming in the programmes and policies of regional and national bodies. FAS also works to build the capacity of women's grassroots organizations through solidarity and evaluation missions and advocacy and capacity building training in partnership with the African Union (AU), UN agencies and women's groups. FAS has Consultative Status with the United Nations Economic and Social Council (ECOSOC) and Observer Status with the African Commission on Human and People's Rights (ACHPR). It is also a member of the New York based NGO Working Group on Women, Peace and Security, which monitors implementation of Resolution 1325.

***Forum for Africa Women Educationalists (FAWE):***

The Forum for African Women Educationalists (FAWE) was created in 1992 as a response to the slow pace of implementation of Education for All goals in sub-Saharan Africa. FAWE was registered in Kenya as a Pan African NGO in 1993 with a Secretariat in Nairobi. Since then, it has grown into a network of thirty-three national chapters with a wide range of membership that

includes women policy makers and male ministers of education who are associate members. FAWE seeks to ensure that girls have access to school, complete their studies and perform well at all levels.

***Foundation for Community Development (FDC):***

The Foundation for Community Development (FDC) is a civic organization with no political party affiliation, which seeks to join together the forces of all sectors of society in achieving an ideal for development, democracy and social justice. The Foundation is based on the conviction that poverty is not inevitable; it is the result of a complex mechanism of marginalizing and exploiting the poor; of feeble publicity for scientific and technical knowledge and appropriate technologies; of a system of access to resources which those social strata who do not benefit from education and involvement in formal institutions of society and the economy find hard to use. This series of factors has a negative impact on people's attitude to nature and life and also prevents them from using the resources that are already available for their own benefit in a sustainable way. These structural and psychological obstacles are the root of the poverty that the FDC seeks to combat.

***Roll Back Malaria Network (RBM):***

The Roll Back Malaria Network (RBM) was launched in 1998 by the World Health Organization (WHO), the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP) and the World Bank to provide a coordinated global approach to fighting malaria. The RBM Partnership's goal is to halve the burden of malaria by 2010. A key role of the RBM Partnership is to lead continuing advocacy campaigns to raise awareness of malaria at the global, regional, national and community levels, thus keeping malaria high on the development agenda, mobilizing resources for malaria control and for research into new

and more effective tools (including a vaccine), and ensuring that vulnerable individuals are key participants in rolling back malaria.

***Safer Africa***

Safer Africa is an international independent not-for-profit organization operating in Africa and Latin America since 2001. It aims to provide technical assistance and support to continental, regional and national organizations and governments in the South that will assist in the implementation and delivery of key policies in the field of peace, security, safety and good governance. It works with a broad vision of safety, security and development that allows its peace, safety and governance work to act as a multiplying force for sustainable development.

***Social Aspects of HIV/AIDS Research Alliance (SAHARA):***

The Social Aspects of HIV/AIDS Research Alliance (SAHARA) programme seeks to facilitate the sharing of information and experience and to encourage collective and coordinated responses for the HIV/AIDS pandemic. It focuses its studies on sensitive unexplored issues related to social aspects of HIV/AIDS in Western Africa.

***Society for Women and AIDS in Africa (SWAA):***

The Society for Women and AIDS in Africa (SWAA) is an opportunity to define new strategies to preserve the dignity of African women. It follows the global objective of taking into account numerous factors that influence the impact of HIV/AIDS activities in Africa including gender, sexuality, community involvement, NGO capacity, communications tools, stigma and discrimination, human rights, and programme sustainability. It is in charge of developing and implementing effective programmes that address these determinants. It seeks to mobilize African

communities at the grassroots level and to establish national policies and strategies for AIDS control among women in Africa.

***Tunisian Mothers' Association (TMA):***

The Tunisian Mothers' Association (TMA) provides medical and legal services; it receives, sensitizes and advises maiden mothers; it offers a peaceful welcoming space for mothers from abroad and inside the country. The association also conducts operational researches and studies on mothers' conditions, children and the family and organizes national, regional and international seminars, meetings, workshops and forums. Among its major objectives are the mobilization of information and social mobilization all over the country, using interpersonal communication means through home visits and immediate services for rural illiterate and needy mothers. The association organizes multidisciplinary caravans aimed at solidarity creation and counselling of mothers in need.

***West African Women Association (WAWA):***

The West African Women Association (WAWA) is responsible for mobilizing women in order to ensure the gender mainstreaming of all programmes related to setting up integration processes on the African continent. Its actions cover all country members of the Economic Community of West African States (ECOWAS).

***Women in Law and Development in Africa (WiLDAF):***

At the time of the launching of Women in Law and Development in Africa (WiLDAF), the network consisted of representatives from fifteen countries. The membership then reached ninety individual members and forty organizations. WiLDAF's membership now comprises over 600 organizations, 3,500 individuals in thirty-one countries in Africa, with country networks in twenty-six countries. To date, country networks have been set up in Benin, Botswana,

Burkina Faso, Cameroon, Cote D'Ivoire, Ethiopia, Ghana, Guinea, Kenya, Lesotho, Liberia, Malawi, Mali, Mauritius, Mozambique, Namibia, Nigeria, Senegal, South Africa, Sudan, Swaziland, Tanzania, Togo, Uganda, Zambia and Zimbabwe. WiLDAF was set up in recognition of the importance of creating a critical mass to speak with one voice and increase pressure for change to enable women to take their rightful place in society. WiLDAF has been involved in initiating a number of programmes which bring women's rights and advocacy groups together at national, sub-regional and Pan-African levels in various forums.

## APPENDIXES:

1. The Durban Declaration
2. The Dakar Strategy
3. The Maputo Declaration
4. Women's Contribution to the Declaration on Mainstreaming Gender in the African Union
5. The Abuja Consensual Agreement
6. The Tripoli Commitment
7. The Dakar Commitment
8. The Banjul Call for Action
9. The Addis Call for Solemn Implementation
10. The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa
11. United Nation Security Council Resolution 1325 (2000)

## Appendix 1: The Durban Declaration



OAU

**AFRICAN WOMEN COMMITTEE  
ON PEACE AND DEVELOPMENT**



ECA

### **DURBAN DECLARATION ON MAINSTREAMING GENDER AND WOMEN'S EFFECTIVE PARTICIPATION IN THE AFRICAN UNION**

We, representatives of African civil society organisations, working on gender and development issues and meeting on the eve of the launch of the African Union, in a consultation on *Mainstreaming African Women's Vision and Effective Participation in the African Union*, organised by the African Women's Committee for Peace and Development (AWCPD) in collaboration with Femmes Africa Solidarité (FAS) and the facilitation by the African Centre for Constructive Resolution of Disputes (ACCORD) held in Durban, South Africa, from 28 to 30 June 2002, in accordance with the Council of Ministers Resolution CM/Dec.579 (LXXIII 3) (February 2001, Tripoli, Libya);

**Welcoming and Congratulating** our Heads of State and Government on their decision and commitment to establish the African Union, to adopt the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) and the New Economic Partnership for African Development (NEPAD) programmes, as well as the efforts made towards the elaboration of

the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa;

**Recognising** African governments' commitment to gender equality and women's empowerment as enshrined in the Constitutive Act of the African Union, Article 4(1); in national, regional and international instruments – particularly the *Dakar and Beijing Platforms for Action, the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW)* – and other relevant decisions of the OAU Council of Ministers calling for consultation on the participation of women in the African Union;

**Acknowledging** the commitment of OAU/AU to involve African Civil Society Organisations (CSOs) in Africa's development, which led to the OAU/CSOs meetings in June 2001 and June 2002;

**Building upon** the OAU Workshop on Gender Mainstreaming in the African Union, held at the OAU General Secretariat from 25 to 27 May 2002;

**Convinced** that African women must seize the opportunity provided by the historical moment of the launching of the African Union to ensure their full and effective participation in its operationalisation;

**Reaffirming** African women's commitment to building strategic partnerships at all levels in these processes;

**Reaffirming** the importance of integrating a gender perspective in all policies, programmes and projects in line with Article 4 (1) of The Constitutive Act of the African Union;

**Hereby urge the 76<sup>th</sup> Ordinary Session of the Council of Ministers to consider and recommend to the 38<sup>th</sup> Ordinary Session of the Assembly of Heads of State and Government of the OAU to adopt the following:**

**I- On the African Union (AU):**

1. Appointment of a Commissioner with an exclusive mandate on gender issues, equipped with adequate financial, human and material resources, for effective gender mainstreaming in the African Union;
2. Establishment of a specialised Technical Committee on Gender in accordance with Article 14 of the Constitutive Act of the African Union;
3. Operationalization of the African Women's Committee on Peace and Development (AWCPD), established by the OAU in 1998, in the African Union, given its strategic role in Peace and Security in Africa;
4. Inclusion of a pan African women's network in the Working Group for the elaboration of the ECOSOCC Protocol; and,
5. Guarantee a gender balance in all the organs of the African Union within a reasonable timeframe.

**II- On the New Economic Partnership for African Development (NEPAD):**

1. Establishment of a clearly defined mechanism for African women's representation within the implementation, monitoring and evaluation of NEPAD;

2. Creation and the operationalisation of a Gender Technical Committee under the activities of the Programme;
3. Incorporation of a primary focus on eliminating all forms of discrimination against women in Africa under the section on “Conditions for Sustainable Development” of the Programme; and,
4. Incorporation of gender mainstreaming in sectorial priorities, goals and strategies of the NEPAD in line with the Dakar and Beijing Platforms for Action and the CEDAW;

**III- On The Conference On Security, Stability, Development And Cooperation In Africa (CSSDCA)**

1. Development of an appropriate framework for African women’s participation in the monitoring and evaluation mechanism of the CSSDCA;
2. Incorporation of gender mainstreaming in the conceptualisation and gender balance in the composition and operational modalities of the CSSDCA Unit and in the identification of national and regional focal points; and,
3. Adoption of a systematic monitoring mechanism as a means for ensuring compliance of African States with the Dakar and Beijing Platforms for Action, CEDAW and the United Nations Resolution 1325 on Women, Peace, Security and HIV/AIDS.

**IV- On the Draft Protocol to the African Charter on Human and Peoples’ Rights on The Rights of Women in Africa**

1. Adoption of appropriate measures to ensure the effective participation of appropriate Government experts, with legal

background including women, in the Second Experts Meeting on the Protocol to the African Charter on the Rights of Women in Africa;

2. Adoption of strategic measures to ensure the effective participation of appropriate Ministers at the Ministerial Meeting on the Protocol following the Experts Meeting;
3. Ensure the conformity of the Protocol with existing standards set in regional and international instruments on gender equality and women’s empowerment; and,
4. Expedient adoption, ratification and enforcement of the Draft Protocol.

In the light of the foregoing, we, the representatives here present, hereby

**Pledge** our commitment to fully support these commendable initiatives of the OAU and to work in strategic partnership to promote the ideals and principles of The African Union (AU); and,

**Resolve** to disseminate and popularise the provisions of the African Union, NEPAD, CSSDCA, the Protocol and other African political, economic, social and cultural development initiatives.

**Done in Durban, South Africa on 30 June 2002**

**PARTICIPANTS**

1. African Centre for Constructive Resolution of Disputes (ACCORD)
2. African Centre for Democracy and Human Rights Studies (ACDHRS)

3. African Commission on Human and Peoples' Rights (ACHPR)
4. Africa Leadership Forum (ALF)
5. African Women's Committee on Peace and Development (AWCPD)
6. African Women's Development and Communication Network (FEMNET)
7. Commission on Gender Equality – South Africa (CGE)
8. Comité National Femmes et Développement – DRC (CONAFED)
9. Femme Africa Solidarité (FAS)
10. OAU Women, Gender and Development Division
11. Women in Law and Development in Africa (WiLDAF)

## Appendix 2: The Dakar Strategy

### **Dakar Strategy On Mainstreaming Gender And Women's Effective Participation In The African Union & Nepad**

We representatives of African civil society organizations and government working on gender and development issues participating in the consultation on *Mainstreaming Gender and Women's Effective Participation in the African Union and NEPAD* organized by Femmes Africa Solidarité from April 24-26, 2003 in Dakar, Senegal:

**Welcoming** and **recognizing** our Heads of States and Government on their decisions taken in Durban in July 2002 on gender mainstreaming in the African Union. We note with appreciation that Article 6 of the Statutes. Rule 39 of the Rules of Procedure (RoP) of the Assembly provides that at least one Commissioner from each region shall be a woman that will lead to 50 percent representation of women at the AU Commission.

**Further recognizing** the establishment of a Gender Directorate in the Chairperson's Office to mainstream gender in all the portfolios of the Commission according to Article 12 of the Statutes as well the provision under Article 18 of the Statutes calling for gender equality in the recruitment of senior, professional and technical staff in the Commission;

**Recalling** the decision of the Heads of State and Government to ensure gender parity within the African Union, taking note of the upgrading of the Gender Division into a Directorate within the Office of the Interim Commissioner;

**Noting** with concern that the Gender Directorate is severely under-resourced both financially and in terms of human resources, thus constraining the process of gender mainstreaming in the African Union;

Also **noting** the decision AHG/Dec. 175 (XXXVIII) of the Assembly which approved the Memorandum of Understanding (MOU) on Security, Stability, Development and Cooperation (CSSDCA) as a policy development forum, a framework for the advancement of common values and as a monitoring and evaluation mechanism of the African Union.

Further **noting** that under indicators 22 and 27 of the MOU calls for increased participation of women in politics and decision-making as well as adoption and implementation of those instruments that guarantee the rights of women as entrenched in the *Draft Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa* and the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW);

**Recognizing** the importance attached to issues of peace and security in Africa, the Assembly of the African Union under Article 5 (2) of the *Constitutive Act* established a Peace and Security Council as a collective security and early warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa to be supported by the Commission, a Panel of the Wise, a continental early warning system, an African Standby Force and a Special Fund;

Noting with concern the absence of provisions for gender mainstreaming in the Peace and Security Council and urging the inclusion of women in the Panel of the wise as a matter of priority;

**Noting** further the adoption of a Declaration on the Implementation of the New Partnership for Africa's Development (NEPAD) decision ASS/AU/Dec.1 (I) by the Assembly of the African Union in Durban endorsing progress made in the implementation of NEPAD. Also noting with concern that NEPAD in terms of process and content had not effectively mainstreamed gender concerns in Africa and thus a need for immediate action to ensure that this is done;

**Acknowledging** the African Union's recognition of the contribution of African Civil Society Organizations involving women and youth to Africa's development, calling on them to participate in all activities of the African Union through the Economic Social and Cultural Council (ECOSOCC) as provided in the *Constitutive Act* of the African Union. Convinced of the need to ensure participation of African women's civil society organizations, call for 50 percent representation of women in ECOSOCC to ensure gender parity;

**Recognizing** the importance attached to the effective participation of women in development by African leaders, request in particular President Abdoulaye Wade of Senegal, to use his good offices to mobilize his colleagues to actively promote the implementation of the objective of gender equality;

**Reaffirming** the commitment of African women to building strategic partnerships at all levels and in the activities of the African Union hereby recommends the following to the 2<sup>nd</sup> Ordinary Session of the Council of Ministers and the 1<sup>st</sup> Ordinary Session of the Heads of States and Government of the African Union:

**A**     **African Union**

1. That a multiple track approach be used to implement gender mainstreaming within the African Union by constituting a task team comprising of the Gender Directorate, civil society and technical experts to develop a mechanism for gender mainstreaming.
2. That a delegation including the representatives of the African Women’s Committee on Peace and Development (AWCPD) be sent to the Heads of States of Tanzania and Lesotho who are scheduled to speak on gender in the African Union before the Maputo Summit to lobby them on our concerns about mainstreaming.
3. Appreciating the role and contributions of AWCPD that the African Union and UNECA make a decision soon as to the location of the AWCPD in the African Union with the full knowledge of the value that the African women place in the AWCPD.

**B**     **New Partnership for Africa’s Development (NEPAD)**

1. That dialogue be initiated between African women and the NEPAD Secretariat.
2. That the NEPAD Secretariat provides access to simplified information in order to encourage this dialogue.
3. In view of the insufficient level of gender mainstreaming in NEPAD that civil society organizations working on gender and NEPAD utilize the opportunity presented by the NEPAD Secretariat to second representatives to mainstream gender in all the activities of NEPAD.

**C**     **Draft Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa**

1. That the Draft Protocol be adopted and the mechanism for ratification be put into place.
2. That member states consider withdrawing reservations made on some key Articles of the Draft Protocol with a view to strengthening the final Protocol.

**D**     **Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA)**

1. That all activities of the CSSDCA be strengthened, expanded, and be gender mainstreamed to ensure effective participation of women.

**E**     **Participation of African Women in the Organs of the African Union**

1. That the Pan African Parliament (PAP) Protocol should be amended to allow for at least two women representatives out of the five representatives from each member state.
2. Recognizing the importance attached to peace and security in Africa, that the Peace and Security Council ensure that women are represented and participate effectively in its Panel of the Wise.
3. That the Economic Social and Cultural Council (ECOSOCC) ensure gender parity in its membership.
4. That a Specialized Technical Committee on Gender be established under Article 14 of the *Constitutive Act* for effective mainstreaming of gender.

In light of the foregoing, we the representatives here present, hereby pledge our commitment to fully support these commendable initiatives of the African Union and will work in strategic

partnership to promote the ideals and principles of the African Union.

**Done in Dakar, Senegal April 26, 2003**

**PARTICIPANTS:**

Abantu for Development  
African Centre for the Constructive Resolution of Disputes (ACCORD)  
African Centre for Democracy and Human Rights Studies (ACDHRS)  
Africa Leadership Forum (ALF)  
African Women's Committee on Peace and Development (AWCPD)  
African Women's Development and Communication Network (FEMNET)  
Equality Now-Africa Office  
Femmes Africa Solidarité  
Foundation for Community Development (FCD)  
International Alert  
SaferAfrica  
Women in Law and Development in Africa (WiLDAF)

### **Appendix 3: The Maputo Declaration**

#### **Maputo Declaration On Gender Mainstreaming And Effective Participation Of Women In The African Union**

*Preamble*

We, the representatives of African women's organizations and networks working on gender and development issues, gathered on the eve of the 2nd Ordinary Session of the Assembly of Heads of States and Government, at a women's pre-summit meeting, convened by the Foundation for Community Development (FDC) in collaboration with UNIFEM (Southern Africa Regional Office), Femmes Africa Solidarité (FAS), African Centre for Constructive Resolution of Disputes (ACCORD), Centre for Human Rights – University of Pretoria, Southern African Development Community (SADC) Gender Unit, Forum Mulher, Women and Law in Southern Africa (WLSA) - Mozambique, African Women's Development and Communication Network (FEMNET), in Maputo, Mozambique from 23 to 24 June 2003

*Applauding*

- The recognition of the promotion of gender equality as a key principle and goal of the African Union; and
- The adoption, by Heads of States and Government, of the principle of 50% gender representation in the African Union

**Reaffirming** our support for the outcomes of meetings as embodied in the:

- Durban Declaration on Gender and Mainstreaming and the Effective Participation of Women in the African Union (30 June 2002); and
- Dakar Strategy on Mainstreaming Gender and Women's Effective Participation in the African Union (26 April 2003).

**Appreciating** the role and contributions of the African Women's Committee on Peace and Development on the continent

### **Acknowledging**

- The establishment of the Women, Gender and Development Directorate in office of the Chairperson of the African Union ;
- The entrenchment in the Statutes of the African Union Commission, of the principle of gender equality in the recruitment of the Commission's senior staff and top management;
- The opportunity for civil society participation in the activities of the African Union through the Economic, Social and Cultural Council (ECOSOCC); and
- The efforts of Heads of States and Government in their endeavour to address poverty through the New Partnership for Africa's Development (NEPAD).

### **Welcoming**

- The progress made in the elaboration of the Draft Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa; and
- The openness of the NEPAD Secretariat to the secondment of gender specialists and opportunities for gender mainstreaming.

### **Concerned that:**

- Despite commendable action by Heads of States and Government in mainstreaming gender, there is need for concerted acceleration of the process;
- There is yet no provision for a Specialised Technical Committee on Gender;
- The Women, Gender and Development Directorate is severely under-resourced;
- There is no mechanism for dialogue between women's organisations and networks and the key decision-making structures of the African Union;
- The Pan African Parliament Protocol provision that at least one of the five representatives from each member state must be a women, is inadequate;
- There is an acute under-representation of women ambassadors and other plenipotentiaries accredited to the African Union;
- Despite the continent having the highest incidence of maternal mortality in the world; legal, policy and programmatic interventions are not commensurate with the gravity of the challenge;
- Discriminatory laws and harmful traditional practices continue to exacerbate the high incidence of HIV/AIDS, particularly among women and girls;
- Women in agriculture face many constraints, inadequate access to land, credit, information and the acquisition of skills; and
- War and conflict negatively impact on women in that among other things, it disrupts women's major source of livelihood and food security.

**Recognising the need:**

- For the elaboration and implementation of an African Union Gender Policy and Declaration;
- For an effective gender mainstreaming strategy and efficient co-ordinating framework for managing gender issues on the continent;
- For sensitisation on gender issues throughout the African Union; and
- For the clarification of the status and role of the African Women's Committee on Peace and Development.

**Reaffirming** our commitment to building strategic partnerships at all levels and in the activities of the African Union, we hereby **recommend** the following to the 3<sup>rd</sup> Ordinary Session of the Council of Ministers and the 2<sup>nd</sup> Ordinary Session of the Heads of States and Government of the African Union:

**A. African Union**

1. That an African Union Gender Policy and Declaration, as well as a gender mainstreaming strategy and co-ordinating framework are put in place as soon as possible;
2. That a Specialised Technical Committee on Women and Gender be established under Article 14 of the African Union Constitutive Act; and
3. That adequate resources be availed for the work of the Women, Gender and Development Directorate.

**B. Participation of African Women in the Organs of the African Union**

1. That the Pan African Parliament Protocol should be amended to allow for at least two women representatives out of the five representatives from each member country;
2. That the Economic, Social and Cultural Council ensure gender parity in its membership; and
3. That a high level mechanism is provided for dialogue between women's organisations and networks and the key decision-making structures of the African Union.

**C. Draft Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa**

1. That the Draft Protocol is adopted and the mechanism for ratification be put into place; and
2. That member States consider withdrawing reservations made on certain key Articles of the Draft Protocol, with a view to strengthening the final Protocol

**D. The New Partnership for Africa's Development (NEPAD)**

1. That the establishment of a task team to ensure that specific issues faced by poor women are addressed in poverty reduction strategies, as envisaged in par 119 of the NEPAD, be expedited; and
2. The rapid implementation of paragraphs 132 – 137 of the NEPAD, pertaining to agriculture.

### ***E. Maternal mortality***

1. The adoption of concrete legal, policy and programmatic interventions to curb the high incidence of maternal mortality;
2. Prioritising the commitment of adequate financial resources to health care services, including maternal mortality, at a regional and national level; and
3. Eradicating discriminatory and harmful practices against women that expose them to dying during pregnancy and birth.

### ***F. HIV/AIDS***

1. That HIV/AIDS policies and programming interventions take due cognisance of the gender implications of the epidemic

### ***G. Agriculture***

1. The establishment of an African food bank reserve to be used in cases of emergency

**Done in Maputo, Mozambique on 24 June 2003.**

### **PARTICIPANTS:**

1. ABANTU for Development (Regional Office for East and Southern Africa Office)
2. Africa Gender Institute - University of Cape Town
3. African Center for the Constructive Resolution of Disputes (ACCORD)
4. African Union - Women, Gender and Development Directorate

5. African Women's Committee on Peace and Development (AWCPD)
6. African Women's Development and Communication Network, (FEMNET)
7. Akina Mama wa Africa
8. Associacao das Mulheres Empresarias
9. Associacao das Mulheres Juristas de Mozambique
10. Association Nationale de Soutien aux Enfants en Difficulté et en Institution (ANSEDI)
11. Association Tunisienne des Meres (ATM)
12. Center for Human Rights, University of Pretoria
13. Center for Reproductive Rights
14. Commissao Africana dos Direitos Humanos e dos Povos
15. Commission on Gender Equality - South Africa
16. Development Bank of South Africa
17. Economic Commission of Africa - African Center for Gender and Development
18. Embassy of Finland, Maputo
19. Equality Now - Africa Regional Office, Nairobi, Kenya
20. Femmes Africa Solidarité (FAS)
21. Forum do ONG Femininas de Norte, Provincia da Zambezia
22. Forum for Africa Women Educationalists (FAWE)
23. Forum Mulher
24. Fundacao para Desenvolvimento da Comunidade (FDC)
25. Gabinete Juridico da Mulher, Pemba, Mozambique
26. Ministerio de Coordinacao da Accao Social, Mozambique
27. Ministerio de Saude, Mozambique
28. Modeste, Société Civile du Congo DRC et OPDAL
29. Muleidi
30. Office for the Status of Women, Northern Cape, RSA
31. PACFA (First Lady's Office - Rwanda)
32. SADC, Gender Unit

33. SADC, Parliamentarians
34. South African High Commission
35. Southern African Research and Documentation Centre (SARDC)
36. UNDP
37. UNFPA
38. UNHCR
39. Uniao Geral das Cooperatives (UGC)
40. WLSA, Mozambique
41. WWGG
42. Women and Law in Southern Africa (WILSA)
43. Women's Caucus, Assembleia da Republica de Mozambique
44. Women in Law and Development in Africa (WiLDAF)

#### **Appendix 4: Women's Contribution to the Declaration on Mainstreaming Gender in the African Union**

**We**, representatives of African women's organizations, working on gender and development issues, based in Africa and Diaspora and meeting on the eve of the 3<sup>rd</sup> Ordinary Session of the Assembly of the Heads of State and Government the eve of the 2nd Ordinary Session of the Assembly of Heads of State and Government of the African Union (AU), in a consultative meeting on Gender Mainstreaming in the AU organized by the AU in collaboration with Femmes Africa Solidarité (FAS) held in Addis Ababa, Ethiopia from 28-29 June 2004.

**Congratulating** our Heads of State and Government for the leadership and historic action demonstrated by their decision on gender parity and their commitment to place gender on the agenda of the AU;

**Welcoming** the adoption of the Protocol to the African Charter on Human and Peoples Right on the Rights of Women in Africa in Maputo, Mozambique (July 2003) which promotes and protects the human rights of African women, and among others empowers them in the battle against HIV/AIDS, gender-based violence as well as promotes their political and economic participation;

**Noting** with appreciation the efforts made by the Office of the Chairperson of the African Union Commission (AUC) to ensure that gender remains a priority in the agenda and in ensuring that women occupy key positions in the AU and to tap from the collective experiences of AU partners, particularly those organizations actively working on issues of gender and development;

**Acknowledging** the transformation of the African Women Committee on Peace and Development into an AU Women's Committee and its new role as an advisory organ to the Chairperson of the AUC;

**Applauding** the establishment of the Gender Directorate in the Office of Chairperson to coordinate all activities and programmes of the Commission relating to gender;

**Commending** the process of formulation and development of the vision, the mission and strategic framework of the AUC including the gender component;

**Encouraged** by the desire of the Commissioners of the AU to integrate gender into their policies and programmes to ensure the successful implementation of the mission, vision and strategic framework of the AUC;

**Recognising** the importance of the Beijing +10 process and the complimentary roles of the AUC and the Economic Commission for Africa in the advancement of the process;

**Considering** the fact that those valuable contributions of African women in the political, economic, social and cultural spheres will accelerate regional integration;

**Committing** ourselves to sustain the consultative process with women's groups at all levels in the true spirit of democracy, transparency, accountability and good governance;

**WE HEREBY PLEDGE OUR SUPPORT TO THE VISION OUTLINED IN THE CONSTITUTIVE ACT OF THE AFRICAN**

UNION AND THE STRATEGIC FRAMEWORK; AND IN THE SPIRIT OF COOPERATION PROPOSE FOR THE CONSIDERATION AND ADOPTION OF THE FOLLOWING RECOMMENDATIONS.

**We:**

#### **Gender parity**

1. URGE the Assembly of Heads of State and Government of the AU to ensure the implementation of decisions on gender parity at regional, sub-regional, national and local levels;
2. CALL UPON Members States of the AU to support the programmes, the vision, mission and strategic framework, particularly with regard to the gender component;
3. REQUEST the AUC to accelerate the programmes of the Gender Directorate and the process of gender mainstreaming in the AU policies and programmes.

#### **Beijing +10**

4. Call upon the AUC and the Economic Commission for Africa to elaborate strategies, benchmarks and monitoring mechanisms for the implementation of the Beijing Platform for Action, The Millennium Development Goals, the UN Security Council Resolution 1325 on Women, Peace and Security and all related instruments.

**The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa,**

5. Urge the member states to sign and ratify the Protocol by the end of 2004 and to support the launching of public campaigns aimed at ensuring its entry into force by 2005 to usher in an era of domesticating the Protocol as well as other national, regional and international instruments on gender equality by all states parties.

### **Partnership**

6. Urge the AUC to develop linkages and strategic partnership with appropriate institutions, NGOs and organisations to facilitate the implantations of its programmes and the activities.

### **Done in Addis Ababa, Ethiopia on 29 June 2004**

#### **PARTICIPANTS:**

ABANTU for Development  
 Advocacy for Women in Africa (AWA)  
 Africa Centre for Democracy and Human Rights Studies (ACDHRS)  
 African Centre for the Constructive Resolution of Disputes (ACCORD)  
 African Centre for Gender and Development (ACGD)  
 African Leadership Forum (ALF)  
 African Women's Development and Communications Network (FEMNET)  
 Akina Mama Wa Africa  
 Association des femmes de l'Afrique de l'Ouest (AFAO-WAWA-Senegal)  
 Association of African Women for Research and Development (AFARD-AAWORD)  
 AWCPD

Centre for Enterprise and Entrepreneurship Development-Kisama  
 Africa University College  
 Egyptian Business Women Association (EBWA)  
 Equality Now  
 Ersnt and Young Lesotho  
 Femmes Africa Solidarité  
 Forum for Africa Women Educationalists-Uganda Chapter (FAWE)  
 Foundation for Community Development (FCD)  
 ICRC  
 IFAN  
 ILO  
 Interafrican Committee Against Traditional Practices  
 International Alert  
 IOM  
 MARWOPNET  
 Mouvement Burkinabé des Droits de l'Homme et des Peuples (UIDH)  
 Nairobi Peace Initiative (NPI)  
 OHCHR  
 SaferAfrica  
 UNICEF  
 UNDP  
 UNFPA  
 UNHCR  
 Women Centre for Education and Empowerment  
 Women in Law and Development in Africa (WILDAF- West Africa Office)

## Appendix 5: The Abuja Consensual Agreement

We, the Civil Society Organizations across Africa meeting at the 5<sup>th</sup> Consultative Meeting on Gender Mainstreaming of the African Union in Abuja, Nigeria, from 25-26 January 2005 prior to the 4<sup>th</sup> ordinary session of the Conference Heads of State and Government to organize follow up of progress made in the implementation of the *Solemn Declaration on Gender Equality*, as well as to facilitate dialogue and revision of strategies on gender mainstreaming within the African Union, under the auspices of the Women, Gender and Development Directorate of the African Union, Femmes Africa Solidarité (FAS) and Africa Leadership Forum (ALF) :

**Recalling** the commitment of the African Heads of State and Government to gender equality as a major goal of the AU as enshrined in Article 4 (1) of the Constitutive Act of the African Union, in particular the decision to implement and uphold the principle of gender parity taken at the Inaugural session of the AU Assembly of Heads of State and Government in July 2002 in Durban South Africa and its operationalization during the Second Ordinary Session in Maputo, Mozambique 2003, the decision to establish a Gender Directorate within the Office of the Chairperson of the Commission, the resolve to integrate the formal African Women's Committee on Peace and Development into the organs or the Commission of the African Union as well as the Solemn Declaration on Gender Equality in Africa adopted by the Conference of Heads of State and Government of the African Union in Addis-Ababa, Ethiopia in July 2004;

**Recognizing** their previous commitments to the implementation of Convention on the Elimination of All Form of Discrimination

Against Women; and the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (2003); Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, the African Charter on the Rights of the Child and all other relevant international, regional and sub-regional instruments aimed at eliminating all forms of discrimination against women and promoting equality between women and men;

**Considering** their commitment to implement the UN Resolution 1325 (2000) on Women, Peace and Security; to combat the HIV/AIDS pandemic and other related infectious diseases as contained in the Maputo Declarations on Malaria, HIV/AIDS, Tuberculosis and other Related Infectious Diseases; as well as the Millennium Development Goals (MDGs); and the NEPAD programme;

**Commending** African Heads of States and Government who have signed and ratified the Protocol to the African Charter on Human Rights and People's Rights on the Rights of Women in Africa; and reminding those who have not done so to take that action;

**Bearing in mind** the efforts of the AU in ensuring visibility of the gender machinery by the recent creation of a Gender Directorate within the Office of the Chairperson of the African Union;

**Bearing also in mind and building upon** important work already accomplished by the Women Networks gathered around the African Union process under the facilitation of Femmes Africa Solidarité (FAS);

*Aware* of the continued deprivation of women and the disadvantages that women face in access and control of resources and denial of economic opportunities;

*Determined however* to build on the momentum of these developments to ensure effective implementation of the Solemn Declaration instrument and promote gender parity;

*We applaud* the African Heads of State and Government for this memorable decision, which will bring a great change in the lives of the African women as well as the African population in general;

*We salute* the Commitment and the determination of the Chairperson of the African Union, H.E. Alpha Oumar Konaré, to make of the Gender parity a reality within the African Union.

**We commit ourselves to:**

Increase our networking and advocacy for the implementation of the Declaration at various levels of operation within our comparative advantage;

Partnership with the AU and its organs, the RECs as well as all international partners on the implementation of the Solemn Declaration;

Develop a framework that we will use in monitoring and evaluating the implementation of the Solemn Declaration;

Document processes that lead to the adoption Solemn Declaration including action by civil society;

Explore how to integrate the Declaration into the Peer Review Monitoring mechanism of NEPAD:

Convene another regional forum as soon as possible to investigate progress in the implementation of the Solemn Declaration.

**We urge Member States:**

To effect the implementation of the Solemn Declaration on Gender Equality in Africa;

To organize a meeting of the African Ministers of Gender to develop implementation strategies of the Solemn Declaration;

To ensure submission by July 2005 of a first annual report on progress made in terms of Gender mainstreaming as per paragraphs 12 and 13 of the Solemn Declaration;

To allocate adequate resources for the implementation of the Solemn Declaration.

**We urge the Commission of the African Union:**

To allocate adequate human and financial resources to the implementation of the Gender parity principle as well as the Solemn Declaration on Gender Equality in Africa.

### **We urge the International Community:**

To support the efforts of Africa in the implementation of NEPAD, the Millennium Development Goals and particularly the Gender programmes such as CEDAW, Beijing Platform for Action, UN Security Council Resolution 1325 and all other development programmes agreed upon.

**Done in Abuja, Nigeria on 26 January 2005**

### **PARTICIPANTS:**

1. Women, Gender and Development Directorate- Addis Ababa
2. ACCORD- South Africa
3. West African Student Union- Nigeria
4. University of Pretoria (CHR)- South Africa
5. Equality Now- Africa Regional Office, Nairobi, Kenya
6. FAHAMU- Grande Bretagne
7. DRDC- Geneva
8. CAFOB/FERFAP- Burundi
9. ONG Referes- Côte d'Ivoire
10. FEMNET- Kenya
11. Association des Femmes de l'Afrique de l'Ouest (AFAO)- Senegal
12. Third World Network- Ghana
13. Marwopnet- Libéria- Sierra Leone
14. Association tunisienne des Mères - Tunisia
15. NEPAD Secretariat –South Africa
16. Media Monitoring Project Zimbabwe- Zimbabwe
17. SSWE- Somalia
18. WANEP- Nigeria
19. Africa Leadership Forum- Nigeria

20. RADDHO- Senegal
21. African Centre for Democracy and Human Rights Studies (ACDHRS) - Gambia
23. Association of African Women for Research and Development (AFARD/AAWORD)

## Appendix 6: The Tripoli Commitment

### **Tripoli Commitment Adopted at the 6<sup>th</sup> Women's Pre-Summit Consultative Meeting**

We, the Civil Society Organizations working across Africa meeting at the 6<sup>th</sup> Consultative Meeting on Gender Mainstreaming in the African Union (AU) in Tripoli, Libya, 1-2 July 2005 prior to the 5<sup>th</sup> Ordinary Session of the Assembly of Heads of State and Government to follow-up on the implementation of the *Solemn Declaration on Gender Equality* (SDGEA):

**Building** upon the important work and achievements accomplished by African women's networks under the initiative of the African Women's Committee for Peace and Development (AWCPD) and Femmes Africa Solidarité (FAS) during previous consultative meetings in: Durban in June 2002 organized by the African Centre for the Constructive Resolution of Disputes (ACCORD); in Dakar in April 2003; in Maputo in June 2003 organized by the Foundation for Community Development (FCD); in Addis Ababa in June 2004 organized by the AU Gender Directorate; and in Abuja in January 2005 organized by the Africa Leadership Forum (ALF). In addition to the organizations above, participating networks committed to this campaign include: FEMNET, WiLDAF, ACDHRS, WAWA, MARWOPNET, ATM, EBWA, Akina Mama Wa Africa, AWA, FAWE, Equality Now, ABANTU, AAWORD, NPI, SSWC, ANSEDI, Pan African Movement, CAFOB and other partners,

**Recognizing**, the commitment of the Minister of Social Affairs of The Great Socialist Peoples Libyan Arabe Jamahiriya in facilitating the 6<sup>th</sup> Women's Pre-Summit Consultative Meeting;

**Recalling** the commitment of the African Heads of State to gender equality as a major goal of the AU as enshrined in Article 4 (1) of the Constitutive Act of the African Union, in particular the decision to implement and uphold the principle of gender parity taken at the Inaugural session of the AU Assembly of Heads of State and Government in July 2002 in Durban South Africa and its operationalization during the Second Ordinary Session in Maputo, Mozambique 2003, the decision to establish a Gender Directorate within the Office of the Chairperson of the Commission, the resolve to integrate the formal African Women's Committee on Peace and Development into the organs or the Commission of the African Union as well as the Solemn Declaration on Gender Equality in Africa adopted at the Assembly of Heads of State and Government of the African Union in Addis-Ababa, Ethiopia in July 2004;

**Recognizing** their previous commitments to the implementation of Convention on the Elimination of All Form of Discrimination Against Women (CEDAW); the Beijing Platform for Action; the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (2003); Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, the African Charter on the Rights of the Child and all other relevant international, regional and sub-regional instruments aimed at eliminating all forms of discrimination against women and promoting equality between women and men;

**Considering** their commitment to implement the UN Resolution 1325 (2000) on Women, Peace and Security; to combat the HIV/AIDS pandemic and other related infectious diseases as contained in the Maputo Declarations on Malaria, HIV/AIDS, Tuberculosis and other related infectious diseases; as well as the

Millennium Development Goals (MDGs); and the NEPAD programme;

**Acknowledging** the AU Gender Directorate Meeting of gender experts in May 2005 on developing a monitoring and evaluation framework for the Solemn Declaration on Gender Equality;

**Resolving**, to build on the momentum of the adoption of the SDGEA by agreeing to partner in facilitating a process to monitor, evaluate and report on the implementation of the SDGEA;

We, the civil society organizations present in Tripoli at this 6<sup>th</sup> Consultative Pre-Summit Meeting commit ourselves to:

- Accelerate the launch of the advocacy campaign for the implementation of SDGEA.
- Increase networking activities aimed at the implementation of the SDGEA.
- Continue to partner with the AU Gender Directorate, the AU Commission, Pan African Parliament; ECOSOCC and other AU organs; the REC's and all international partners on the implementation of the SDGEA.
- Document the process of civil society activities in monitoring, evaluation and reporting on the implementation of SDGEA.
- Convene an annual Pre-Summit Consultative Meeting in July prior to the Assembly of the Heads of States and Government.

**We urge Member States:**

- To accelerate the implementation of the SDGEA through the allocation of resources;

- To involve civil society organizations in the preparation of the reports on the progress of the implementation of the SDGEA;
- To accelerate the ratification, entry into force and implementation of the Protocol to the African Charter on Human and People's rights relating to rights of women in Africa.

**We urge the Commission of the African Union:**

- To operationalize the African Union Women's Committee.
- To report on the progress made with the allocation of human and financial resources for the implementation of the SDGEA.

**Done in Tripoli, Libya on 2 July 2005**

**PARTICIPANTS:**

1. President of the Pan-African Parliament
2. Secretariat of Social Affairs- Libya
3. Femmes Africa Solidarité
4. Women's Society of Alfateh University Tripoli- Libya
5. Libyan Women's Union
6. Libyan Women in Science and Technology (LWST)
7. Women in Law and Development in Africa (WiLDAF)
8. Advocacy for Women in Africa (AWA)
9. Africa Leadership Forum (ALF)
10. Egyptian Business Women's Association (EBWA)
11. African Centre for the Constructive Resolution of Disputes (ACCORD)
12. Tunisian Mothers Association (TMA)

## Appendix 7: The Dakar Commitment

**We, Civil Society Organizations** from all over Africa, comprising : the African Centre for the Constructive Resolution of Disputes (ACCORD), Africa Leadership Forum (ALF), Femme Africa Solidarité (FAS) Foundation for Community Development (FCD), FEMNET, WiLDAF, ACDHRS, WAWA, MARWOPNET, ATM, EBWA, Akina Mama Wa Africa, AWA, FAWE, Equality Now, ABANTU, AAWORD, NPI, SSWC, ANSEDI, Pan African Movement, CAFOB;

**Building upon** the important work and achievements accomplished by African women's networks under the initiative of the African Women's Committee for Peace and Development (AWCPD) and Femmes Africa Solidarité (FAS) during previous consultative meetings in Durban in June 2002, in Dakar in April 2003, in Maputo in June 2000, in Addis Ababa in June 2004, in Abuja in January 2005 and in Tripoli, in July 2005, in partnership with the AU and ECA, supported by UNDP, UNFPA, UNICEF, UNHCR, UNIFEM, OSIWA and other partners;

**Meeting** at the 7th Consultative meeting on Gender Mainstreaming in the African Union (AU) in Dakar, Senegal, prior to the 1st AU Conference of Ministers responsible for Women and Gender that will take place from the 12th to the 16th of October 2005, in order to strengthen our contribution in the implementation, monitoring and evaluation of the Solemn Declaration on Gender Equality in Africa (SDGEA);

**Recall** the commitment of the African Heads of State to gender equality as a major goal of the AU as enshrined in Article 4 (1) of

the Constitutive Act of the African Union, in particular the decision to implement and uphold the principle of gender parity both at regional and national levels, as well as the Solemn Declaration on Gender Equality in Africa;

**Applaud** the initiative taken by the ministers responsible for Women and Gender Equality in Africa, under the leadership of Ms. Aida Mbodj, the Senegalese Minister of Women, Development and Social Affairs to take ownership of the SDGEA by participating at this historic conference organised by the Gender Directorate of the African Union with the full support of His Excellency Maitre Abdoulaye Wade, President of the Republic of Senegal;

**Congratulate** all States that have ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa namely: Cape Verde; Comoros; Djibouti; Gambia; Lesotho; Libya; Malawi; Mali; Namibia; Nigeria; Rwanda; Senegal; South Africa;

**Reiterate** our commitment to:

- Take collective responsibility to accelerate the advocacy campaign for the implementation of SDGEA;
- Undertake to prepare alternative reports, both at national and regional levels, in order to enrich the state reports as provided for by the SDGEA and to increase accountability in the process;
- Broaden networking activities, by involving more women groups at local and national levels;
- Continue strengthening the various partnerships with the AU Directorate, AU Commission, ECOSOCC, the Pan African Parliament, The Economic Commission for Africa, the

NEPAD, the Regional Economic Communities (RECs) and all international partners on the implementation of the SDGEA;

- Develop and strengthen the capacity of regional and thematic focal points to carry out the advocacy campaign in their constituencies, as well as document, monitor and evaluate the implementation of the SDGEA;
- Mobilise financial and human resources to support CSO processes in the implementation of the SDGEA;
- Continue to convene an annual Pre-Summit Consultative Meeting on Mainstreaming Gender in the AU, in July, prior to the Assembly of the Heads of States and Government;
- Promote women leadership in Africa, at all levels of governance and decision-making.

**Recommend** to Member States:

1) Implementation of the SDGEA:

**TO** domesticate the Solemn Declaration on Gender Equality in Africa by integrating it into their national laws. In that view, we ask Ministers Responsible for Women and Gender in collaboration with women parliamentarians to initiate and formulate such a bill and to follow-up that process at local and national levels.

2) Protocol to the African Charter on Human and People Rights on the Rights of Women in Africa:

A. Having noted that 6 countries, namely Benin, Burkina Faso, Guinea, Mauritania, Togo and Zambia have already adopted the legislation authorising the ratification of the protocol within their respective parliament; we hereby urge these States **to do** all the

necessary to deposit the instrument of ratification at the African Union Commission not later than November 15, 2005 to ensure that their commitment made in paragraph 9 of the SDGEA relating to the entry into the force of the Protocol by end of 2005 becomes a reality.

B. We, further encourage all Member States that have ratified the protocol with reservations to remove those reservations and urge all others **to ratify** the protocol without delay and without reservations to enable all African women to benefit from this instrument which will ensure their full accomplishment and participation in national development;

3) Funding of the implementation of the Solemn Declaration at national level:

**That:**

- 20% of resources realised from debt cancellation be allocated to activities directed towards the implementation of the Solemn Declaration;
- 5% of State resources should complement or supplement resources coming from the cancellation of the debt.

4) African Trust Fund for Women:

While commending Member States for taking the bold step of establishing a trust fund for women (paragraph: 11), we urge them **to** take all required measures to operationalize the African Trust Fund for Women by requesting the African Union Commission to accelerate the process by organising the proposed meeting of experts on this subject. Meanwhile, we recommend that States and their partners in development contribute towards the existing African

Women Development Fund (AWDF) in order to fund activities related to the promotion of gender equality.

#### 5) Promotion of women leadership in Africa:

As enshrined in paragraph 5 of the SDGEA that encourages States to expand and promote the gender parity principle within all bodies of the AU, including NEPAD:

- We ask the Head of states to encourage women's candidature for elections for public office, particularly that of the presidency. We urge States to use affirmative action in the realisation of the principle of gender parity;
- We ask the AU Commission to effectively ensure that the proposed expansion is reflected in the management of the 8 priorities of the NEPAD.

#### 6) Consolidation of the implementation process:

**To** approach the implementation of the SDGEA in consonance with other instruments and declarations on women including the MDGs, CEDAW, the protocol on the rights of women in Africa, the Beijing platform for action.

**To** support the appointment of a special rapporteur on laws that discriminate against women by the UN Commission on the Status of Women (CSW) by 2006 (UN Resolution 49/3)

**That** the African Union Commission accelerates the process of putting in place the African Union Women's Committee by nominating competent women

**Adopted in Dakar, Senegal**

**12 October, 2005**

#### **Participants:**

1. Ministère de l'Industrie et de l'Artisanat- Senegal
2. Ministère des Collectivités locales et de la Décentralisation- Senegal
3. African Centre for Democracy and Human Rights Studies (ACDHRS)- Gambia
4. Africa Leadership Forum (ALF)- Nigeria
5. African Women Development Fund (AWDF)
6. Women in Law and Development in Africa (WiLDAF)
7. Association des Femmes de l'Afrique de l'Ouest (AFAO)- Senegal
8. Femmes Africa Solidarité (FAS)-Senegal
9. Comité de Lutte contre les Violences faites aux Femmes (CLVF)- Senegal
10. Association Sénégalaise pour la Promotion et la Protection de la Femme et de l'Enfant (ASPRODEF)- Senegal
11. Collectif pour la Défense de la Famille-Senegal
12. Association pour l'Education, la Santé et le Développement Durable-Senegal
13. Comité d'Action pour les Droits de l'Enfant (CADEF) Senegal

14. African Network Campaign on Education for All (ANCEFA) -Senegal
15. Réseau Africain pour le Développement Intégré (RADI) Senegal
16. National Council of Negro Women ( NCNW)- Senegal
17. Association des Femmes pour le Développement et la Démocratie en Afrique (AFEDDA)- Senegal
18. COSEPRAT- Senegal
19. AFARD- Senegal
20. Rencontre Africaine pour la Défense des Droits de l'Homme (RADDHO)- Senegal
21. PASEDA- Senegal
22. SOS/Equilibre- Senegal
23. FAWE/Sénégal - Senegal
24. ASALFAE- Senegal
25. Association Nationale de l'Alphabétisation et la Formation des Adultes (ANAFSA)- Senegal
26. Club Soxna- Senegal
27. Réseau Siggil Jigéen- Senegal
28. ACDI-Senegal
29. Oxfam/ Great Britain - Senegal
30. Association des Juristes sénégalais (AJS)- Senegal
31. Centre Africain pour l'Education aux Droits Humains (CAEDHU)- Senegal

## **Appendix 8: The Banjul Call for Action**

### **Banjul Call For Action Of The “Gender Is My Agenda” Campaign on The Solemn Declaration On Gender Equality In Africa At The 8<sup>th</sup> Pre-Summit Consultative Meeting On Gender Mainstreaming In The African Union**

**We, the Civil Society Organizations** working across Africa **and** meeting at the 8<sup>th</sup> Consultative Meeting on Gender Mainstreaming in the African Union (AU) in Banjul, the Gambia 26-27 June 2005 prior to the 7<sup>th</sup> Ordinary Session of the Assembly of Heads of State and Government to follow-up on the “Gender is My Agenda” Campaign on the implementation of the *Solemn Declaration on Gender Equality in Africa* (SDGEA), co-organized by the African Center for Democracy and Human Rights Studies (ACDHRS) and Femmes Africa Solidarité (FAS):

**Building** upon the important work and achievements accomplished by African women’s networks under the initiative of the African Women’s Committee for Peace and Development (AWCPD) and Femmes Africa Solidarité (FAS) during previous consultative meetings in: Durban in June 2002 organized by the African Centre for the Constructive Resolution of Disputes (ACCORD); in Dakar in April 2003; in Maputo in June 2003 organized by the Foundation for Community Development (FCD); in Addis Ababa in June 2004 organized by the AU Gender Directorate; in Abuja in January 2005 organized by the Africa Leadership Forum (ALF); in Tripoli in July 2005 with the Ministry of Social Affairs of Libya; and in Dakar, in October 2005 organized by Femmes Africa Solidarité (FAS);

**Recognizing**, the support of Her Excellency Madame Isatou Njie Saidy, Vice President of the Republic of the Gambia in chairing the 8<sup>th</sup> Women's Pre-Summit Consultative Meeting;

**Recalling** the commitment of the African Heads of State to gender equality as a major goal of the AU as enshrined in Article 4 (1) of the Constitutive Act of the African Union, in particular the decision to implement and uphold the principle of gender parity taken at the Inaugural session of the AU Assembly of Heads of State and Government in July 2002 in Durban South Africa and its operationalization during the Second Ordinary Session in Maputo, Mozambique 2003, the Solemn Declaration on Gender Equality in Africa adopted at the Assembly of Heads of State and Government of the African Union in Addis-Ababa, Ethiopia in July 2004, as well as the entry into force of the Protocol on the Rights of Women in Africa;

**Bearing** in mind our commitment to monitor, evaluate and report on the implementation of the SDGEA;

We, the civil society organizations present in Banjul, having taken cognizance of the activities of our various thematic focal points to follow-up and implement the SDGEA in their respective fields,

**Note with appreciation** the following achievements:

1. The holding of the first conference of ministers responsible for gender and women's affairs in Africa;
2. The establishment of the African Union Women's Committee;

3. The entry into force of the Protocol of the Rights of Women in Africa in November 2005;

4. The application of the parity principle in the commission in the AU including the commission on human and people's rights and the ECOSOCC;

5. The steps taken by the AU to investigate the allegations of sexual abuse by AU peacekeeping forces in Darfur.

**Deplore** the following unfulfilled commitments, two years after the adoption of the Solemn Declaration,

1. No report has been presented on its implementation;

2. The Establishment of the African Trust Fund for women has not yet been created;

3. The Parity principle has not been applied in the nomination and election of judges to the Africa Court on Human and People's Rights;

4. Violence and sexual abuse of women are intensifying with impunity;

5. No steps have been taken to prevent recruitment of child soldiers;

6. Only 19 state parties out of 53 have ratified the Protocol on the Rights of Women in Africa.

**Make** the following recommendations:

1. The Pan African Parliament (PAP) Protocol should be amended to allow for at least 2 women representatives out of the five;
2. The African Union should work to simplify and harmonize systems of reporting by Member States;
3. Integrate “life skills” education into school curricula;
4. Each country put into place a system that ensures women access to health care;
5. Ensure women’s access to land and to resources or profits obtained from extractive industries;
6. Establish a group of women mediators and peacebuilders at all levels, including the grassroots.

**Take** the following commitments:

1. To contribute to the reporting process at the national level as well as at the level of the AU Commission;
2. To establish a system of mentoring to promote the inclusion of youth in our programs;
3. To work towards building a women’s movement in Africa;
4. To encourage the participation of women in politics and advocate for the reform of electoral systems to facilitate their participation;

5. To document lessons learned and best practices to share experiences in the different areas of intervention.

**Adopted 27 June 2006  
Banjul, the Gambia**

**PARTICIPANTS:**

ACCORD  
ACDHRS  
ACHPR  
Action Aid Gambia  
AFAO  
African Commission on Human and People’s Rights  
African Initiative for the Promotion of Democracy and Good Governance  
African Union  
African Union Commission  
Association of Tunisian Mothers, Dakar  
ATCN  
ATPDH  
AWODO  
CAFOB  
CODESIRA  
Comit » Appel à la Paix  
CONUAFEM  
CREAW  
Department of State for Health  
ECOWAS Gender Centre  
Efa Gambian Network  
Equality Now  
FAMEDEV

FAWE  
Femmes Africa Solidarité  
FIDH  
GAMCOTRAP  
GAMESCO  
GRA-REDEP  
International Criminal Court  
Liberian Women Association  
MARWOPNET  
National Association of Youth for Food Security  
NWA  
Office of the Ombudsman  
PAGAD PanAfrican Movement  
Pura  
RDC Women's Association in the Gambia  
RifAD  
SaferAfrica  
SAHARA  
SLWA (ANDD)  
Southern African Women Miners Trust  
SWAA International  
WiLDAF  
Worldview  
WISDOM  
Women's Advancement Support  
Women's Centre for Education Empowerment  
WOPPA/RDC  
Youth OAU  
YWCA

## Appendix 9: The Addis Call for Solemn Implementation

### 9<sup>th</sup> Pre-Summit Consultative Meeting on Gender Mainstreaming in the African Union

Addis Ababa, Ethiopia  
24 – 25 January 2007

## ADDIS CALL FOR SOLEMN IMPLEMENTATION

**We, the Civil Society Organizations** working across Africa and meeting at the 9<sup>th</sup> Consultative Meeting on Gender Mainstreaming in the African Union (AU) in Addis Ababa, Ethiopia from 24-25 January 2007 prior to the 8<sup>th</sup> Ordinary Session of the AU Assembly of Heads of State and Government to follow-up on the “Gender is My Agenda” Campaign on the implementation of the *Solemn Declaration on Gender Equality in Africa* (SDGEA) organized by Femmes Africa Solidarité (FAS) with the support of the Open Society Initiative for West Africa (OSIWA) and the United Nations Economic Commission for Africa (UNECA);

**Building** upon the important work and achievements accomplished by African women’s networks under the initiative of the African Women’s Committee for Peace and Development (AWCPD) and FAS during previous consultative meetings in: Durban, June 2002 co-organized by the African Centre for the Constructive Resolution of Disputes (ACCORD); in Dakar, April 2003; in Maputo, June

2003 co-organized by the Foundation for Community Development (FCD); in Addis Ababa, June 2004 co-organized by the AU Gender Directorate; in Abuja, January 2005 co-organized by the Africa Leadership Forum (ALF); in Tripoli, July 2005 with the Ministry of Social Affairs of Libya; in Dakar, October 2005 co-organized by FAS; and in Banjul, June 2006 co-organized by the African Centre for Democracy and Human Rights Studies (ACDHRS);

**Welcoming** the presence at the meeting of **Honourable Mrs Getrude Mongella** President of the Pan-African Parliament (PAP) who opened the meeting and **Her Excellency Dr Nkosazana Dlamini Zuma**, Minister of Foreign Affairs of the Republic of South Africa as well as the continuous input of **Mrs Graca Machel** to the mainstreaming gender agenda;

**Thanking His Excellency Alpha Oumar Konare**, Chairperson of the AU Commission for his persistent commitment to the accelerated implementation of the SDGEA, adopted at the Assembly of Heads of State and Government of the AU in Addis Ababa, Ethiopia in July 2004; and the **UNECA** for its support in organizing the 9<sup>th</sup> Consultative Meeting on Gender Mainstreaming in the AU;

**Recalling** the commitment of African Heads of State and Government to gender equality as a major goal of the AU as enshrined in Article 4 (1) of the Constitutive Act of the African Union, in particular the decision to implement and uphold the principle of gender parity taken at the Inaugural Session of the AU Assembly of Heads of State and Government in July 2002 in Durban, South Africa and its operationalization during the Second Ordinary Session in Maputo, Mozambique, July 2003, the SDGEA adopted at the Assembly of Heads of State and Government of the AU in Addis Ababa, Ethiopia in July 2004, as well as the entry into

force of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in November 2005;

**Bearing** in mind our commitment to monitor, evaluate and report on the implementation of the SDGEA in conformity with the guidelines developed by civil society;

**Cognizant** of the activities of our various thematic focal points on following-up and implementing the SDGEA in our respective fields;

**Note with appreciation** the following achievements:

1. The submission by the Chairperson of the AU Commission of the 2<sup>nd</sup> Progress Report on the Implementation of the Solemn Declaration on Gender Equality in Africa pursuant to Article (13) of the SDGEA and the Synthesis of Reports from Member States on the Implementation of the AU Solemn Declaration on Gender Equality in Africa;
2. The decision of the AU to put in place a gender mainstreaming strategy and budget, with a view to promoting and facilitating gender responsiveness in the AU;
3. The decision of the AU to involve women from Sudan in the Inter-Sudanese Peace Talks in Abuja in 2005;
4. The establishment of mechanisms for promoting good governance and socio-economic development and "best practices" demonstrated by the Republic of Rwanda as recognized in the report of the African Peer Review Mechanism (APRM);
5. The commitment of the Republic of Burundi to gender policies particularly through constitutional arrangements that require gender parity in all policy decisions;
6. The deployment by the Republic of Namibia and the Republic of South Africa of women in peacekeeping operations in various African countries;
7. The attainment of gender equality at primary and secondary levels of education in the People's Democratic Republic of Algeria, the Republic of Botswana, the Republic of Cape Verde, the Republic of Mauritius, the Republic of Namibia, the Federal Republic of Nigeria, the Republic of Sao Tome and Principe, the Republic of Seychelles, the Republic of South Africa, Swaziland, the Republic of Tunisia, the Republic of Zambia and the Republic of Zimbabwe;
8. The adoption by the Cabinet of the Republic of South Africa of a target of fifty percent representation of women at all levels of decision-making in all spheres of government;
9. The commitment of Lesotho and the Republic of Namibia to the principles of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women through the organization of awareness raising programmes and national workshops aimed at accelerating its implementation;
10. The activities undertaken by civil society organizations to further the aim of gender equality and women's empowerment in Africa including the work of members of the "Gender is My Agenda" Campaign and other

organizations in governance, peace and security, human rights, health, education and economic empowerment.

**Deplore** the following unfulfilled commitments, two years after the adoption of the SDGEA:

1. That only nine of the fifty three signatory States of the SDGEA have submitted their annual reports on progress made in terms of gender mainstreaming in contravention of their expressed commitment as stipulated in Article (12) of the SDGEA, namely Republic of Algeria, the Republic of Burundi, the Federal Democratic Republic of Ethiopia, Lesotho, the Republic of Namibia, the Republic of Mauritius, the Republic of Senegal, the Republic of South Africa and the Republic of Tunisia;
2. The weakness of some of the reports submitted by Member States and their lack of indicators and statistical information needed to measure progress made, particularly on peace issues.

**Make** the following recommendations:

1. Member States should adopt the content of the SDGEA as the framework for the accelerated implementation of existing instruments and platforms for gender equality and equity at the national level in order to maximize the principles of the SDGEA.

To actualise this, the AU should:

- a. Encourage Member States to come up with National Strategic Plans for the implementation of the SDGEA;
  - b. Engage National Parliaments to integrate the SDGEA into legislative framework through the enactments of laws that promote the effective use of Affirmative Action in gender equality;
  - c. Support the creation of Equal Opportunity Commissions in countries where they do not exist in order to promote and supervise gender parity principles, policies and programmes.
2. The AU Commission, through the Women, Gender and Development Directorate should develop a standardized reporting format and template to support the guidelines developed by the Ministers in charge of Gender and Women's Affairs that met in October 2005 in Dakar;
  3. The Women, Gender and Development Directorate and the AU Gender machinery should be better resourced to effectively deliver their mandates. In this regard:
    - a. Adequate budget allocation should be provided for the gender mainstreaming programmes. Furthermore, all existing vacant positions should be filled without further delay;

- b. The Chairperson of the AU Commission, through the AU Women's Committee, should organize an Annual Visitation Team for each of the five regions in Africa to engage the various actors in Member States on gender issues — especially the implementation of the SDGEA;
  - c. The AU should realign the gender programmes of the New Partnership for Africa's Development (NEPAD), the APRM and the Regional Economic Communities (RECs) with the principles, activities and targets enunciated within the SDGEA. The AU Commission should ensure that a more functional and effective linkage is forged between the Gender Directorate, NEPAD, the APRM, the RECs and other organs in the articulation and implementation of the AU gender policy and strategic plans.
4. The Assembly of the AU should, as a matter of practice and commitment to the SDGEA:
- a. Encourage all Member States to submit an annual report on the SDGEA as agreed by the Assembly at the time of its adoption in July 2004;
  - b. Devote time during the Ordinary Session to report on policies and programmes being promoted in AU member State countries.
5. The Assembly should devote a major section of the next Annual Report on the SDGEA on actions, policies and programmes that have been undertaken by Member States in the area of the girl child education, HIV/AIDS and women, violence against women and the ratification and implementation of the Protocol on Women's Rights;
  6. The Assembly should urge the AU Peace and Security Council to appoint more women as Envoys, Representatives, Rapporteurs and Heads of Peace Negotiations; and also to create a gender desk in peacekeeping operations. In the same vein, women should be included and fully integrated in disarmament, demobilization, repatriation and reintegration (DDRR) and post-conflict reconstruction programmes across Africa;
  7. The Assembly, through the AU Commission, should urgently organize a continental conference on the Economic Empowerment of African Women to articulate strategies to enhance the total well-being of African women;
  8. The Chairperson of the AU Commission should formally report on progress made thus far on the establishment of the African Trust Fund for Women at the next AU Summit;
  9. The Chairperson of the AU Commission should include in his annual Progress Report on the Implementation of the Solemn Declaration on Gender Equality in Africa the

activities of AU Commissioners in implementing the SDGEA in order to monitor progress at the regional level;

10. The Assembly and the AU Commission should develop frameworks that will promote brain gain rather than brain drain through special programmes and incentives that will bring back African experts and expertise — especially in the area of health care delivery and education;
11. AU member States should take concrete steps to accelerate the implementation of both the AU and the UN Convention against Corruption as a way of reducing the level of feminization of poverty and guaranteeing African women's rights to a sustainable livelihood;

**Take** the following commitments:

1. Undertake along with the AU Gender Directorate and further to the invitation of the President of the PAP, to work with the Gender Committee and Caucus of the PAP in the promotion and integration of the SDGEA in national laws in all African countries;
2. Acknowledge and recognize Member States who — in their own judgement and assessment — are implementing policies, laws and programmes conducive to the attainment of the goals and targets set out in the SDGEA;
3. Strengthen the “Gender is My Agenda” Campaign using available advocacy tools including the “Gender is My Agenda” website and other publications and communication strategies;

4. Continue to disseminate, advocate and mobilize in our different constituents with a view to accelerating implementation of all the objectives of the SDGEA;
5. Agree to strengthen the civil society shadow reports monitoring and evaluating implementation of the SDGEA by Member States in particular through the development of a common reporting framework and the articulation of specific indicators;
6. Support our sisters who are nominated to positions in support of gender parity as well as women in decision-making positions in carrying out the women's agenda;
7. Make a concerted effort to include men in all gender initiatives and gender parity processes for the full attainment of principals set forth in the SDGEA.

**Adopted 25 January 2007 in Addis Ababa, Ethiopia**

**PARTICIPANTS:**

Advocacy for Women in Africa (AWA)  
Africa Gender Monitor  
Africa Leadership Forum (ALF)  
African Centre for Democracy and Human Rights Studies (ACDHRS)  
African Commission on Human and Peoples' Rights (ACHPR)  
African Union Commission Women Gender and Development Directorate

African Women's Development and Communication Network (FEMNET)  
Ahfad University for Women  
Association de Lutte contre les Violences Faites aux Femmes (ACOLVF)  
Centre for Human Rights (CHR)  
Collectif des associations et ONG féminines du Burundi (CAFOB)  
Comité Inter-Africain  
Egyptian Business Women Association (EBWA)  
Ethiopian Nurses Association  
Ethiopian Television  
Fédération Nationales des Associations des Femmes du Benin  
Femmes Africa Solidarité (FAS)  
Forum for African Women Educationalists (FAWE)  
Gfm Radio & Ben TV Sky Channel 148  
Government of Senegal Minister for Women's Affairs and Gender  
Government of South Africa Department of Foreign Affairs  
International African Committee (IAC)  
International Committee of the Red Cross (ICRC)  
International Criminal Court (ICC)  
International Federation of Women Lawyers (FIDAH)  
International Organization for Migration (IOM)  
Isis-Women's International Cross Cultural Exchange (Isis-WICCE)  
Malian Association of Lawyers  
Mano River Women's Peace Network (MARWOPNET)  
New Partnership for Africa's Development (NEPAD)  
ONG Repères  
Open Society Initiative for West Africa (OSIWA)  
Pan African Women's Organization (PAWO)  
PanaPress  
Pro-Femmes/Twese Hamwe  
Social Aspects of HIV/AIDS Research Alliance (SAHARA)

Society for Women and AIDS in Africa (SWAA)  
Tunisian Mothers' Association (TMA)  
United Nations Economic Commission for Africa (ECA)  
United Nations Economic Commission Africa African Centre for Gender and Development (ACGD)  
University for Peace (UPEACE)  
West African Women Association (WAWA)  
Women in Law and Development in Africa (WiLDAF)  
World Vision  
Zimbabwe Human Rights NGO Forum

## **Appendix 10: The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa**

The States Parties to this Protocol,

**CONSIDERING** that Article 66 of the African Charter on Human and Peoples' Rights provides for special protocols or agreements, if necessary, to supplement the provisions of the African Charter, and that the Assembly of Heads of State and Government of the Organization of African Unity meeting in its Thirty-first Ordinary Session in Addis Ababa, Ethiopia, in June 1995, endorsed by resolution AHG/Res.240 (XXXI) the recommendation of the African Commission on Human and Peoples' Rights to elaborate a Protocol on the Rights of Women in Africa;

**CONSIDERING** that Article 2 of the African Charter on Human and Peoples' Rights enshrines the principle of non-discrimination on the grounds of race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status;

**FURTHER CONSIDERING** that Article 18 of the African Charter on Human and Peoples' Rights calls on all States Parties to eliminate every discrimination against women and to ensure the protection of the rights of women as stipulated in international declarations and conventions;

**NOTING** that Articles 60 and 61 of the African Charter on Human and Peoples' Rights recognise regional and international human rights instruments and African practices consistent with international norms on human and peoples' rights as being important reference

points for the application and interpretation of the African Charter;

**RECALLING** that women's rights have been recognised and guaranteed in all international human rights instruments, notably the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination Against Women and its Optional Protocol, the African Charter on the Rights and Welfare of the Child, and all other international and regional conventions and covenants relating to the rights of women as being inalienable, interdependent and indivisible human rights;

**NOTING** that women's rights and women's essential role in development, have been reaffirmed in the United Nations Plans of Action on the Environment and Development in 1992, on Human Rights in 1993, on Population and Development in 1994 and on Social Development in 1995;

**RECALLING ALSO** United Nations Security Council's Resolution 1325 (2000) on the role of Women in promoting peace and security;

**REAFFIRMING** the principle of promoting gender equality as enshrined in the Constitutive Act of the African Union as well as the New Partnership for Africa's Development, relevant Declarations, Resolutions and Decisions, which underline the commitment of the African States to ensure the full participation of African women as equal partners in Africa's development;

**FURTHER NOTING** that the African Platform for Action and the Dakar Declaration of 1994 and the Beijing Platform for Action of 1995 call on all Member States of the United Nations, which have

made a solemn commitment to implement them, to take concrete steps to give greater attention to the human rights of women in order to eliminate all forms of discrimination and of gender-based violence against women;

**RECOGNISING** the crucial role of women in the preservation of African values based on the principles of equality, peace, freedom, dignity, justice, solidarity and democracy;

**BEARING IN MIND** related Resolutions, Declarations, Recommendations, Decisions, Conventions and other Regional and Sub-Regional Instruments aimed at eliminating all forms of discrimination and at promoting equality between women and men;

**CONCERNED** that despite the ratification of the African Charter on Human and Peoples' Rights and other international human rights instruments by the majority of States Parties, and their solemn commitment to eliminate all forms of discrimination and harmful practices against women, women in Africa still continue to be victims of discrimination and harmful practices;

**FIRMLY CONVINCED** that any practice that hinders or endangers the normal growth and affects the physical and psychological development of women and girls should be condemned and eliminated;

**DETERMINED** to ensure that the rights of women are promoted, realised and protected in order to enable them to enjoy fully all their human rights;

**HAVE AGREED AS FOLLOWS:**

## **Article 1**

### **Definitions**

For the purpose of the present Protocol:

a) "African Charter" means the African Charter on Human and Peoples' Rights;

b) "African Commission" means the African Commission on Human and Peoples' Rights;

c) "Assembly" means the Assembly of Heads of State and Government of the African Union;

d) "AU" means the African Union;

e) "Constitutive Act" means the Constitutive Act of the African Union;

f) "Discrimination against women" means any distinction, exclusion or restriction or any differential treatment based on sex and whose objectives or effects compromise or destroy the recognition, enjoyment or the exercise by women, regardless of their marital status, of human rights and fundamental freedoms in all spheres of life;

g) "Harmful Practices" means all behaviour, attitudes and/or practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education and physical integrity;

h) “NEPAD” means the New Partnership for Africa’s Development established by the Assembly;

i) "States Parties" means the States Parties to this Protocol;

j) "Violence against women" means all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or of war;

k) “Women” means persons of female gender, including girls.

## **Article 2**

### **Elimination of Discrimination Against Women**

1. States Parties shall combat all forms of discrimination against women through appropriate legislative, institutional and other measures. In this regard they shall:

a) Include in their national constitutions and other legislative instruments, if not already done, the principle of equality between women and men and ensure its effective application;

b) Enact and effectively implement appropriate legislative or regulatory measures, including those prohibiting and curbing all forms of discrimination, particularly those harmful practices which endanger the health and general well-being of women;

c) Integrate a gender perspective in their policy decisions,

legislation, development plans, programmes and activities and in all other spheres of life;

d) Take corrective and positive action in those areas where discrimination against women in law and in fact continues to exist;

e) Support the local, national, regional and continental initiatives directed at eradicating all forms of discrimination against women.

2. States Parties shall commit themselves to modify the social and cultural patterns of conduct of women and men through public education, information, education and communication strategies, with a view to achieving the elimination of harmful cultural and traditional practices and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes, or on stereotyped roles for women and men.

## **Article 3**

### **Right to Dignity**

1. Every woman shall have the right to dignity inherent in a human being and to the recognition and protection of her human and legal rights.

2. Every woman shall have the right to respect as a person and to the free development of her personality.

3. States Parties shall adopt and implement appropriate measures to prohibit any exploitation or degradation of women.

4. States Parties shall adopt and implement appropriate measures to ensure the protection of every woman’s right to respect for her

dignity and protection of women from all forms of violence, particularly sexual and verbal violence.

#### **Article 4**

##### **The Rights to Life, Integrity and Security of the Person**

1. Every woman shall be entitled to respect for her life and the integrity and security of her person. All forms of exploitation, cruel, inhuman or degrading punishment and treatment shall be prohibited.

2. States Parties shall take appropriate and effective measures to:

a) Enact and enforce laws to prohibit all forms of violence against women including unwanted or forced sex whether the violence takes place in private or public;

b) Adopt such other legislative, administrative, social and economic measures as may be necessary to ensure the prevention, punishment and eradication of all forms of violence against women;

c) Identify the causes and consequences of violence against women and take appropriate measures to prevent and eliminate such violence;

d) Actively promote peace education through curricula and social communication in order to eradicate elements in traditional and cultural beliefs, practices and stereotypes which legitimise and exacerbate the persistence and tolerance of violence against women;

e) Punish the perpetrators of violence against women and implement programmes for the rehabilitation of women victims;

f) Establish mechanisms and accessible services for effective information, rehabilitation and reparation for victims of violence against women;

g) Prevent and condemn trafficking in women, prosecute the perpetrators of such trafficking and protect those women most at risk;

h) Prohibit all medical or scientific experiments on women without their informed consent;

i) Provide adequate budgetary and other resources for the implementation and monitoring of actions aimed at preventing and eradicating violence against women;

j) Ensure that, in those countries where the death penalty still exists, not to carry out death sentences on pregnant or nursing women;

k) Ensure that women and men enjoy equal rights in terms of access to refugee status determination procedures and that women refugees are accorded the full protection and benefits guaranteed under international refugee law, including their own identity and other documents.

#### **Article 5**

##### **Elimination of Harmful Practices**

States Parties shall prohibit and condemn all forms of harmful practices which negatively affect the human rights of women and which are contrary to recognised international standards. States Parties shall take all necessary legislative and other measures to eliminate such practices, including:

- a) Creation of public awareness in all sectors of society regarding harmful practices through information, formal and informal education and outreach programmes;
- b) Prohibition, through legislative measures backed by sanctions, of all forms of female genital mutilation, scarification, medicalisation and para-medicalisation of female genital mutilation and all other practices in order to eradicate them;
- c) Provision of necessary support to victims of harmful practices through basic services such as health services, legal and judicial support, emotional and psychological counselling as well as vocational training to make them self-supporting;
- d) Protection of women who are at risk of being subjected to harmful practices or all other forms of violence, abuse and intolerance.

## **Article 6 Marriage**

States Parties shall ensure that women and men enjoy equal rights and are regarded as equal partners in marriage. They shall enact appropriate national legislative measures to guarantee that:

- a) No marriage shall take place without the free and full consent of both parties;
- b) The minimum age of marriage for women shall be 18 years;
- c) Monogamy is encouraged as the preferred form of marriage and

that the rights of women in marriage and family, including in polygamous marital relationships are promoted and protected;

- d) Every marriage shall be recorded in writing and registered in accordance with national laws, in order to be legally recognised;
- e) The husband and wife shall, by mutual agreement, choose their matrimonial regime and place of residence;
- f) A married woman shall have the right to retain her maiden name, to use it as she pleases, jointly or separately with her husband's surname;
- g) A woman shall have the right to retain her nationality or to acquire the nationality of her husband;
- h) A woman and a man shall have equal rights with respect to the nationality of their children, except where this is contrary to a provision in national legislation or is contrary to national security interests;
- i) A woman and a man shall jointly contribute to safeguarding the interests of the family, protecting and educating their children;
- j) During her marriage, a woman shall have the right to acquire her own property and to administer and manage it freely.

## **Article 7 Separation, Divorce and Annulment of Marriage**

States Parties shall enact appropriate legislation to ensure that women and men enjoy the same rights in case of separation, divorce

or annulment of marriage. In this regard, they shall ensure that:

- a) Separation, divorce or annulment of a marriage shall be effected by judicial order;
- b) Women and men shall have the same rights to seek separation, divorce or annulment of a marriage;
- c) In case of separation, divorce or annulment of marriage, women and men shall have reciprocal rights and responsibilities towards their children. In any case, the interests of the children shall be given paramount importance;
- d) In case of separation, divorce or annulment of marriage, women and men shall have the right to an equitable sharing of the joint property deriving from the marriage.

#### **Article 8**

##### **Access to Justice and Equal Protection before the Law**

Women and men are equal before the law and shall have the right to equal protection and benefit of the law. States Parties shall take all appropriate measures to ensure:

- a) Effective access by women to judicial and legal services, including legal aid;
- b) Support to local, national, regional and continental initiatives directed at providing women access to legal services, including legal aid;
- c) The establishment of adequate educational and other appropriate

structures with particular attention to women and to sensitise everyone to the rights of women;

- d) That law enforcement organs at all levels are equipped to effectively interpret and enforce gender equality rights;
- e) That women are represented equally in the judiciary and law enforcement organs;
- f) Reform of existing discriminatory laws and practices in order to promote and protect the rights of women.

#### **Article 9**

##### **Right to Participation in the Political and Decision-Making Process**

1. States Parties shall take specific positive action to promote participative governance and the equal participation of women in the political life of their countries through affirmative action, enabling national legislation and other measures to ensure that:

- a) Women participate without any discrimination in all elections;
- b) Women are represented equally at all levels with men in all electoral processes;
- c) Women are equal partners with men at all levels of development and implementation of State policies and development programmes.

2. States Parties shall ensure increased and effective representation and participation of women at all levels of decision-making.

**Article 10**  
**Right to Peace**

1. Women have the right to a peaceful existence and the right to participate in the promotion and maintenance of peace.
2. States Parties shall take all appropriate measures to ensure the increased participation of women:
  - a) In programmes of education for peace and a culture of peace;
  - b) In the structures and processes for conflict prevention, management and resolution at local, national, regional, continental and international levels;
  - c) In the local, national, regional, continental and international decision-making structures to ensure physical, psychological, social and legal protection of asylum seekers, refugees, returnees and displaced persons, in particular women;
  - d) In all levels of the structures established for the management of camps and settlements for asylum seekers, refugees, returnees and displaced persons, in particular, women;
  - e) In all aspects of planning, formulation and implementation of post-conflict reconstruction and rehabilitation.
3. States Parties shall take the necessary measures to reduce military expenditure significantly in favour of spending on social development in general, and the promotion of women in particular.

**Article 11**  
**Protection of Women in Armed Conflicts**

1. States Parties undertake to respect and ensure respect for the rules of international humanitarian law applicable in armed conflict situations, which affect the population, particularly women.
2. States Parties shall, in accordance with the obligations incumbent upon them under international humanitarian law, protect civilians including women, irrespective of the population to which they belong, in the event of armed conflict.
3. States Parties undertake to protect asylum seeking women, refugees, returnees and internally displaced persons, against all forms of violence, rape and other forms of sexual exploitation, and to ensure that such acts are considered war crimes, genocide and/or crimes against humanity and that their perpetrators are brought to justice before a competent criminal jurisdiction.
4. States Parties shall take all necessary measures to ensure that no child, especially girls under 18 years of age, take a direct part in hostilities and that no child is recruited as a soldier.

**Article 12**  
**Right to Education and Training**

1. States Parties shall take all appropriate measures to:
  - a) Eliminate all forms of discrimination against women and guarantee equal opportunity and access in the sphere of education and training;

- b) Eliminate all stereotypes in textbooks, syllabuses and the media, that perpetuate such discrimination;
- c) Protect women, especially the girl-child from all forms of abuse, including sexual harassment in schools and other educational institutions and provide for sanctions against the perpetrators of such practices;
- d) Provide access to counselling and rehabilitation services to women who suffer abuses and sexual harassment;
- e) Integrate gender sensitisation and human rights education at all levels of education curricula including teacher training.

2. States Parties shall take specific positive action to:

- a) Promote literacy among women;
- b) Promote education and training for women at all levels and in all disciplines, particularly in the fields of science and technology;
- c) Promote the enrolment and retention of girls in schools and other training institutions and the organisation of programmes for women who leave school prematurely.

**Article 13**  
**Economic and Social Welfare Rights**

States Parties shall adopt and enforce legislative and other measures to guarantee women equal opportunities in work and career advancement and other economic opportunities. In this respect, they

shall:

- a) Promote equality of access to employment;
- b) Promote the right to equal remuneration for jobs of equal value for women and men;
- c) Ensure transparency in recruitment, promotion and dismissal of women and combat and punish sexual harassment in the workplace;
- d) Guarantee women the freedom to choose their occupation, and protect them from exploitation by their employers violating and exploiting their fundamental rights as recognised and guaranteed by conventions, laws and regulations in force;
- e) Create conditions to promote and support the occupations and economic activities of women, in particular, within the informal sector;
- f) Establish a system of protection and social insurance for women working in the informal sector and sensitise them to adhere to it;
- g) Introduce a minimum age for work and prohibit the employment of children below that age, and prohibit, combat and punish all forms of exploitation of children, especially the girl-child;
- h) Take the necessary measures to recognise the economic value of the work of women in the home;
- i) Guarantee adequate and paid pre- and post-natal maternity leave in both the private and public sectors;

j) Ensure the equal application of taxation laws to women and men;  
k) Recognise and enforce the right of salaried women to the same allowances and entitlements as those granted to salaried men for their spouses and children;

l) Recognise that both parents bear the primary responsibility for the upbringing and development of children and that this is a social function for which the State and the private sector have secondary responsibility;

m) Take effective legislative and administrative measures to prevent the exploitation and abuse of women in advertising and pornography.

#### **Article 14 Health and Reproductive Rights**

1. States Parties shall ensure that the right to health of women, including sexual and reproductive health is respected and promoted. This includes:

- a) The right to control their fertility;
- b) The right to decide whether to have children, the number of children and the spacing of children;
- c) The right to choose any method of contraception;
- d) The right to self-protection and to be protected against sexually transmitted infections, including HIV/AIDS;
- e) The right to be informed on one's health status and on the health

status of one's partner, particularly if affected with sexually transmitted infections, including HIV/AIDS, in accordance with internationally recognised standards and best practices;

g) The right to have family planning education.

2. States Parties shall take all appropriate measures to:

a) Provide adequate, affordable and accessible health services, including information, education and communication programmes to women especially those in rural areas;

b) Establish and strengthen existing pre-natal, delivery and post-natal health and nutritional services for women during pregnancy and while they are breast-feeding;

c) Protect the reproductive rights of women by authorising medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus.

#### **Article 15 Right to Food Security**

States Parties shall ensure that women have the right to nutritious and adequate food. In this regard, they shall take appropriate measures to:

a) Provide women with access to clean drinking water, sources of domestic fuel, land, and the means of producing nutritious food;

b) Establish adequate systems of supply and storage to ensure food

security.

### **Article 16** **Right to Adequate Housing**

Women shall have the right to equal access to housing and to acceptable living conditions in a healthy environment. To ensure this right, States Parties shall grant to women, whatever their marital status, access to adequate housing.

### **Article 17** **Right to Positive Cultural Context**

1. Women shall have the right to live in a positive cultural context and to participate at all levels in the determination of cultural policies.

2. States Parties shall take all appropriate measures to enhance the participation of women in the formulation of cultural policies at all levels.

### **Article 18** **Right to a Healthy and Sustainable Environment**

1. Women shall have the right to live in a healthy and sustainable environment.

2. States Parties shall take all appropriate measures to:

a) Ensure greater participation of women in the planning, management and preservation of the environment and the sustainable use of natural resources at all levels;

b) Promote research and investment in new and renewable energy sources and appropriate technologies, including information technologies and facilitate women's access to, and participation in their control;

c) Protect and enable the development of women's indigenous knowledge systems;

c) Regulate the management, processing, storage and disposal of domestic waste;

d) Ensure that proper standards are followed for the storage, transportation and disposal of toxic waste.

### **Article 19** **Right to Sustainable Development**

Women shall have the right to fully enjoy their right to sustainable development. In this connection, the States Parties shall take all appropriate measures to:

a) Introduce the gender perspective in the national development planning procedures;

b) Ensure participation of women at all levels in the conceptualisation, decision-making, implementation and evaluation of development policies and programmes;

c) Promote women's access to and control over productive resources such as land and guarantee their right to property;

d) Promote women's access to credit, training, skills development and extension services at rural and urban levels in order to provide women with a higher quality of life and reduce the level of poverty among women;

e) Take into account indicators of human development specifically relating to women in the elaboration of development policies and programmes; and

f) Ensure that the negative effects of globalisation and any adverse effects of the implementation of trade and economic policies and programmes are reduced to the minimum for women.

#### **Article 20** **Widows' Rights**

States Parties shall take appropriate legal measures to ensure that widows enjoy all human rights through the implementation of the following provisions:

a) That widows are not subjected to inhuman, humiliating or degrading treatment;

b) That a widow shall automatically become the guardian and custodian of her children, after the death of her husband, unless this is contrary to the interests and the welfare of the children;

c) That a widow shall have the right to remarry, and in that event, to marry the person of her choice.

#### **Article 21** **Right to Inheritance**

1. A widow shall have the right to an equitable share in the inheritance of the property of her husband. A widow shall have the right to continue to live in the matrimonial house. In case of remarriage, she shall retain this right if the house belongs to her or she has inherited it.

2. Women and men shall have the right to inherit, in equitable shares, their parents' properties.

#### **Article 22** **Special Protection of Elderly Women**

The States Parties undertake to:

a) Provide protection to elderly women and take specific measures commensurate with their physical, economic and social needs as well as their access to employment and professional training;

b) Ensure the right of elderly women to freedom from violence, including sexual abuse, discrimination based on age and the right to be treated with dignity.

#### **Article 23** **Special Protection of Women with Disabilities**

The States Parties undertake to:

a) Ensure the protection of women with disabilities and take specific measures commensurate with their physical, economic and social needs to facilitate their access to employment, professional and vocational training as well as their participation in decision-making;

b) Ensure the right of women with disabilities to freedom from violence, including sexual abuse, discrimination based on disability and the right to be treated with dignity.

#### **Article 24** **Special Protection of Women in Distress**

The States Parties undertake to:

a) Ensure the protection of poor women and women heads of families including women from marginalized population groups and provide an environment suitable to their condition and their special physical, economic and social needs;

b) Ensure the right of pregnant or nursing women or women in detention by providing them with an environment which is suitable to their condition and the right to be treated with dignity.

#### **Article 25** **Remedies**

States Parties shall undertake to:

a) Provide for appropriate remedies to any woman whose rights or freedoms, as herein recognised, have been violated;

b) Ensure that such remedies are determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by law.

#### **Article 26** **Implementation and Monitoring**

1. States Parties shall ensure the implementation of this Protocol at national level, and in their periodic reports submitted in accordance with Article 62 of the African Charter, indicate the legislative and other measures undertaken for the full realisation of the rights herein recognised.

2. States Parties undertake to adopt all necessary measures and in particular shall provide budgetary and other resources for the full and effective implementation of the rights herein recognised.

#### **Article 27** **Interpretation**

The African Court on Human and Peoples' Rights shall be seized with matters of interpretation arising from the application or implementation of this Protocol.

#### **Article 28** **Signature, Ratification and Accession**

1. This Protocol shall be open for signature, ratification and accession by the States Parties, in accordance with their respective constitutional procedures.

2. The instruments of ratification or accession shall be deposited with the Chairperson of the Commission of the AU.

**Article 29**  
**Entry into Force**

1. This Protocol shall enter into force thirty (30) days after the deposit of the fifteenth (15) instrument of ratification.
2. For each State Party that accedes to this Protocol after its coming into force, the Protocol shall come into force on the date of deposit of the instrument of accession.
3. The Chairperson of the Commission of the AU shall notify all Member States of the coming into force of this Protocol.

**Article 30**  
**Amendment and Revision**

1. Any State Party may submit proposals for the amendment or revision of this Protocol.
2. Proposals for amendment or revision shall be submitted, in writing, to the Chairperson of the Commission of the AU who shall transmit the same to the States Parties within thirty (30) days of receipt thereof.
3. The Assembly, upon advice of the African Commission, shall examine these proposals within a period of one (1) year following notification of States Parties, in accordance with the provisions of paragraph 2 of this article.
4. Amendments or revision shall be adopted by the Assembly by a simple majority.

5. The amendment shall come into force for each State Party, which has accepted it thirty (30) days after the Chairperson of the Commission of the AU has received notice of the acceptance.

**Article 31**  
**Status of the Present Protocol**

None of the provisions of the present Protocol shall affect more favourable provisions for the realisation of the rights of women contained in the national legislation of States Parties or in any other regional, continental or international conventions, treaties or agreements applicable in these States Parties.

**Article 32**  
**Transitional Provisions**

Pending the establishment of the African Court on Human and Peoples' Rights, the African Commission on Human and Peoples' Rights shall be seized with matters of interpretation arising from the application and implementation of this Protocol.

**Adopted by the 2nd Ordinary Session of the Assembly of the Union**

**Maputo, 11 July 2003**

## Appendix 11: United Nations Security Council Resolution 1325 (2000)

The Security Council,

**Recalling** its resolutions 1261 (1999) of 25 August 1999, 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000 and 1314 (2000) of 11 August 2000, as well as relevant statements of its President and recalling also the statement of its President, to the press on the occasion of the United Nations Day for Women's Rights and International Peace of 8 March 2000 (SC/6816),

**Recalling** also the commitments of the Beijing Declaration and Platform for Action (A/52/231) as well as those contained in the outcome document of the twenty-third Special Session of the United Nations General Assembly entitled "Women 2000: Gender Equality, Development and Peace for the twenty-first century" (A/S-23/10/Rev.1), in particular those concerning women and armed conflict,

**Bearing** in mind the purposes and principles of the Charter of the United Nations and the primary responsibility of the Security Council under the Charter for the maintenance of international peace and security,

**Expressing** concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons, and increasingly are targeted by combatants and armed elements, and recognizing the consequent impact this has on durable peace and reconciliation,

**Reaffirming** the important role of women in the prevention and

resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution,

**Reaffirming** also the need to implement fully international humanitarian and human rights law that protects the rights of women and girls during and after conflicts,

**Emphasizing** the need for all parties to ensure that mine clearance and mine awareness programmes take into account the special needs of women and girls,

**Recognizing** the urgent need to mainstream a gender perspective into peacekeeping operations, and in this regard noting the Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations (S/2000/693),

**Recognizing** also the importance of the recommendation contained in the statement of its President to the press of 8 March 2000 for specialized training for all peacekeeping personnel on the protection, special needs and human rights of women and children in conflict situations,

**Recognizing** that an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security,

**Noting** the need to consolidate data on the impact of armed conflict on women and girls,

1. **Urges** Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict;

2. **Encourages** the Secretary-General to implement his strategic plan of action (A/49/587) calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes;

3. **Urges** the Secretary-General to appoint more women as special representatives and envoys to pursue good offices on his behalf, and in this regard calls on Member States to provide candidates to the Secretary-General, for inclusion in a regularly updated centralized roster;

4. **Further** urges the Secretary-General to seek to expand the role and contribution of women in United Nations field-based operations, and especially among military observers, civilian police, human rights and humanitarian personnel;

5. **Expresses** its willingness to incorporate a gender perspective into peacekeeping operations and urges the Secretary-General to ensure that, where appropriate, field operations include a gender component;

6. **Requests** the Secretary-General to provide to Member States training guidelines and materials on the protection, rights and the particular needs of women, as well as on the importance of involving women in all peacekeeping and peace-building measures, invites Member States to incorporate these elements as well as HIV/AIDS awareness training into their national training programmes for military and civilian police personnel in preparation for deployment and further requests the Secretary-General to ensure that civilian

personnel of peacekeeping operations receive similar training;

7. **Urges** Member States to increase their voluntary financial, technical and logistical support for gender-sensitive training efforts, including those undertaken by relevant funds and programmes, inter alia, the United Nations Fund for Women and United Nations Children's Fund, and by the United Nations High Commissioner for Refugees and other relevant bodies;

8. **Calls** on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia: (a) The special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction; (b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements; (c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary;

9. **Calls** upon all parties to armed conflict to respect fully international law applicable to the rights and protection of women and girls as civilians, in particular the obligations applicable to them under the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977, the Refugee Convention of 1951 and the Protocol thereto of 1967, the Convention Security Council - 5 - Press Release SC/6942 4213th Meeting (PM) 31 October 2000 on the Elimination of All Forms of Discrimination against Women of 1979 and the Optional Protocol thereto of 1999 and the United Nations Convention on the Rights of the Child of 1989 and the two Optional Protocols thereto of 25 May 2000, and to bear in mind the relevant provisions of the Rome Statute of the International Criminal Court;

10. ***Calls*** on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict;

11. ***Emphasizes*** the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes including those relating to sexual violence against women and girls, and in this regard, stresses the need to exclude these crimes, where feasible from amnesty provisions;

12. ***Calls*** upon all parties to armed conflict to respect the civilian and humanitarian character of refugee camps and settlements, and to take into account the particular needs of women and girls, including in their design, and recalls its resolution 1208 (1998) of 19 November 1998;

13. ***Encourages*** all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants;

14. ***Reaffirms*** its readiness, whenever measures are adopted under Article 41 of the Charter of the United Nations, to give consideration to their potential impact on the civilian population, bearing in mind the special needs of women and girls, in order to consider appropriate humanitarian exemptions;

15. ***Expresses*** its willingness to ensure that Security Council missions take into account gender considerations and the rights of women, including through consultation with local and international women's groups;

16. ***Invites*** the Secretary-General to carry out a study on the impact of armed conflict on women and girls, the role of women in peace-building and the gender dimensions of peace processes and conflict resolution, and further invites him to submit a report to the Security Council on the results of this study and to make this available to all Member States of the United Nations;

17. ***Requests*** the Secretary-General, where appropriate, to include in his reporting to the Security Council, progress on gender mainstreaming throughout peacekeeping missions and all other aspects relating to women and girls;

18. ***Decides*** to remain actively seized of the matter